Mr. Kilgore offered the following amendment:

"-- District—The county of Smith shall elect one representative.

"-- District—The counties of Smith and Gregg shall elect one representative; Smith to be the returning county

"-- District—The counties of Camp and Upshur shall elect one representative; Upshur to be the returning county"

Adopted.

Mr. Moore offered the following amendment as a substitute for lines 138 and 139, "Burleson county shall elect one representative."

Mr. Graves moved the main question.

Mr. Dillard moved to adjourn to 7 1/2 o'clock to-night.

Mr. Brady moved to adjourn to 9 o'clock A.M. to-morrow

Carried.

SIXTY-FIFTH DAY.

HALL OF REPRESENTATIVES,
AUSTIN, TEXAS, NOVEMBER 20, 1875.

Convention met pursuant to adjournment; roll called; quorum present. Prayer by the Rev. J. S. Grasty, of the Presbyterian Church, at Austin.

Journal of yesterday read and adopted.

Mr. McCormick reported as follows:

COMMITTEE ROOM,
AUSTIN, NOVEMBER 19, 1875.

To the Hon. E. B. Pickett, President of the Convention:

The majority of the Committee on Judicial Apportionment instruct me to report the accompanying ordinance, dividing the State into Judicial Districts, and recommend its adoption.

GEO. MCCORMICK, Chairman.

"AN ORDINANCE

"To divide the State of Texas into Judicial Districts.

"Be it ordained by the people of the State of Texas in Convention assembled, That until otherwise provided by law, the State of Texas shall be divided into twenty-five judicial districts, as follows, to-wit:

"Section 1. The First District shall be composed of the counties of Jefferson, Chambers, Liberty, Hardin, Polk, Tyler, Jasper, Newton, Orange and San Jacinto."
"Sec. 2. The Second District shall be composed of the counties of Harrison, Rusk, Panola, Shelby and Sabine.

"Sec. 3. The Third District shall be composed of the counties of San Augustine, Nacogdoches, Cherokee, Houston and Anderson.

"Sec. 4. The Fourth District shall be composed of the counties of Grimes, Walker, Madison, Leon, Trinity, Angelina and Montgomery.

"Sec. 5. The Fifth District shall be composed of the counties of Marion, Cass, Bowie, Titus, Morris, Franklin and Camp.

"Sec. 6. The Sixth District shall be composed of the counties of Red River, Lamar, Fannin and Grayson.

"Sec. 7. The Seventh District shall be composed of the counties of Gregg, Smith, Upshur, Wood, Rains, Van Zandt and Henderson.

"Sec. 8. The Eighth District shall be composed of the counties of Hunt, Hopkins, Collin, Rockwall, Kaufman and Delta.

"Sec. 9. The Ninth District shall be composed of the counties of Brazos, Robertson, Burleson and Milam.

"Sec. 10. The Tenth District shall be composed of the counties of Cooke, Denton, Montague, Wise, Clay, Parker, Tarrant, and the unorganized counties of Archer, Wichita, Baylor, Wilbarger, Knox, Hardeman, Greer and Wegefarth.

"Sec. 11. The Eleventh District shall be composed of the counties of Dallas and Ellis.

"Sec. 12. The Twelfth District shall be composed of the counties of Hood, Coryell, Hamilton, Comanche, Brown, Coleman, Shackelford, Palo Pinto, Eastland, Erath, Somerville, Jack, Young, and the unorganized counties of Jones, Taylor, Runnels, Callahan, Stephens, Haskell and Throckmorton.

"Sec. 13. The Thirteenth District shall be composed of the counties of Hill, Navarro, Limestone, Bosque, Johnson and Freestone.

"Sec. 14. The Fourteenth District shall be composed of the counties of McLennan, Bell and Falls.

"Sec. 15. The Fifteenth District shall be composed of the counties of Austin, Fayette, Bastrop, Caldwell, Hays and Blanco.

"Sec. 16. The Sixteenth District shall be composed of the counties of Washington, Lee, Travis and Williamson.

"Sec. 17. The Seventeenth District shall be composed of the counties of Burpem, Lampasas, San Saba, Llano, Mason, Menard, Gillespie, and the unorganized counties of Concho, McCulloch and Kimball.
"Sec. 18. The Eighteenth District shall be composed of the counties of Waller, Wharton, Fort Bend, Brazoria, Matagorda and Jackson.

"Sec. 19. The Nineteenth District shall be composed of the counties of Colorado, Lavaca, Gonzales, Guadalupe and Wilson.

"Sec. 20. The Twentieth District shall be composed of the counties of El Paso, Tom Green, Pecos and Crockett.

"Sec. 21. The Twenty-first District shall be composed of the counties of Harris and Montgomery.

"Sec. 22. The Twenty-second District shall be composed of the counties of Comal, Bexar and Atascosa.

"Sec. 23. The Twenty-third District shall be composed of the counties of DeWitt, Victoria, Calhoun, Refugio, Goliad, Bee, Aransas, San Patricio, Karnes, Live Oak and McMullin.

"Sec. 24. The Twenty-fourth District shall be composed of the counties of Kendall, Kerr, Bandera, Medina, Frio, Uvalde, Zavala, Kinney, Maverick, Dimmit, La Salle and Edwards.

"Sec. 25. The Twenty-fifth District shall be composed of the counties of Cameron, Hidalgo, Starr, Zapata, Webb, Encinal, Nueces and Duval.

"Sec. 26. The Twenty-sixth District shall be composed of the county of Galveston.

"Sec. 27. Be it further ordained, That for all purposes connected with the first election provided for by this Convention, this ordinance shall take effect and be in force from and after its passage; and should the constitution be ratified by the people, this ordinance shall be and remain in force until otherwise changed by the Legislature of this State; but should the constitution be rejected by the people, this ordinance shall thereafter be of no force or effect."

"Article —, Legislative Apportionment," taken up, pending Mr. Moore's amendment.

On motion, the main question was ordered.

Mr. Moore's amendment lost by the following vote:


Rentfro, Reynolds, Robertson of Bell, Sansom, Scott, Smith, Stewart, Stockdale, Weaver, West, Whitehead, Wright—40.

The article was then passed by the following vote:


Nay—Abner, Davis of Wharton, Henry of Smith, Lockett, McCabe, Martin of Hunt, Mills, Mitchell, Nunn, Rentfro, West—11.

"Article —, Judicial Department," was then taken up and read a third time.

Mr. Davis, of Brazos, offered the following amendment to section 1:

Strike out all after the word "law," in line 11.

Lost.

Mr. Reagan proposed to amend section 1 by inserting the proviso in lines 11 and 12, after the word "census," in line 8.

Adopted.

Also amend section 6 by striking out all of line 66, after the word "jurisdiction," and insert "in civil cases its opinions shall not be published, unless the publication of such opinion be required by law."

Adopted.

Mr. Wright offered the following amendment:

Amend line 275 by inserting between the words "into" and "Commissioner," the word "four," in section 18.

Mr. Reagan proposed to amend section 7, by striking out the words "twenty-five," in line 32, and inserting "twenty-six."

Adopted.

Also, amend section 16, by striking out of line 226 the words "such estates," and inserting "estates of deceased persons."

Adopted.

Mr. Ballinger proposed to amend section 2, line 24, by striking out the word "more" and inserting "less," and after the word "dollars," in line 24, insert, "which shall not be increased or diminished during their continuance in office."

Lost by the following vote:
Nov. 20, 1875.]

CONSTITUTIONAL CONVENTION. 731

YEAS—Abernathy, Abner, Ballinger, Blake, Brown, Burleson, Cline, Cook of Gonzales, Darnell, Davis of Brazos, Davis of Wharton, Dohoney, Erhard, Ferris, Flanagan, Henry of Smith, Kilgore, Killough, King, McCabe, McCormick, McKinney of Walker, Martin of Hunt, Moore, Murphy, Norvell, Nugent, Nunn, Pauli, Reagan, Rentfro, Reynolds, Ross, Russell of Harrison, Smith, Spikes, Stewart, Stockdale, Weaver, West, Whitfield, Wright—42.


Mr. McCormick moved to strike out section 14.

Mr. Reagan offered the following amendment:

Amend by adding after the word “law,” in line 96, as follows: “Provided, that this limitation shall not apply to the Galveston district.”

Mr. Scott moved the main question on the passage of the article.

Carried.

Mr. McCormick’s amendment to strike out section 14 lost.

Mr. Reagan’s amendment lost.

The article was then passed by the following vote:


NAYS—Abner, Ballinger, Blake, Brady, Cline, Davis of Brazos, Davis of Wharton, Erhard, Flanagan, Ford, Haynes, Henry of Smith, Kilgore, King, Lockett, McCabe, Mills, Mitchell, Murphy, Norvell, Nunn, Pauli, Rentfro, Reynolds, Robison of Fayette, Russell of Harrison, Smith, Stewart, Stockdale, West—30.

Mr. Murphy submitted the following protest:

To the Hon. E. B. Pickett, President of the Convention:

Sir—I respectfully present my disapproval of the action of this Convention, wherein a majority have affixed the salaries for
Judges of the Supreme and District Courts at such low figures as will in my opinion prevent reliable and competent lawyers, in many parts of the State, from becoming candidates, and as a sequence, life, liberty and property will be inadequately protected. It will furthermore bring censure on this Convention, now endeavoring to frame a good and liberal constitution for this great State. I therefore enter my solemn protest against such action, and request that this be spread on the journals.

J. B. Murphy.

The hour having arrived for considering the special order, viz., “Spanish land grants,” was taken up.

Mr. Reagan offered the following amendment:

Section 3, by inserting after the date “1835,” in line 26, the following words, “by the person or persons so claiming, or those under whom he or they so claim from that date.”

Adopted.

Also, amend by adding to the end of section 4, line 40, the following:

“By the words ‘duly recorded,’ as used in sections 2 and 4 of this article, it is meant that such claim of title or right to land shall have been recorded in the proper office, and that mere error in the certificate of registration, or informality not affecting the fairness and good faith of the holder thereof, with which the record was made, shall not be held to vitiate such record.”

Adopted.

Mr. Murphy offered the following amendment:

Amend section 2 by adding, “provided, it shall be considered duly recorded, if extant on the records, in the language of the title.”

[Mr. Stockdale in the chair.]

Mr. West offered the following as a substitute for Mr. Murphy’s amendment:

Strike out of section 2 the following words in line 12, “or not in the actual possession of the grantee thereof, or some person claiming under him.” And in line 15 strike out the words, “under circumstances reasonably calculated to give notice to said junior grantee has never had, and—”

Mr. West’s amendment lost.

Mr. Ballinger moved to strike out the word “such” preceding the word “notice,” in line 17.

Mr. Dillard moved the previous question.

A call of the Convention was demanded.

Absentees—Messrs. Erhard, Ferris and Morris.

Mr. Ramey submitted the following report:
To the Hon. E. B. Pickett, President of the Convention:

Sir—Your Committee on Engrossed and Enrolled Ordinances would respectfully report to your honorable body that they have examined and compared "Article—, General Provisions," and find the same correctly engrossed. Respectfully.

Wm. Neal Ramey, Chairman.

Mr. German moved to suspend the rules and take up the article on General Provisions for consideration, whereupon the yeas and nays were called, and the Convention refused to suspend the rule by the following vote:


Nays—Abner, Arnim, Ballinger, Brady, Cline, Crawford, Davis of Brazos, Davis of Wharton, DeMorse, Flanagan, Ford, Kilgore, King, Lockett, McCabe, McCormick, Mitchell, Murphy, Norvell, Nugent, Nunn, Pauli, Reagan, Rentfro, Reynolds, Robertson of Bell, Robison of Fayette, Smith, Stockdale, West 30.

Mr. Cline moved to have two hundred copies of "Article—, General Provisions," printed.

Carried.

Mr. Reagan moved to suspend call.

Lost.

Second special order, viz: "Article—, Counties," taken up and read second time.

Mr. Douglas offered the following amendment:

After the word "taken," in line 17, insert as follows: "Provided, that in counties of fifty miles or more in length, a division line may be run nearer than twelve miles of a county site whenever the same may be desired by a majority of the voters of said county."

On motion of Mr. Murphy, the article was considered section by section.

On motion of Mr. Darnell, the Convention adjourned to 2½ o'clock p. m., pending Mr. Douglas's amendment.
CONVENTION met pursuant to adjournment; roll called; quorum present.

"Article—, Spanish Land Titles," taken up, with pending amendments.

Mr. Murphy's amendment lost.

Mr. Ballinger's amendment lost.

Mr. Reagan moved to amend the amendment by inserting the words "or actual," between the words "such" and "notice," in line 17.

Adopted.

Mr. Stockdale proposed to amend section 3 by inserting in line 26, after the date "1835," the following: "not recorded or archived as provided in section 2."

Adopted.

Mr. Nunn proposed to amend section 2, line 18, after "annexed," the following: "to such grants not archived or recorded of which possession was not taken as aforesaid."

The main question was ordered.

Mr. Nunn's amendment lost.

Mr. West's amendment lost.

Mr. Murphy's amendment lost.

The article was then ordered engrossed by the following vote:


Nays—Abner, Brady, Cline, Davis of Wharton, Erhard, Fleming, Ford, Henry of Smith, King, Lockett, McCabe, Mills, Mitchell, Murphy, Norvell, Pauli, Rentfro, Reynolds, Stewart, Stockdale, West—21.

Mr. Abernathy moved to suspend the rules and place the article on its third and final reading.

Lost by the following vote:

YEs—Abernathy, Allison, Arnim, Ballinger, Barnett, Blassingame, Brown, Bruce, Burleson, Chambers, Cook of Gonzales, Cooke of San Saba, Darnell, Davis of Brazos, Dillard, Dohoney,

Nays—Abner, Blake, Brady, Cline, Crawford, Davis of Wharton, DeMorse, Erhard, Flanagan, Ford, Henry of Smith, Kilgore, King, Lockett, McCabe, McKinney of Walker, Mitchell, Mills, Murphy, Norvell, Nunn, Pauli, Rentfro, Reynolds, Stewart, Stockdale, West—27.

Mr. Johnson, of Collin, introduced the following ordinance:

"AN ORDEALANCE

IN RELATION TO RAILROADS.

"Be it ordained by the people of Texas, in convention assembled, That in view of the financial misfortunes now existing, no railroad company, chartered or holding grants under this State, which has heretofore organized and commenced work in good faith shall be considered as having lost any of its rights, privileges or grants prior to the close of the next session of the Legislature of this State, by virtue of lapse of time between now and that time; and said Legislature shall have the power, if deemed compatible with the public interests, to grant such relief in time as may be deemed best for the interest of the State; provided, that this ordinance shall not be so construed as to relieve railroad companies from compliance with the condition contained in article—of the constitution in relation to railroads."

Mr. German moved to refer the ordinance on "Railroad Corporations."

Mr. German, by leave, withdrew his motion to refer, and moved to lay the ordinance on the table:


Nays—Abernathy, Abner, Allison, Ballinger, Blake, Brady, Brown, Bruce, Burleson, Chambers, Cline, Cook of Gonzales, Cooke of San Saba, Crawford, Darnell, Davis of Brazos, Davis of Wharton, Dillard, Dohoney, Douglas, Erhard, Ferris, Flanagan, Fleming, Flournoy, Ford, Graves, Henry of Limestone, Holt, Johnson of Collin, Johnson of Franklin, Kilgore, Killough, King, Lacy, Lockett, McCormick, McKinney of Walker, Martin of Navarro, Martin of Hunt, Mills, Mitchell, Moore, Murphy, Nunn, Pauli, Reagan, Rentfro, Reynolds, Robison of
Fayette, Sansom, Scott, Sessions, Spikes, Stockdale, Wade, Weaver, West, Whitehead, Whitfield, Wright—61.

Mr. Dillard moved the main question.

A call of the Convention was demanded.

Absentees—Ramey, and Russell of Harrison.

Mr. Flanagan moved to suspend the call.

Carried.

Mr. Dillard's motion for the previous question was then carried by the following vote:


**Nay**—Arnim, Blassingame, Bruce, Cook of Gonzales, Crawford, DeMorse, Erhard, Fleming, German, Haynes, McCormick, McKinney of Walker, Mills, Moore, Nugent, Pauli, Robertson of Bell, Ross, Stewart—19.

Mr. DeMorse offered the following amendment:

"And further provided, that this ordinance shall be submitted to the people of this State for their approval, and shall have no effect if disapproved."

Adopted by the following vote:


**Nay**—Abner, Allison, Brady, Brown, Chambers, Cline, Cooke of San Saba, Darnell, Davis of Brazos, Davis of Wharton, Ferris, Flanagan, Ford, Henry of Limestone, Holt, Kilgore, Killough, King, Lacy, Lockett, Martin of Navarro, Martin of Hunt, Mills, Mitchell, Murphy, Reagan, Rentfro, Reynolds, Sessions, Spikes, Stockdale, West, Whitehead, Wright—34.

Mr. Nugent offered the following amendment:

Strike out the proviso, and insert: "provided, that this ordi-
nance shall not take effect unless said companies shall, before the first day of January, A. D., 1875, file in the office of the Secretary of State, a complete acceptance of the provisions of the constitution framed by this convention, which authorize the Legislature from time to time to establish maximum rates for the transportation of freight and passengers."

Lost by the following vote:

YEAS—Abernathy, Arnim, Barnett, Blassingame, Bruce, Robertson of Bell, Wright—7.


Mr. Dillard moved to reconsider the vote adopting Mr. DeMorse's amendment.

Mr. McKinney of Walker, made the point of order that the motion was out of order, as the Convention was voting under the operation of the previous question.

The chair submitted the question as to whether the motion should be entertained to a vote of the Convention, which resulted as follows:


So the Convention agreed to entertain the motion.

The question then as to whether the vote should be reconsidered, the same was put and carried by the following vote: 

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The question then recurring on the adoption of the amendment, the same was put and amendment lost by the following vote:


The question then recurring on the passage of the ordinance, the same was put and the ordinance passed by the following vote:

CONSTITUTIONAL CONVENTION.

NAYS—Abernathy, Arnim, Ballinger, Blake, Blassingame, Bruce, DeMorse, Douglass, Fleming, German, Haynes, Henry of Smith, Lacy, McCormick, McKinney of Denton, McKinney of Walker, Moore, Norvell, Nugent, Nunn, Pauli, Robertson of Bell, Robison of Fayette, Ross, Smith, Stewart—7.

Mr. Darnell moved to reconsider the vote put, taken, and to lay the motion on the table.

A call of the Convention was demanded.

Absentee, Mr. Crawford.

Mr. Crawford appearing, the call was exhausted, and the Convention proceeded to vote upon Mr. Darnell's motion, which was carried by the following vote:


"Article — Counties and County Lands," with pending amendment by Mr. Douglas, was taken up.

Mr. Dillard offered the following amendment:

Sec. 2, line 12, strike out "450," and insert "750"; in line 14 strike out "450," and insert "750"; in line 15 strike out "12," and insert "16"; strike out line 17, after the word "taken," to the word "when," in line 22.

[Mr. Brown in the chair.]

Mr. Graves moved to lay both amendments on the table.

A division on the question was ordered, and Mr. Dillard's amendment was laid on the table by the following vote:

YEAS—Abernathy, Allison, Barnett, Blassingame, Brady, Brown, Bruce, Burleson, Chambers, Cline, Cook of Gonzales, Cooke of San Saba, Davis of Wharton, Dohoney, Douglas, Erhard, Graves, Haynes, Henry of Smith, Holt, Kilgore, Killough, King, Lacy, Lockett, McCabe, Martin of Navarro, Mitchell,
Moore, Pauli, Reagan, Rentfro, Reynolds, Smith, Spikes, Stockdale, West—37.

Nays—Abner, Armim, Ballinger, Blake, Crawford, Darnell, Davis of Brazos, DeMorse, Dillard, Ferris, Flanagan, Fleming, Henry of Limestone, McCormick, McKinney of Denton, McKinney of Walker, Martin of Hunt, Murphy, Norvell, Nugent, Nunn, Ramey, Robertson of Bell, Russell of Harrison, Scott, Sessions, Stewart, Wade, Weaver, Whitehead, Wright—31.

The question recurring on laying Mr. Douglas's amendment on the table, the same was put and lost by the following vote:


The question recurring on the adoption of Mr. Douglas' amendment, the same was put and the amendment lost by the following vote:


Mr. Robertson, of Bell, offered the following amendment:

In line 23, after the word "to," insert "or created into."

Mr. Fleming moved to adjourn to 7½ o'clock to-night.

Mr. Rentfro moved to adjourn to 9 o'clock A. M. to-morrow.

Lost by the following vote:

Yea—Abner, Ballinger, Brady, Cline, Cook of Gonzales,
Cooke of San Saba, Crawford, Darnell, Davis of Wharton, DeMorse, Erhard, Flanagan, Flournoy, Killough, Lockett, McCabe, Martin of Hunt, Mills, Mitchell, Murphy, Pauli, Rentfro, Reynolds, Russell of Harrison, Stockdale—25.


Mr. Kilgore offered the following resolution:

Be it resolved, That, at the request of the people of the city of Austin, Miss Nettie Powers Houston have the use of the Hall of the House of Representatives any night next week, to be designated by her, for a public reading.

Adopted.

Mr. Rentfro moved to adjourn to 9½ o'clock a. m. Monday.

The Convention adjourned to 7½ o'clock to-night.

NIGHT SESSION—7½ o'clock.

Convention met pursuant to adjournment: roll called; quorum present.

Mr. Barnett moved to suspend the rule and take up "Article —, on General Provisions."

Lost by the following vote:


Nays—Arnim, Blassingame, Brady, Brown, Chambers, Cline, Crawford, Darnell, Davis of Brazos, Davis of Wharton, DeMorse, Dillard, Flanagan, Ford, German, Lacy, Lockett, McCabe, McLean, Martin of Hunt, Mills, Mitchell, Moore, Murphy, Nugent, Nunn, Pauli, Rentfro, Reynolds, Smith, Stockdale, West—32.

Mr. Rentfro moved to adjourn to 9 o'clock Monday morning.

Lost by the following vote:

Yeas—Brady, Cline, Crawford, Davis of Wharton, DeMorse, Flanagan, Pauli, Rentfro, Reynolds, Sansom, West—11.

"Article—, Counties and County Lands," with pending amendment by Mr. Robertson, of Bell, taken up and amendment adopted.

Mr. Arnim offered the following amendment:

Amend section 2 by striking out in line 12 "450," and insert "700," the same change to be made in line 14. In line 15 strike out "12" and insert "18;" and strike out all after "taken" in line 17 to "vote" in line 22.

Mr. Murphy proposed to substitute the amendment by the following:

Strike out "450" wherever it occurs in section 2 and insert "600."

Mr. Arnim's amendment lost by the following vote:

Yea—Abernathy, Allison, Blake, Cooke of San Saba, Crawford, Darnell, DeMorse, Dillard, Flanagan, Fleming, Lacy, McCabe, McCormick, Martin of Hunt, Mills, Moore, Murphy, Norvell, Nugent, Robertson of Bell, Robison of Fayette, Ross, Scott, Sessions, Smith, Stewart—25.


Mr. Darnell moved to amend Mr. Murphy's amendment by striking out "six hundred" and inserting "seven hundred."

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

Lost by the following vote:

MR. Blassingame moved the main question.

Carried.

Mr. Darnell's amendment adopted as an amendment to Mr. Murphy's amendment, and as an amendment to the article.

The article was then ordered engrossed by the following vote:


Nay---Abner, Allison, Brady, Brown, Cline, Crawford, Davis of Brazos, Davis of Wharton, DeMorse, Douglas, Holt, Lockett, McCabe, McKinney of Denton, Mills, Murphy, Pauli, Ramey, Reagan, Rentfro, Reynolds, Robertson of Bell, Sessions, Smith, West--26.

Mr. Stockdale moved to suspend the rule to put the article on its third reading and final passage.

Carried by the following vote:


Nay---Abner, Brady, Cline, Crawford, Darnell, Davis of Brazos, Davis of Wharton, DeMorse, Douglas, Lacy, Lockett, Mills, Murphy, Pauli, Ramey, Reagan, Rentfro, Reynolds, Robertson of Bell, Sessions, Smith, West--22.

The article was then read a third time.

Mr. Rentfro offered the following amendment:

Amend by adding the words: "Provided, that in any county
whose county seat has never been located by a vote of the people, and is more than ten miles distant from the centre, the electors of said county may, by a majority of all votes cast at the election, remove said county seat to any point in said county; provided further, that such removal be to a point near the centre than ten miles. Said election to be ordered by the Commissioners' Court at any regular session within a year from and after the adoption of this constitution."

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

Lost by the following vote:


Nay—as—Abner, Arnim, Ballinger, Barnett, Blake, Brady, Cline, Crawford, Darnell, Davis of Brazos, Davis of Wharton, DeMorse, Dohoney, Douglas, Flanagan, Fleming, Ford, German, Haynes, Johnson of Franklin, Killough, Lockett, McCabe, McKinney of Denton, McKinney of Walker, McLean, Martin of Navarro, Martin of Hunt, Mills, Moore, Nugent, Nunn, Pauli, Ramey, Rentfro, Reynolds, Robertson of Bell, Robison of Fayette—38.

The question then recurring on the adoption of the amendment, the same was put and the amendment lost by the following vote:

Yea—as—Abner, Blake, Brady, Burleson, Cline, Davis of Wharton, DeMorse, Douglas, Ferris, Flanagan, Lockett, McKinney of Walker, Mills, Pauli, Ramey, Rentfro, Reynolds, West—19.

Nay—as—Abernathy, Allison, Arnim, Barnett, Blassingame, Brown, Bruce, Chambers, Cooke of San Saba, Darnell, Flournoy, German, Graves, Haynes, Henry of Limestone, Henry of Smith, Holt, Killough, Lacy, McCormick, Martin of Navarro, Moore, Murphy, Norvell, Nugent, Nunn, Reagan, Robertson of Bell, Robison of Fayette, Ross, Sansom, Scott, Sessions, Smith, Spikes, Stewart, Stockdale, Wade, Whitehead, Wright—40.

Mr. Brady moved to adjourn to 9 o'clock Monday morning.

Lost.

[Mr. Reagan in the chair.]

Mr. Ramey offered the following amendment:

Add in section 2, line 17, after “taken,” “except when a water course may be the boundary line dividing the two counties, in which case said dividing line shall not approach the county seat
of the old county so near as to place said county seat more than five miles from the geographical centre of said county."

Lost by the following vote:

**YEAS**—Abner, Allison, Blake, Brown, Cline, Cooke of San Saba, Douglas, Flanagan, Graves, Johnson of Franklin, Lacy, Mills, Ramey, Rentfro, Stockdale, West, Whitehead, Wright—18.

**NAYS**—Abernathy, Arnim, Barnett, Blassingame, Brady, Bruce, Burleson, Chambers, Darnell, Davis of Brazos, DeMorse, Dillard, Dohoney, Ferris, Fleming, Flournoy, German, Henry of Limestone, Henry of Smith, Holt, Killough, McCormick, McKinney of Walker, Martin of Navarro, Moore, Murphy, Norvell, Nugent, Nunn, Pauli, Reagan, Reynolds, Robertson of Bell, Robison of Fayette, Ross, Scott, Sessions, Smith, Spikes, Stewart, Wade—41.

Mr. Rentfro moved to adjourn to 9 o'clock Monday morning.

Lost by the following vote:

**YEAS**—Abner, Brady, Cline, Darnell, DeMorse, Douglas, Mills, Pauli, Rentfro, West—10.


On motion of Mr. Scott, the main question was ordered, which being the final passage of the article, it was passed by the following vote:


On motion of Mr. Stockdale, "Article —, The Powers of Gov-
"ermament," was taken up, read a second time, and ordered engrossed, by the following vote:


**Nays—** Abner, Brady, German, Mills, Rentfro—5.

On motion of Mr. Flanagan, the rule was suspended, article read third time, and passed by the following vote:


**Nays—** Abner, Brady, Mills, Rentfro—4.

Mr. Ford called up "Article—Reserving Imnds for Public Buildings," read second time, and ordered engrossed by the following vote:


**Nays—** Brady, Cline, Crawford, Graves, Holt, Reagan, Rentfro, Spikes—8.

On motion of Mr. Flournoy, the rule was suspended, and the article read the third time.
Mr. Brady offered the following amendment:
Amend by adding, "provided, one league of land be set apart for the use of each organized county to erect public buildings."

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

Mr. Cline moved to strike out "three million," and insert "one million."

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

Mr. Wade offered the following amendment:
Strike out "ten years," and insert "under the direction of the Legislature."

Adopted.

Mr. Flanagan moved to strike out "three million," and insert "five million."

Laid on the table.

Article passed by the following vote:


On motion of Mr. Ballinger, the Convention adjourned to 9 o'clock Monday morning.

SIXTY-SIXTH DAY.

HALL OF REPRESENTATIVES,
AUSTIN, TEXAS, NOVEMBER 22, 1875.

Convention met pursuant to adjournment; roll called; quorum present. Prayer by the Rev. Mr. Wright, of the Presbyterian Church, at Austin.

Journal of Saturday read and adopted.

Mr. McCormick submitted the following motion:
[Mr. Brown in the chair.]