

The amendment of the committee to the 14th section, after the word "President" in second line, insert "pro tem.," was adopted.

Also, in 14th section, the amendment of the committee, to insert "two-thirds" after the words "majority of," was adopted.

The amendment of the committee to the 16th section, to strike out all in the second line to the word "and," was adopted.

In 20th section, the amendment of the committee was adopted, to strike out all after the word "open."

The amendment of the committee to the 26th section, to strike out all enclosed in brackets, which is "the office of Post Master excepted," was adopted.

The additional section of the committee, to come between the 28th and 29th sections, is as follows:

"No person who denies the being of a God, or a future state of rewards and punishments, shall hold any office in the civil department of State."

Which was read and rejected by the Convention.

The amendment of the committee to the 30th section, is as follows:

In the eighth line, strike out "the number of qualified electors," and insert "the free population, Indians not taxed, Africans and descendants of Africans excepted."

Which was debated at some length; and.

On motion of Mr. Anderson, the Convention adjourned until to-morrow morning at half past 8 o'clock.

THURSDAY MORNING, July 24, 1845.

The Convention met pursuant to adjournment—Prayer by the Chaplain.

Members present—Messrs. President Rusk, Anderson, Armstrong of J., Armstrong of R., Baylor, Bagby, Bache, Brashear, Brown, Burroughs, Caldwell, Cazneau, Clark, Cunningham, Cuney, Darnell, Davis, Evans, Everts, Forbes, Gage, Hemphill, Henderson, Hicks, Hogg, Horton, Howard, Hunter, Irion, Jewett, Jones, Kinney, Latimer of L., Latimer of R. R., Lewis, Love, Lumpkin, Lusk, Lipscomb, Mayfield, McGowan, McNeill, Miller, Moore, Parker, Power, Rains, Runnels, Scott, Smyth, Standefer, Tarrant, Ochiltree, Van Zandt, White, Wood, Wright and Young.

The journal of yesterday was read and adopted.

Mr. Anderson offered the following resolution;

Resolved, That it is expedient for the Convention to employ an additional mail carrier, for the purpose of carrying the papers, letters, &c., of the members of this Convention, from the city of Austin to the town of La Grange, the distributing post office; and that the Sergeant-at-Arms is hereby authorized to contract for the conveyance of the mail forthwith, and at the lowest price, not to exceed twenty-five dollars per trip; the mail to go and return once each week; and the same be paid out of the contingent fund of the Convention.

On motion of Mr. Ochiltree, the rule was suspended.

Mr. Van Zandt offered the following amendment:

“And that the President of the Convention communicate with the Post Office bureau, and request that, if necessary, such other facilities may be afforded as will ensure the certain transmission of the mail to the other portions of the country.”

The ayes and noes being called on the adoption of the amendment, stood thus:

Ayes—Messrs. President Rusk, Armstrong of R., Bagby, Caldwell, Clark, Cuney, Darnell, Evans, Everts, Gage, Hemphill, Henderson, Hicks, Hogg, Holland, Irion, Jewett, Kinney, Latimer of L., Latimer of R. R., Lewis, Love, Lumpkin, Lipscomb, McGowan, McNeill, Moore, Parker, Rains, Runnels, Scott, Smyth, Tarrant, Ochiltree, Van Zandt, White, Wright and Young—37.

Noes—Messrs. Anderson, Baylor, Bache, Brashear, Brown, Cazneau, Cunningham, Forbes, Horton, Howard, Hunter, Jones, Lusk, Mayfield, Miller, Power and Standefer—17.

So the amendment was adopted.

Mr. Horton moved the previous question, which was carried.

The main question being the adoption of the resolution, was put and carried.

On motion of Mr. Kinney, Mr. Navarro was excused from attending the Convention on account of sickness.

The committee on Privileges and Elections made the following report:

COMMITTEE ROOM, July 24, 1845.

Hon. THOS. J. RUSK,

President of the Convention :

Your committee to whom was referred the memorial of a portion of the citizens of Montgomery county, praying that Charles B. Stewart be permitted to take a seat in this Convention, as deputy from said county, have had the same under consideration, and directed me to make the following report:

From the evidence before the committee, they are of opinion, that Charles B. Stewart is not entitled to a seat in this Convention: they therefore recommend the passage of the following resolution:

Resolved, That Charles B. Stewart is not entitled to a seat in this Convention, as deputy from the county of Montgomery.

J. B. MILLER, Chairman.

Mr. Scott offered the following substitute :

Whereas, the county of Montgomery is entitled to four delegates or deputies in this Convention, by the basis of representation fixed in the President's Proclamation, and sanctioned by this body: and whereas, it appears to this Convention, that the electors of said county voted for and elected Gen. Sam Houston as one of said deputies, under the erroneous belief that said Houston was a candidate for their suffrages, and would be present in this body to represent their interests and wishes: and whereas, it further appears to the satisfaction of this Convention, that said Houston will not attend this body, and represent said county during its deliberations: and whereas, it is impracticable to refer the election of another deputy to the voters of said county, and have the place of said Houston supplied in time to effect any beneficent result: Therefore,

Resolved, That the seat of Gen. Sam Houston, a deputy elect from the county of Montgomery, be, and the same is hereby declared vacant; and that the remaining deputies for said county be and they are hereby authorized to fill said vacancy, by choosing another, or fourth deputy, to occupy said seat.

On motion of Mr. Scott, Mr. Stewart was authorized to address the Convention, personally, or by counsel.

Mr. Love moved to amend the substitute offered by Mr. Scott, by striking out all after the word "vacant," and inserting "and that Charles B. Stewart be entitled to the seat as the fifth highest candidate."

Barry Gillespie, Esq., counsel for C. B. Stewart, arose and addressed the Convention.

The question was then taken on Mr. Love's amendment, and rejected.

On motion of Mr. Ochiltree, a division of the question was had on the substitute of Mr. Scott.

The first clause of the resolution declaring the seat of Sam Houston, a deputy elect from the county of Montgomery, vacant, was rejected. The 2d clause, authorizing the deputies from the

said county to fill said vacancy, by choosing another, was also rejected.

The question was then taken on the adoption of the report and resolution of the committee, declaring that Charles B. Stewart is not entitled to a seat in the Convention, as a delegate from Montgomery, and carried.

On motion, the Convention adjourned until 4 o'clock, P. M.

FOUR O'CLOCK, P. M.

The Convention met pursuant to adjournment—Roll called—Quorum present.

On motion of Mr. Davis, the Convention took up the

ORDERS OF THE DAY.

The amendment of the committee to the 30th section of the report of the standing committee on the Legislative Department, being first in order,

On motion of Mr. Cunningham, a call of the Convention was had.

Mr. Darnell offered the following, as an amendment to the amendment of the committee, in the 30th section: "provided that foreigners shall not be included in the numerical strength, until they shall have become citizens, according to the laws of the United States."

On motion of Mr. Mayfield, the report was laid on the table, and made the special order of the day for to-morrow.

On motion of Mr. Ochiltree, the Convention adjourned until half-past 8 o'clock, to-morrow morning.

FRIDAY MORNING, JULY 25, 1845.

The Convention met pursuant to adjournment—Prayer by the Chaplain.

Present—Messrs. President Rusk, Anderson, Armstrong of J., Armstrong of R., Baylor, Bache, Brashear, Brown, Burroughs, Bagby, Caldwell, Cazneau, Clark, Cunningham, Cuney, Darnell, Davis, Evans, Everts, Forbes, Gage, Hemphill, Henderson, Hicks, Hogg, Horton, Howard, Holland, Hunter, Irion, Jewett, Jones, Kinney, Latimer of L., Latimer of R. R., Love, Lumpkin, Lusk,

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