Convention met pursuant to adjournment.
Roll called. Quorum present. Prayer by the Chaplain.
Journal of yesterday read and adopted.
Mr. W. Flanagan moved to take up the new section, granting
lands to actual settlers.
Motion withdrawn.
The President announced that the business in order was the report
of the Committee on Education.*
Mr. Buffington moved to postpone the consideration of the report
to 9th day of December, 1868.
Motion withdrawn.
The President announced the reception of the following communica-
tions from the commander of the Fifth Military District:

HEADQUARTERS FIFTH MILITARY DISTRICT,
State of Texas,
Austin, Texas, August 28, 1868.

Hon. E. J. DAVIS,
President of Constitutional Convention,
Austin, Texas:

SIR: I have the honor to acknowledge the receipt of a decla-
tion, which passed the Constitutional Convention on the 21st inst.,
"requesting the commanding general of the Fifth Military District
to relinquish the State tax of 1867 not yet collected, and the tax for
1868 of Montgomery county," and to return the same without my
approval.

Very respectfully,
Your obedient servant,
J. J. REYNOLDS,
Brevet Major General U. S. Army,
Commanding.

* For report see page 610.
Hon. E. J. DAVIS,
President Texas Constitutional Convention:

Austin, Texas:

Sir: I have the honor to acknowledge the receipt of a declaration, which passed the Constitutional Convention on the 19th inst., "requesting the commanding general to relinquish the ad valorem tax of Jefferson county for the year 1868, for certain purposes," and to return the same without my approval.

Very respectfully,

Your obedient servant,

J. J. REYNOLDS,
Brevet Major General U. S. Army,
Commanding.

Mr. Flanagan moved the postponement of the consideration of the report on education until the second Monday in December.

Upon which the yeas and nays were demanded and resulted thus:


Nays—Messrs. President, Armstrong of Lamar, Bellinger, Bryant of Harris, Bryant of Grayson, Burnett, Caldwell, Constant, Curtis, Degener, Downing, Fleming, Foster, Goddin, Hamilton of Travis, Harn, Johnson of Harrison, Johnson of Calhoun, Jordan, Kealy, Kendall, Kuechler, McWashington, Mundine, Munroe, Newcomb, Patten, Phillips of Wharton, Posey, Rogers, Ruby, Schuetze, Smith of Galveston, Smith of Marion, Stockbridge, Talbot, Thomas, Varnell, Watrous, Whitmore, Williams, Wilson of Brazoria, Wright, Yarborough—44.

So the Convention refused to postpone the consideration of the report.

The question recurred upon the substitute offered by Mr. Lindsay to the proposed new section of Mr. Schuetze to the report.

Mr. Flanagan moved to lay the substitute to the proposed section upon the table.
Upon which the yeas and nays were demanded and resulted thus:


Nays—Messrs. President, Bellinger, Bledsoe, Bryant of Harris, Carter, Curtis, Degener, Downing, Foster, Johnson of Harrison, Jordan, Kealy, Kendal, Kuechler, Lindsay, Lippard, Long, McWashington, Newcomb, Patten, Ruby, Smith of Galveston, Smith of Marion, Watrous, Whitmore, Williams, Wright—27.

So the substitute was laid upon the table.

The question recurring upon the adoption of the section as amended—

The yeas and nays were demanded and resulted thus:


Nays—Messrs. President, Bryant of Harris, Curtis, Degener, Downing, Foster, Kendal, Kuechler, Long, Newcomb, Patten, Ruby, Smith of Marion, Williams—14.

So section — was adopted.

Mr. Hamilton, of Travis, asked that Mr. Carter be excused from attending the Convention after to-morrow.

Excused.

Messrs. Smith, of Galveston, and W. Flanagan, were excused from attendance after to-morrow.

Section two, on motion, was adopted.

Mr. Patten offered the following amendments:

In the fourth line strike out the words, "The Governor of the State shall nominate, and by and with the advice and consent of two-thirds of the Senate shall appoint, the Superintendent of Public
Instruction," and insert, "The Superintendent of Public Instruction shall be elected by the qualified electors."

In the seventh line add the words, "or increased," after "diminished."

Mr. Caldwell moved to lay the amendment on the table.

Upon which the yeas and nays were demanded, and resulted thus:


So the amendment was laid on the table.

Mr. Wright moved to strike out "three thousand" in seventh line.

Laid on the table.

Mr. Buffington offered the following amendment:
Strike out "8" in sixth line and insert "2;" strike out "3000" in seventh line and insert "600."

Mr. Degener moved to lay the amendment on the table.

Upon which the yeas and nays were demanded, and resulted thus:

Yeas—Messrs. President, Bellinger, Bryant of Grayson, Bryant of Harris, Burnett, Caldwell, Carter, Constant, Curtis, Degener, Downing, Foster, Grigsby, Hamilton of Travis, Johnson of Harrison, Johnson of Calhoun, Jordan, Kealy, Kendal, Kuechler, Lindsay, Lippard, Mackey, McWashington, Munroe, Patten, Posey, Ruby, Schuetze, Slaughter, Smith of Galveston, Smith of Marion, Talbot, Varnell, Vaughan, Watrous, Williams, Wilson of Brazoria—38.


So the amendment was laid on the table.

Mr. Board offered the following substitute to the entire report:
Resolved, That in the opinion of this Convention the report of the Committee upon Education is extremely objectionable in many particulars, and although drawn up by a high minded and honorable committee, they have in many instances assumed too much power, or in other words, made the subject of the school system a higher power than the real Legislature of the whole State. It is therefore hereby resolved that the subject of public schools be handed over to and left with the Legislature, giving that body control of the whole subject of education.

The Chair decided that the substitute was not in order.

Mr. Board appealed from the decision of the Chair.

Mr. Munroe offered the following amendment to section 3:

Add at end of section 3, “He may for just cause be removed by the Governor, who shall give his reasons to the Senate for such removal, and if a majority of said body confirm the same it shall be permanent.”

Amendment adopted.

Mr. Davis, of Nueces, offered the following amendment:

In section 3, line 5, strike out the words “of two-thirds;” on sixth line strike out “eight” and insert “four.”

Amendment adopted.

Mr. Lindsay moved that the vote adopting Mr. Munroe’s amendment be reconsidered.

Upon which the yeas and nays were demanded, and resulted thus:

Yeas—Messrs. President, Bledsoe, Bryant of Grayson, Constant, Degener, Foster, Hamilton of Travis, Johnson of Harrison, Johnson of Calhoun, Kealy, Kendal, Lindsay, Mackey, McWashington, Munroe, Newcomb, Patten. Phillips of Wharton, Posey, Rogers, Ruby, Schuetze, Slaughter, Smith of Marion, Thomas, Whitmore, Wilson of Brazoria, Yarborough—28.


So the motion to reconsider was lost.

Mr. Degener moved to amend by making the word “capitol,” in the eighth line, “capital.”

Amendment adopted.

Mr. Thomas moved to strike out, in seventh line, “three thousand” and insert “fifteen hundred.”
Mr. Hamilton moved to lay the amendment on the table.
Mr. Degener moved the previous question.
Previous question seconded.
The question recurred, "Shall the main question be now put?"
Upon which the yeas and nays were demanded, and resulted thus:

Yeas—Messrs. President, Bellinger, Bryant of Grayson, Burnett, Caldwell, Carter, Constant, Degener, Downing, Flanagan, Foster, Grigsby, Hamilton of Travis, Harn, Johnson of Harrison, Johnson of Calhoun, Jordan, Kealy, Kuechler, Lindsay, Lippard, Long, Mackey, McWashington, Munroe, Newcomb, Patten, Phillips of Wharton, Posey, Rogers, Ruby, Schuetze, Slaughter, Smith of Galveston, Smith of Marion, Stockbridge, Talbot, Thomas, Varnell, Watrous, Whitmore, Williams, Wilson of Brazoria, Wright—45.


So the main question was ordered.
The question recurring upon the adoption of section three as amended, the yeas and nays were demanded, and resulted thus:

Yeas—Messrs. President, Bellinger, Bryant of Grayson, Burnett, Caldwell, Carter, Constant, Downing, Foster, Grigsby, Hamilton of Travis, Harn, Johnson of Harrison, Johnson of Calhoun, Jordan, Kealy, Kuechler, Lindsay, Lippard, Long, Mackey, McWashington, Mundine, Munroe, Phillips of Wharton, Posey, Rogers, Ruby, Schuetze, Scott, Slaughter, Smith of Galveston, Smith of Marion, Stockbridge, Talbot, Thomas, Varnell, Vaughan, Watrous, Williams, Wilson of Brazoria—42.


So section three as amended was adopted.

Mr. Buffington offered the following amendment to section five of the report:

In first line strike out "four" and insert "two." In fourth line strike out "two" and insert "one."

Mr. Caldwell moved the previous question on the adoption of section five.

Previous question seconded.

Mr. Bell moved a call of the House.

Call not sustained.
The question recurred, "Shall the main question be now put?"
Upon motion, the yeas and nays were demanded, and resulted thus:
So the main question was ordered.
Section four, on motion; was adopted.
Section five, on motion, was adopted.
Mr. Hamilton, of Travis, offered the following amendment:
In section six, line four, strike out the words "a two-thirds vote of."

Mr. Munroe offered the following amendment to section six:
The Board of Education shall exercise all ministerial and other necessary powers in reference to the free schools of the State, in accordance with law, and its acts when approved by the Governor, shall have the force and effect of law, unless decided otherwise by a vote of the Legislature of the State.

Mr. Bryant, of Grayson, moved to lay the substitute on the table.
Upon which the yeas and nays were demanded, and resulted thus:
Nays—Messrs. Armstrong of Jasper, Armstrong of Lamar, Bell,

So the substitute was laid upon the table.

The question recurred upon the adoption of the amendment offered by Mr. Hamilton, of Travis.

The amendment was adopted.

Mr. Flanagan moved to strike out section six.

Mr. Schuetze moved the previous question.

Previous question seconded.

The question recurred, "shall the main question be now put?"

Upon that motion, the yeas and nays were demanded and resulted thus:

Yeas—Messrs. President, Armstrong of Lamar, Bryant of Grayson, Burnett, Caldwell, Constant, Degener, Downing, Foster, Godin, Grigsby, Hamilton of Travis, Harn, Johnson of Harrison, Johnson of Calhoun, Jordan, Kealy, Kendal, Keuchler, Lindsay, Mackey, Newcomb, Phillips of Wharton, Posey, Rogers, Ruby, Schuetze, Scott, Smith of Galveston, Smith of Marion, Stockbridge, Talbot, Varnell, Vaughan, Watrous, Williams, Wilson of Brazoria—37.


So the main question was ordered.

The question recurred upon the adoption of the section.

It was adopted.

Mr. Thomas moved to strike out from the proviso, commencing in section five, and the two following lines.

Mr. Caldwell moved the previous question.

Previous question seconded.

The question recurred, "shall the main question be now put?"

Upon which the yeas and nays were demanded and resulted thus:

Yeas—Messrs. Armstrong of Lamar, Bellinger, Board, Bryant of Harris, Buffington, Caldwell, Carter, Constant, Curtis, Degener, Downing, Foster, Grigsby, Harn, Johnson of Calhoun, Jordan, Kealy, Kendal, Keuchler, Lindsay, Lippard, Mackey, McWashington, Munroe, Newcomb, Phillips of San Augustine, Phillips of Wharton, Rogers, Ruby, Schuetze, Scott, Slaughter, Smith of Gal-
veston, Smith of Marion, Stockbridge, Talbot, Varnell, Watrous, Whitmore, Williams, Wilson of Brazoria, Wilson of Milam, Wright, Yarborough—44.


So the main question was ordered.

The question recurred upon the adoption of section seven.

It was adopted.

Mr. Burnett offered the following amendment to section eight:

In line second, between words "State" and "of," insert "or in private schools;" line second, substitute "at" for "on."

The question recurring upon the adoption of the amendment, the yeas and nays were demanded and resulted thus:


So the amendment was adopted.

Mr. Bryant, of Grayson, moved to strike out section eight.

On motion, the Convention adjourned until four o'clock this afternoon.

AFTERNOON SESSION—FOUR O'CLOCK.

Convention met pursuant to adjournment.

Roll called. Quorum present.

Mr. Schuetze, from the special committee appointed to visit the asylums of the State, made the following report:
Hon. E. J. DAVIS,
President of the Convention:

Sir: The special committee appointed to visit the deaf mute and the blind asylums, and to inquire into the propriety of admitting into both, or either of those institutions, such number of indigent orphan children as might be received therein for support and education, respectfully report that they have performed that duty. That after a thorough conference with the superintendents of both of these asylums, and after a careful examination of the premises, your committee are of opinion that the buildings now occupied by the scholars and teachers of these institutions are barely sufficient to accommodate them, and that the additions which would be required for the reception of orphan children would ultimately cost as much as a suitable building for that express purpose. While we deem it proper to express our gratification at the excellent manner in which these institutions are conducted, we regard it our duty here to express our deep regret that the indigent orphan children of the State are deprived of the fostering care of the community due to the fatherless and motherless. While we regard it the duty of the State to provide for the unfortunate children who are blind or deaf and dumb, but who may still enjoy the embrace of loving and sympathizing parents, we consider it also the sacred duty of the government to adopt the fatherless and motherless, who, although they may enjoy the faculty of speech or sight, are deprived of the blessings and tender caresses of a father or mother, and we deem it proper to say that in cases where the parent was murdered by lawless bands on account of devotion to his country, it is the least the State can do to support and educate the orphan child who has been robbed of the father, in whose untimely death the State shares a considerable amount of responsibility, through the want of will or power to protect the citizen in doing what his conscience and the laws of his country bid him to do.

We, therefore, in consideration of the sufferings of the large numbers of indigent orphans in the State of Texas, ask the passage of the declaration hereunto annexed.

Very respectfully,

JULIUS SCHUETZE,
Chairman.

Be it declared by the people of Texas in Convention assembled, That it shall be the duty of the Legislature to provide for an
orphan asylum for the reception of indigent and orphan children, under such rules and regulations as may be prescribed by law.

Mr. Hunt offered the following declaration:

WHEREAS, The Columbus, San Antonio and Rio Grande Railroad Company now hold a charter which may become of no force or effect by a failure of the Legislature of the State to hold a session in the year 1868; therefore

SECTION 1. Be it declared, That the rights and privileges heretofore granted to the Columbus, San Antonio and Rio Grande Railroad Company be extended until ninety days after the meeting of the first lawful Legislature of the State of Texas.

SEC. 2. Be it further declared, That the charter of the Columbus, San Antonio and Rio Grande Railroad Company be so amended as to grant the privilege to said railroad company to commence the building of said railroad at the town of Gonzales, or some practicable point on the contemplated line of the Indianola and Austin Railroad, running west, instead of at Columbus, its present point of beginning.

Mr. Hunt moved a suspension of the rules for the consideration of the declaration.

Rules suspended.

Mr. Flanagan offered the following amendment:

Amend by including the East Texas Railroad Company.

Amendment withdrawn.

The question recurring upon the adoption of the declaration, the yeas and nays were demanded and resulted thus:


Nays—Messrs. President, Bledsoe, Burnett, Johnson of Calhoun, Lindsay, Thomas, Vaughan, Whitmore—8.

So the declaration was adopted.

Mr. Degener moved a suspension of the rules, to put declaration on its passage.

Rules suspended.
The question recurring upon the adoption of the declaration, the yeas and nays were demanded and resulted thus:


Nay—Messrs. President, Armstrong of Jasper, Bryant of Harris, Burnett, Glenn, Johnson of Calhoun, Keigwin, Thomas, Varnell, Whitmore—10.

So the declaration was adopted.

Mr. Long introduced the following declaration:

Be it declared by the people of Texas in Convention assembled, That all attempts to justify the rebellion and war against the United States, made in Texas since August 5, 1865, by the courts of the provisional government, by deciding that the statutes of limitation have been running since said date and prior to the acceptance of this Constitution by Congress.

That a payment to a "rebel receiver" operated an extinguishment of the debt, that the "so-called Confederate States of America and the pretended States thereof" were de facto governments, that promissory notes given for Confederate paper, and obligations to pay money for slaves, made after President Lincoln's proclamation of emancipation stated that it took effect, were null and void from the beginning, and shall so remain; provided, nevertheless, that this declaration shall not be construed to validate or invalidate by emancipation any of the acts of the other decisions.

Mr. Burnett moved to reject the declaration.

Upon which the yeas and nays were demanded and resulted thus:

Rogers, Schuetze, Scott, Slaughter, Stockbridge, Varnell, Vaughan, Watrous, Wilson of Brazoria—40.

Nays—Messrs. President, Bell, Bryant of Harris, Degener, Downing, Foster, Goddin, Hunt, Johnson of Harrison, Kendal, Kuechler, Long, Newcomb, Patten, Ruby, Smith of Galveston, Smith of Marion, Talbot, Thomas, Whitmore, Williams, Wilson of Milam—22.

So the declaration was rejected.

Mr. Schuetze offered the following declaration, and asked its reference to the Committee on Finance:

WHEREAS, The county of Bastrop is indebted to the amount exceeding five thousand dollars, which debt was chiefly incurred by the safe keeping and boarding of prisoners delivered to the county jail of Bastrop county, from other counties of the State; and

WHEREAS, The resources of Bastrop county are not sufficient to discharge said debt, besides defraying the current expenses of said county; therefore

Be it declared by the people of Texas in Convention assembled, That the State taxes assessed for the year 1863 by the assessor and collector of Bastrop county be and are hereby set aside for the purpose of paying the drafts legally issued by the county court of Bastrop county, since the first day of August, 1865.

It was so referred.

Mr. Carter moved a suspension of rules to take up the declaration disposing of the lands of the Memphis and El Paso railroad to actual settlers.

The Convention refused to suspend the rules.

Mr. Degener rose to a question of privilege, to refute the assertion made by a member of the Convention, that Mr. Morgan C. Hamilton had drawn his pay as Comptroller of the State and as a member of the Convention.

Mr. Goddin called up the declaration respecting the Houston and Texas Central Railroad Company.

Mr. Caldwell, by leave of the Convention, withdrew the declaration, with amendment proposed thereto.

Mr. Talbot offered the following declaration:

DECLARATION

Respecting the Central Railroad Company.

WHEREAS, The Houston and Texas Central Railway Company
has become the owner, by purchase, of the Washington County Railroad; and

WHEREAS, The said Houston and Texas Railway Company, and the Washington County Railway Company are indebted to the State of Texas, for sums borrowed from the Special School Fund; and

WHEREAS, The said Houston and Texas Central Railway Company is desirous to extend the Washington County Branch to the city of Austin as soon as it can be done, and to build their main trunk to Red river in the shortest time possible and upon the best ground, and to strike said river at such point as will enable said company to form a connection with any railroad that may be built southward from Kansas, or Missouri, to Red river; and

WHEREAS, The ability of said company to build said main trunk and branch roads would be greatly increased by the consent of the State to exchange the six per cent. bonds of said companies, now held by the State for the seven per cent. gold bearing bonds of said Houston and Texas Central Railway Company, issued by virtue of a deed of trust executed by said company on the first day of July, A. D. 1866, in which deed of trust Shepherd Knapp and David S. Dodge, of the city of New York, are named (and have accepted) as trustees; and

WHEREAS, It is believed that such exchange can be made without, in any manner, endangering the security of the School Fund;

Therefore be it declared by the people of Texas in Convention assembled:

That the Washington County Railroad is hereby made and declared to be a branch of the Houston and Texas Central Railroad, and shall henceforth be known and called the Western Branch of the Houston and Texas Central Railway, and shall be controlled and managed by the said Houston and Texas Central Railway Company; and the Houston and Texas Central Railway Company shall have the right to extend the said western branch of their road from the town of Brenham, in Washington county, to the city of Austin, in Travis county, by the most eligible route, as near an air-line as may be practicable.

SEC. 2. For the whole amount of principal and interest due to the State by the said Houston and Texas Central Railway Company and the Washington County Railway Company, on the first day of July, A. D. 1868, including the sums paid by each of said companies in the treasury warrants or bonds of the State, the Provisional Governor shall accept, from the Houston and Texas Central Railway Company, the seven per cent. land grant, sinking fund, first mort-
gage, gold-bearing bonds of said company, which said bonds are issued
or to be issued by virtue of a deed of trust executed by said com-
pany on the first day of July, A. D. 1866, in which deed of trust
Shepherd Knapp and David S. Dodge, of the city of New York, are
trustees; and the Governor shall, after making the exchange, cancel
and deliver to said company the six per cent. bonds of the Houston
and Texas Central Railway Company, and of the Washington
County Railway Company, now held by the State, for sums bor-
rrowed from the special school fund; and the exchange of bonds and
settlement herein provided for shall be made at any time between
the passage of this declaration and the first day of December, A. D.
1868; provided, that the said Houston and Texas Central Railway
Company shall never issue an amount of the said seven per cent.
bonds above described to exceed twenty thousand dollars to the mile
of completed road, including such bonds as have been already issued;
nor shall said company ever issue any other bond that shall rank as
a first mortgage bond on their road, without first paying the whole
amount of the indebtedness of the company to the State.

Sec. 3. The Houston and Texas Central Railway Company is
hereby authorized, any former laws to the contrary notwithstanding,
to build its main trunk from the present northern terminus, by the
most eligible route, to be selected by the engineer or engineers of
the company, to any point on Red river, within thirty miles of
the town of Preston, in Grayson county.

Fourth. This declaration shall take effect from and after its
passage.

Mr. Patten moved to postpone the consideration of the declaration
until the tenth of December next.
Withdrawn.

[Mr. Varnell in the chair.]

Mr. Davis moved that the declaration be printed and made the
special order for to-morrow morning, at half-past eleven o'clock.
Carried.
Mr. Smith of Galveston moved a suspension of the rules to take
up the following resolution:

Whereas, Max Mobins, the enrolling clerk, is now absent, and
will not return in time to perform his duties, and as such a clerk is
now necessary; therefore,

Resolved, That Mr. Thos. H. Waldron be, and he is hereby,
appointed temporarily to act for Mr. Mobins during his absence, and that he receive the per diem pay for said services.

Rules suspended.
Resolution adopted.
Mr. Smith of Galveston moved a further suspension of the rules to put resolution on its final passage.
Rules suspended and resolution adopted.
Mr. Grigsby moved to take up the report of the Committee on Political Disabilities.*
Mr. Slaughter moved to postpone the consideration of the report until the tenth of next December.
Upon which the yeas and nays were demanded and resulted thus:
So the Convention refused to postpone.
Mr. Armstrong of Lamar asked leave of absence for Messrs. Flanagan and Boyd, after to-morrow morning’s session.
Mr. Smith of Galveston moved to act upon each page of the report separately.
Carried.
Mr. Newcomb moved to amend the Bexar county list as follows: Strike out the first three names and inserting Wm. J. Locke.
The question recurred upon the adoption of the amendment.
It was lost.
Mr. Schuetze moved to amend by adding the names of James B. Cope and Frank Nash.
Carried.
Mr. Phillips of Wharton moved to amend by adding the names of Eugene Wilson and Thomas T. Copes to the list of Brazoria county.
Mr. Bell offered the following amendment:

* For report see page 513.
Add Samuel Harferd, John T. Edwards, and John Krancher to the Austin county list.

Mr. Hamilton of Travis moved to act upon the report as a whole. Carried.

Mr. Armstrong of Lamar offered the following amendment:
Add Henry Moore and F. Miles to the Lamar county list.

Mr. Hamilton of Travis offered the following amendment:
Add A. G. Campbell and O. H. Millican.

Mr. Foster moved to act upon the report by counties. Carried.

Mr. Talbot offered the following amendment:
Add Alfred Evans, of Bell county.

Mr. Varnell offered the following amendment for Calhoun county:
Add A. F. Vanderberg, Lawrie D. Heaton, and James Ashworth.

Mr. Davis of Nueces offered the following amendment for Cameron county:
Add Frank E. Macmanus and Joseph Hopkins.

Mr. Davis, by request, offered the name of Stephen Powers, Jr., of Cameron county, be added to the list.

Mr. Hamilton of Travis moved to add his name to the report. Motion withdrawn.

Mr. Caldwell offered the following to be added to Cass county list:
Thos. J. White.

Mr. Hamilton of Travis moved that the Convention take a recess until eight o'clock this evening.

EVENING SESSION—EIGHT O'CLOCK.

Roll called. Quorum present.

The question recurred upon the amendment of Mr. Whitmore to the recommendation from Cherokee county.

Mr. Patten moved to lay the report upon the table.

Upon which the yeas and nays were demanded and resulted thus:
Nays—Messrs. Bryant of Harris, Lippard, Patten, Rogers, Smith of Marion, Talbot—6.

Nays—Messrs. President, Armstrong of Lamar, Bell, Bellinger, Bledsoe, Board, Bryant of Grayson, Buffington, Burnett, Caldwell, Carter, Constant, Degener, Flanagan, W. Flanagan, Fleming, Foster, Goddin, Grigsby, Hamilton of Travis, Harris, Harn, Horne, Johnson of Calhoun, Jordan, Kealy, Keigwin, Kendal, Keuchler, Kirk, Mc-
Washington, Munroe, Newcomb, Phillips of San Augustine, Phillips of Wharton, Scott, Smith, of Galveston, Stockbridge, Thomas, Varnell, Vaughan, Wright—42.

So the Convention refused to lay on the table.

Mr. Bryant, of Grayson, asked that Mr. Sumner be excused indefinitely.

Excused.

The question recurred upon the amendment of Mr. Whitmore.

The names were stricken out.

Mr. Thomas offered the following amendment to the Collin county list:


Mr. Foster moved to strike out the names of Geo. McCormick, G. Walker and John Collier.

Carried.

Mr. Bledsoe moved to strike out G. W. Guess and A. Cochran.

Carried.

Mr. Kealy offered the following additional names to the Denton county list:


Mr. Patten moved to strike out A. G. Perry from Falk county.

Agreed to.

Mr. Constant moved to add the name of Thomas Blane to the Fannin county list.

Carried.

Mr. Smith, of Galveston, moved to add the name of A. L. Kirk, of Erath county.

Carried.

Mr. Lindsay offered the following amendment to the Fayette county list:

Add the names of Nat. C. Joiner, John L. Smith and Wm. M. Davidson.

Agreed to.

Mr. Schuetze moved to insert the following name from Bastrop county:

George W. Jones.

Mr. Bell moved to reject Mr. Jones.

Carried.

Mr. Smith, of Galveston, moved to insert the following names from Galveston county:

Messrs. Tipton Walker, J. S. Sydnor, T. H. McMahan, E. S.

Mr. Patten offered the following resolution:

Resolved, That this Convention do recommend to the Congress of the United States to relieve all men in this State of their political disabilities; provided they ask the same of this Convention.

Ruled out of order.

Mr. Horne offered the following substitute to the report:

Resolved, That the Congress of the United States is, by the Convention of the people of Texas assembled, most earnestly requested to remove all political disabilities from every male citizen of the State of Texas, over twenty-one years of age.

Ruled out of order.

The question recurred upon the motion of Mr. Smith, of Gal-veston:

The motion prevailed.

Mr. Newcomb offered the following amendment to the Gillespie county list:

Amend by adding the name of Dan. Wehmeyer.

Mr. Bryant, of Grayson, offered the following amendment to the Grayson county list:

Messrs. C. C. Binkley, Joshua West, T. E. Montgomery, J. P. Dumas.

Mr. Montgomery, on motion, was stricken out.

Mr. Hamilton, of Travis, moved a reconsideration of the vote striking out Mr. Montgomery's name.

Carried and name agreed to.

Mr. Harn moved to add the following names to the Grimes county list:

Messrs. J. T. McNair, R. H. Martin, Drayton Teague, James Teague.

Mr. Vaughan moved to add the following name to the Guada-lupe county list:

Add J. L. Lowell.

Mr. Bryant, of Harris, moved to add the following names to the Harris county list:

Mr. Bellinger moved to amend Gonzales county list by substituting the name J. W. Sterbing in place of Sterling.

Mr. Yarborough offered the following resolution:

Resolved. That this Convention ask the Congress of the United States to remove the disabilities of such men, as will be of use as officers to carry on the civil government for the time being, and no more.

On motion, the Convention adjourned until to-morrow morning at nine o'clock.

CAPITOL, AUSTIN, TEXAS,
AUGUST 29, 1868.

Convention met pursuant to adjournment.

Mr. Carter asked that Mr. Kirk be excused on account of sickness.
Excused.

Mr. Goddin was excused from paying fine on account of absence without leave.

Mr. Armstrong, of Lamar, moved a suspension of the rules to take up the declaration respecting granting the lands reserved by the Memphis and El Paso railroad company to actual settlers.

Mr. Armstrong, of Lamar, by consent, withdrew the motion.

Mr. Carter renewed the motion.

Rules suspended.

Mr. Degener moved to strike out the words, "and location of genuine land certificates."

Mr. Phillips, of San Augustine, moved to lay the amendment on the table.
Lost.

Mr. Degener, by consent, withdrew his amendment.

Mr. Armstrong, of Lamar, offered the following substitute:

That all persons being heads of families, or twenty-one years of age, who have settled upon and improved, or who may hereafter settle upon and improve, a portion of the public domain, which has