

The Convention then adjourned until 10 o'clock to-morrow morning.

FRIDAY, February 9th, 1866.

Convention met, pursuant to adjournment. Roll called; quorum present; journal of yesterday read and adopted.

Messrs. Dickson and W. S. Thomas, of Grimes, A. J. Johnson, of Titus, Bryan, of Liberty, Wilson, of Tyler, and Hunt, of Austin, members elect, presented their credentials and took their seats.

Mr. Henderson offered the following resolution:

*Resolved*, That the Convention now proceed to the election of a First and Second Assistant Secretary, Enrolling and Engrossing Clerk, and Assistant Sergeant-at-Arms.

Adopted.

The House then proceeded to the election of a First Assistant Secretary.

Nominations being in order, Mr. Randolph nominated Mr. J. G. Wheeler, of Fayette county, and Mr. Hancock nominated Mr. W. M. Gilleland, of Travis county.

Messrs. Parsons and Hancock were appointed Tellers.

The House proceeded to ballot, with the following results:

Mr. Wheeler received 42 votes, and Mr. Gilleland 28 votes.

Mr. Wheeler, having received a majority of all the votes cast, was declared duly elected First Assistant Secretary.

Mr. Smith, of Colorado, presented the credentials of Mr. McCormack, member elect from Brazoria and Galveston, who took his seat.

Nominations for Second Assistant Secretary being next in order, Mr. Henderson nominated Mr. J. H. Herndon, of Travis; Mr. Hancock nominated Mr. George J. Durham, of Travis; Mr. Frazier nominated Mr. J. V. Hutchins, of Travis.

On telling the ballot, it appeared that Mr. Herndon had received 11 votes, Mr. Durham received 30 votes, and Mr. Hutchins received 33 votes.

There being no election, the House proceeded to a second ballot.

Mr. Henderson withdrew the name of Mr. Herndon

On the second ballot, Mr. Durham received 30 votes, and Mr. Hutchins received 42 votes.

Mr. Hutchins having received a majority of all the votes cast, was declared duly elected Second Assistant Secretary.

Mr. Waul presented the credentials of Mr. P. C Wood, of Hays county, and Mr. Paschal presented those of Mr. B. R. Tyus and Mr. B. G. Shields, of Limestone county, who took their seats.

The election for an Engrossing and Enrolling Clerk being next in order, Mr. Jones, of Bastrop, nominated Mr. Rhodes Fisher; Mr. Saunders nominated Mr. Wm. Homan, and Mr. Taylor, of Fannin, nominated Mr Flournoy.

Mr. Mabry moved to reconsider the vote adopting so much of Mr. Henderson's amendment as relates to the election of Enrolling and Engrossing Clerk. Lost.

On ballot, Mr. Fisher received 51 votes, Mr. Homan 8 votes, Mr. Flournoy 10 votes, and Mr. Gilleland 4 votes.

Mr. Fisher, having received a majority of the whole, was declared elected Enrolling and Engrossing Clerk.

The election for Assistant Sergeant-at-Arms being next in order, Mr. Norton nominated Mr. Raymond; Mr. Paschal nominated Mr. Cassidy; Mr. Shepard nominated Mr. Thompson; Mr. Whitfield nominated Mr. Clare; Mr. Record nominated Mr. Burdett; Mr. Roberts nominated Mr. Stubblefield; Mr. Taylor of Fannin nominated Mr. Robertson; Mr. Gurley nominated Mr. Davis.

On ballot, Mr. Cassidy received 13 votes, Mr. Thompson 5 votes, Mr. Raymond 14 votes, Mr. Clare 3 votes, Mr. Burdett 14 votes, Mr. Stubblefield 16 votes, Mr. Robertson 4 votes and Mr. Davis 8 votes.

There being no election, the House proceeded to a second ballot; when Mr. Cassidy received 17 votes, Mr. Thompson 6 votes, Mr. Raymond 14 votes, Mr. Clare 1 vote, Mr. Burdett 13 votes, Mr. Stubblefield 21 votes, Mr. Robertson 1 vote, and Mr. Davis 4 votes.

There being no election, the House proceeded to a third ballot; when Mr. Raymond received 5 votes, Mr. Cassidy 21 votes, Mr. Thompson 3 votes, Mr. Burdett 18 votes, Mr. Stubblefield 25 votes, and Mr. Davis 1 vote.

There being no election, the House proceeded to a fourth ballot, with the following result: Mr. Cassidy 29 votes, Mr Burdett 21 votes, and Mr. Stubblefield 26 votes.

There being no election, the House proceeded to a fifth ballot; when Mr. Burdett received 17 votes, Mr. Cassidy 32 votes, and Mr Stubblefield 26 votes.

There being no election, the House proceeded to a sixth ballot. Mr Record withdrew Mr. Burdett's name. On ballot, Mr. Cassidy received 30 votes, and Mr. Stubblefield 42 votes.

Mr. Stubblefield, having received a majority of all the votes, was declared Assistant Sergeant-at-Arms.

Mr. Paschal offered the following :

*Resolved*, That a committee of five be appointed by the President, to wait on His Excellency the Provisional Governor, and inform him that the Convention has been organized by the election of the Hon. J. W. Throckmorton, President, and W. L. Chalmers, Secretary, and that they are now ready to take the Constitutional Oath, and to receive any communication he may think proper to make to this body.

Made the special order for 3 o'clock, P. M.

Mr. Frazier moved to adjourn until 3 o'clock, P. M.

Lost.

Mr. Norton offered the following resolution .

*Resolved*, That the President appoint the following Standing Committees :

1. On the Condition of the State :
2. On the Executive Department :
3. On the Legislative Department :
4. On the Judiciary ;
5. On the General Provisions of the Constitution :
6. On Privileges and Elections ;
7. On Printing and Contingent Expenses.

The Committees to consist of thirteen members each, except that on Printing and Contingent Expenses, which shall consist of seven.

Laid on the table for the present.

Mr. Armstrong offered the following :

*Resolved*, That the Secretary of this Convention be instructed to procure one hundred copies of the Rules adopted on yesterday for the government of this Convention, and to furnish a copy thereof to each member of this Convention.

Lost.

Mr. Mabry offered the following :

*Resolved*, That the Sergeant-at-Arms and Doorkeeper be and are hereby required to furnish the House with fires, water, stationery, and such other things as are necessary for the use of the Convention, and to take charge of the Hall and care of the furniture therein.

On motion, the Convention adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

House met. Roll called ; quorum present.

Mr. Paschal's resolution, being the special order, was taken up and read.

Mr. Paschal moved a call of the House.

Carried.

On motion, the call was suspended.

Mr. Roberts offered the following, as a substitute for Mr. Paschal's resolution :

*Resolved*, That a committee of five members be appointed by the President of the Convention, to wait on His Excellency Gov. Hamilton, and inform him that the Convention has been duly organized, and would be pleased to receive any communication which it may be his pleasure to offer.

Withdrawn.

Mr. Hancock moved to amend the resolution by striking out the words Constitutional Oath, and inserting, "to take the Amnesty Oath prescribed by the President's proclamation, if there be any members of this Convention who have not already taken said oath."

Mr. Slaughter, member elect from San Augustine, presented his credentials, and took his seat.

Mr. Paschal moved to amend the amendment by striking out all after the word proclamation.

Mr. Johnson of Tarrant moved to lay the amendment on the table; whereupon the Yeas and Nays were called for, and stood thus :

Yeas—Messrs. President, Armstrong, Bengé, Bumpass, Camp of Goliad, Davis of Webb, Degener, Drake, Flanagan, Hill, Hunt, Hurt, Johnson of Tarrant, Johnson of Titus, Jones of Bastrop, Jones of Bexar, Lane, Latimer, Ledbetter, Lindsay, Mabry, McCormack, Murchison, Parker, Paschal, Saunders, Shuford, Smith of Colorado, Smith of Lamar, Shields, Taylor of Fannin, Thomas, Vannell, Woods and Young—35.

Nays—Messrs. Allen, Ball, Boall, Boyd, Bryan, Bradshaw, Camp of Upshur, Clements, Dahrymple, Davis of Cherokee, Dickson, Frazier, Giddings, Gurley, Halbert, Hancock, Howard, Henderson, Ireland, Middleton, Nelson, Norton, Norris, Parsons, Perry, Phillips, Porter, Randolph, Record, Reeves, Richardson, Roberts, Runnells, Sautley, Shepard, Spaight, Slaughter, Taylor of Houston, Thompson, Tyus, Walker, Waul, Whitfield, and Wilson—44.

The question recurring on the adoption of Mr. Paschal's amendment, the same was put. The Yeas and Nays were called, and stood thus :

Yeas—Messrs. President, Armstrong, Bengé, Boyd, Bumpass, Camp of Goliad, Davis of Cherokee, Davis of Webb, Degener, Dickson, Drake, Flanagan, Frazier, Halbert, Hill, Hurt, John-

son of Tarrant, Johnson of Titus, Jones of Bastrop, Jones of Bexar, Lane, Latimer, Ledbetter, McCormack, Murchison, Parker, Paschal, Saunders, Shuford, Smith of Colorado, Smith of Lama, Shields, Taylor of Fannin, Varnell, Waul, Whitfield, Woods, and Young—39.

Nays—Messrs. Allen, Anderson, Ball, Beall, Bryan, Bradshaw, Camp of Upshur, Clements, Dalrymple, Giddings, Gurley, Hancock, Hunt, Howard, Henderson, Ireland, Lindsey, Nelson, Norton, Norris, Parsons, Perry, Phillips, Porter, Randolph, Record, Reeves, Richardson, Roberts, Runnels, Saufley, Shepard, Selman, Spaight, Slaughter, Taylor of Houston, Thomas, Thompson, Tyus, Walker, and Wilson—41.

Mr. Hancock's amendment to the resolution was adopted.

The resolution as amended was adopted.

Whereupon, the President appointed Messrs. Paschal, Dickson, Latimer, Gurley, and McCormack, a committee to wait on the Governor, in conformity to the resolution.

Mr. Ireland offered the following resolution :

*Resolved*, That the Convention do now proceed to the election of a Reporter.

Adopted.

On motion, the House adjourned until 10 o'clock, A. M. tomorrow, pending the election of a Reporter

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SATURDAY, February 10th, 1866.

Convention met pursuant to adjournment. Roll called; quorum present; journal of yesterday read, amended and adopted.

Mr. Taylor, of Fannin, presented the credentials of Mr. Hardin Hart, delegate elect from Hunt county, who took his seat.

Mr. Hancock moved a re-consideration of the vote adopting the amendment to Mr. Paschal's resolution yesterday. The yeas and nays being called for, stood thus :

Yeas—Messrs. President, Allen, Anderson, Armstrong, Beall, Benge, Boyd, Bryan, Bumpass, Camp, of Goliad, Camp, of Upshur, Clements, Dalrymple, Davis, of Webb, Davis, of Cherokee, Degener, Dickson, Drake, Flanagan, Frazier, Gurley, Halbert, Hancock, Hart, Harwood, Henderson, Hill, Hunt, Hurt, Johnson, of Tarrant, Johnson, of Titus, Jones, of Bastrop, Jones, of Bexar, Lane, Latimer, Ledbetter, Lindsey, Mabry, McCormack, Middleton, Murchison, Nelson, Norton, Paschal, Phillips, Randolph, Record, Reeves, Richardson, Roberts, Saunders, Saufley, Shields, Shuford, Slaughter, Smith, of Colo-