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CAPITOL, AUSTIN, TEXAS,  
August 3, 1868.

Convention met pursuant to adjournment.

Roll called. Quorum present. Prayer by the Chaplain. Journal of yesterday read and adopted.

Mr. Thomas presented a petition from the citizens of Kaufman, Collin, Dallas and Hunt counties, praying for a formation of a new county.

On motion the reading of the petition was dispensed with, and it was referred to the Committee on Counties and County Boundaries.

Mr. Hunt, from the Committee on State Affairs, made the following report :

COMMITTEE ROOM,  
Austin, July 31, 1868.

To the Hon. E. J. DAVIS,  
President of the Convention :

SIR : Your Committee on State Affairs, to whom was referred the report of the Committee appointed to inquire into the condition of the convicts in the Texas State Penitentiary, and examine into the nature of the crimes for which they are confined in that institution, have had the same under consideration, and from the evidence presented are of the opinion that there are many under sentence for a term of years for trivial offenses, who are proper subjects for Executive clemency ; but, as your committee are not prepared to give that attention to the matter which its importance demands, in order to do full justice to the criminal, and at the same time having due regard for the interests and well-being of society, your committee respectfully return the report to your honorable body, and recommend its reference to His Excellency Gov. E. M. Pease, for his information and action thereon.

H. C. HUNT,  
Chairman.

On motion of Mr. Patten the rules were suspended to take up report.

Mr. Patten offered the following resolution :

*Be it resolved*, That the report of the Committee appointed to inquire into the condition of the convicts confined in the Texas

State Penitentiary be referred to His Excellency Gov. E. M. Pease.

Resolution read and agreed to.

Mr. Patten moved a further suspension of the rules for the passage of the resolution.

Rules suspended.

Resolution read third time, and passed.

Mr. Hunt, from the Committee on State Affairs, made the following additional report.

COMMITTEE ROOM,  
Austin, July 31, 1868.

Hon. E. J. DAVIS,  
President of the Convention :

SIR: Your Committee on State Affairs, to whom was referred a resolution offered by Hon. Mr. Bryant, of Harris, to the effect that no person charged with a capital offense shall be discharged or admitted to bail by a justice of the peace after examination, have had the same under consideration, and instructed me to report the same back to the Convention, and ask that it be referred to the Committee on Political or Legislative.

H. C. HUNT,  
Chairman.

Mr. Flanagan offered the following resolution :

*Resolved*, That this Convention will hold morning and noon sessions, say from 9 A. M. to 1 P. M.

Morning sessions confined to regular business.

Evening sessions, each member, commencing alphabetically, may in turn call up any matter he may prefer to act upon, which shall be immediately disposed of.

Mr. Sumner moved to reject the resolution.

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

Yeas—Messrs. President, Armstrong, of Jasper, Degener, Foster, Hunt, Keuchler, Patten, Slaughter, Smith of Marion, Sumner—10.

Nays—Messrs. Adams, Armstrong of Lamar, Bell, Bellinger, Bledsoe, Board, Boyd, Brown, Bryant of Grayson, Buffington, Butler, Burnett, Carter, Cole, Coleman, Curtis, Evans of McLennan, Flanagan, Fleming, Hamilton of Travis, Harris, Johnson of Calhoun, Keigwin, Kendal, Leib, Lindsay, Lippard, Mackey, McWashington, Muckleroy, Mundine, Munroe, Newcomb, Phillips of Wharton, Rogers, Schuetze, Scott, Smith of Gal-

veston, Thomas, Varnell, Vaughan, Watrous, Williams, Wilson of Brazoria, Wright, Yarborough—47.

So the Convention refused to reject.

Mr. Burnett moved a suspension of rules to take up resolution.

Rules suspended.

Mr. Butler offered the following amendment:

Amend by striking out from "four" to "seven," and insert "eight" to "ten."

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

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

Yeas—Messrs. Adams, Armstrong of Lamar, Bell, Bellinger, Board, Brown, Bryant, of Grayson, Buffington, Burnett, Carter, Cole, Coleman, Constant, Curtis, Degener, Fayle, Flanagan, W. Flanagan, Fleming, Foster, Hamilton of Travis, Johnson of Harrison, Johnson of Calhoun, Kealy, Keigwin, Kendal, Keuchler, Leib, Lindsay, Mackey, McWashington, Morse, Muckleroy, Munroe, Phillips of San Augustine, Phillips of Wharton, Rogers, Ruby, Schuetze, Scott, Smith of Galveston, Stockbridge, Thomas, Varnell, Vaughan, Watrous, Williams, Wright, Yarborough—49.

Nays—Messrs. President, Armstrong of Jasper, Bledsoe, Boyd, Butler, Evans of McLennan, Harris, Hunt, Lippard, Mundine, Newcomb, Patten, Slaughter, Smith of Marion, Sumner, Whitmore, Wilson of Brazoria—17.

So the Convention laid the amendment upon the table.

Mr. Munroe offered the following amendment:

Amend by striking out all after the words "seven o'clock P. M."

Mr. Sumner offered the following amendment to the amendment:

Amend, by making the time from eight to one A. M., and from two to eight P. M.

Mr. Flanagan moved the previous question upon the passage of the resolution.

Previous question seconded.

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

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

Yeas—Messrs. Adams, Armstrong of Lamar, Bell, Bellinger, Bledsoe, Board, Boyd, Brown, Buffington, Cole, Coleman, Constant, Curtis, Flanagan, W. Flanagan, Fleming, Hamilton of Travis, Johnson, of Calhoun, Jordan, Kealy, Keigwin, Lindsay, Mackey, McWashington, Muckleroy, Mullins, Phillips, of San Augustine, Phillips, of Wharton, Rogers, Scott, Smith of Galveston, Stockbridge, Talbot, Varnell, Vaughan, Watrous, Whitmore, Williams, Wilson of Brazoria, Wilson, of Milam, Wright, Yarborough—42.

Nays—Messrs. President, Armstrong, of Jasper, Bryant of Grayson, Butler, Burnett, Carter, Degener, Evans of McLennan, Fayle, Foster, Harris, Hunt, Johnson of Harrison, Kendal, Kuechler, Leib, Lippard, Morse, Mundine, Munroe, Newcomb, Patten, Ruby, Schuetze, Slaughter, Smith of Marion, Sumner—27.

So the main question was ordered.

Mr. Sumner moved a call of the House.

Call sustained.

Absentees—Messrs. Downing, Evans of Titus, Gaston, Grigsby, Horne, Long, McCormick, Mills, Oaks, Posey, Talbot.

Mr. Bell moved to suspend the call of the House.

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

Yeas—Messrs. President, Adams, Armstrong of Jasper, Armstrong of Lamar, Bell, Board, Boyd, Brown, Bryant of Grayson, Buffington, Burnett, Carter, Cole, Coleman, Constant, Curtis, Evans of McLennan, Fayle, Flanagan, W. Flanagan, Fleming, Foster, Glenn, Hamilton of Travis, Harris, Johnson of Harrison, Johnson of Calhoun, Jordan, Kealy, Keigwin, Kendal, Leib, Lindsay, Lippard, Mackey, McWashington, Muckleroy, Mullins, Phillips of Wharton, Rogers, Schuetze, Scott, Slaughter, Smith of Galveston, Stockbridge, Thomas, Varnell, Vaughan, Watrous, Whitmore, Williams, Wilson of Brazoria, Wilson of Milam, Wright, Yarborough—54.

Nays—Messrs. Butler, Degener, Hunt, Kuechler, Morse, Mundine, Munroe, Newcomb, Patten, Ruby, Smith of Marion, Sumner—12.

So the call of the House was suspended.

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

Yeas—Messrs. Adams, Armstrong of Lamar, Bell, Bellinger, Bledsoe, Board, Boyd, Brown, Bryant of Grayson, Buffington, Burnett, Carter, Cole, Coleman, Constant, Curtis, Flanagan, W. Flanagan, Fleming, Glenn, Hamilton of Travis, Johnson of Harrison, Johnson of Calhoun, Kealy, Keigwin, Kendal, Lindsay, Mackey, McWashington, Muckleroy, Mullins, Munroe, Phillips of San Augustine, Phillips of Wharton, Rogers, Scott, Smith of Galveston, Stockbridge, Thomas, Varnell, Vaughan, Watrous, Whitmore, Wilson of Brazoria, Wilson of Milam, Wright, Yarborough—47.

Nays—Messrs. President, Armstrong of Jasper, Butler, Degener, Evans of McLennan, Fayle, Foster, Harris, Hunt, Kuechler, Leib, Lippard, Morse, Mundine, Newcomb, Patten, Ruby, Schuetze, Slaughter, Smith of Marion, Sumner—21.

So the resolution was adopted.

Mr. Degener offered the following resolution :

*Resolved*, That the entire railroad matter be referred to a select committee.

Laid over under the rules.

Mr. Kuechler offered the following resolution :

WHEREAS, It is difficult to find enough persons competent to fill the office of county surveyor, this office not being a paying one in most counties ;

*Be it resolved*, That the Committee on General Provisions be instructed to report on the feasibility of making the surveyor's districts the same as the judicial districts.

Laid over one day.

Mr. Newcomb offered the following resolution :

*Resolved*, That this Convention take a recess from and after the fourteenth instant until the twentieth of December, 1868.

*Resolved*, That the reports of the different constitutional committees be printed in the order they will come in the Constitution, as a report to be presented for action at the convening of the Convention in December.

Laid over one day.

Mr. Evans, of McLennan, moved a suspension of rules to consider the resolution.

Lost.

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

#### DECLARATION FOR A NEW COUNTY.

SECTION 1. *We, the people of Texas in Convention assembled, do declare*, That a new county is hereby formed out of the following territory :

Beginning at the junction of Buffalo creek with the east fork of the Trinity river, in the county of Kaufman ; thence due west to the boundary line of Kaufman and Dallas counties ; thence north-west to the confluence of Muddy creek into Rowlet creek ; thence up Muddy creek to the southern boundary line of Collin county ; thence north-east to the eastern boundary line of said county, to a point five (5) miles north of the south-east corner thereof ; thence south-east to the southern boundary line of Hunt county, to a point five (5) miles east of the south-west corner of said county ; thence south-west to the place of beginning.

Said county to be called Richland, and the county seat thereof to be at the town of Rockwall.

That the aforesaid county shall be organized under the general

law establishing new counties; and that the judge of the county court of Kaufman county shall recommend to the Commander of the Fifth Military District suitable persons to fill the offices.

On motion, the declaration was referred to the Committee on Counties and County Boundaries.

The President announced the business of the hour was the report of the Committee on General Provisions.

Mr. Smith moved the consideration of the report be postponed until next Monday, August 10, 1868, at ten o'clock.

Lost.

Mr. Burnett moved the consideration of the report be postponed until after the report of the Executive Committee be disposed of.

Carried.

Mr. Schuetze asked that the rules be suspended, to offer a petition from citizens of Bastrop county.

Rules suspended, and the petition referred to the Committee on Counties and County Boundaries.

The President announced the next business in order to be the report of the Executive Committee, reported from Committee of the Whole.

Mr. Evans, of McLennan, offered the following substitute for section 23.

SEC. 23. There shall be an Attorney General of the State, elected by the qualified voters of the State at the same time and place as the Governor; he shall be a qualified voter at the time of his election, and shall hold his office for four years; he shall reside at the capital of the State during his term of office. He shall represent the interests of the State in all suits or pleas in the Supreme Court in which the State may be a party, superintend, instruct and direct the official action of the district attorneys, so as to secure all fines and forfeitures, all escheated estates, and all public moneys to be collected; and he shall, when necessary, give legal advice in writing to all officers of the government, and perform such other duties as may be required by law.

Under the rules, the Convention adjourned until 4 o'clock this afternoon.

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AFTERNOON SESSION.—FOUR O'CLOCK.

Roll called. Quorum present.

The President announced that under the rules adopted, that as the names of members are called alphabetically, they may call up any business not in regular order.

Mr. Adams called up the substitute to the report of the Committee on Internal Improvements respecting the Pacific International Railroad.

The question being upon its third reading, Mr. Patten moved to lay the whole subject upon the table.

Mr. Hamilton, of Travis, moved a call of the House.

Call sustained.

Mr. Wright moved that the call of the House be suspended.

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

Yeas—Messrs. Armstrong, of Jasper, Bell, Bellinger, Bryant of Grayson, Burnett, Carter, Coleman, Flanagan, Fleming, Gaston, Hamilton of Travis, Horne, Johnson of Calhoun, Keigwin, Lindsay, Mackey, Mills, Morse, Muckleroy, Mundine, Munroe, Pedigo, Phillips of San Augustine, Phillips, of Wharton, Posey, Schuetze, Scott, Stockbridge, Thomas, Varnell, Vaughan, Wilson of Brazoria, Wilson of Milam, Wright,—34.

Nays—Messrs. President, Adams, Armstrong of Lamar, Bledsoe, Board, Boyd, Brown, Buffington, Cole, Constant, Curtis, Degener, Evans of McLennan, Fayle, W. Flanagan, Foster, Goddin, Harris, Hunt, Johnson of Harrison, Jordan, Kealy, Kendal, Kuechler, Leib, Long, McWashington, Newcomb, Patten, Rogers, Smith of Galveston, Smith of Marion, Sumner, Watrous, Whitmore, Williams, Yarborough.—38.

So the House refused to suspend the call.

Mr. Wright moved the call of the House be suspended.

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

Yeas—Messrs. President, Adams, Armstrong of Jasper, Armstrong of Lamar, Bell, Bellinger, Bledsoe, Brown, Bryant, of Grayson, Buffington, Burnett, Carter, Cole, Constant, Fayle, Flanagan, W. Flanagan, Fleming, Foster, Gaston, Glenn, Hamilton of Travis, Horne, Johnson of Calhoun, Kealy, Keigwin, Lindsey, Mackey, Mills, Morse, Muckleroy, Mundine, Munroe, Phillips of San Augustine, Phillips of Wharton, Posey, Schuetze, Scott, Slaughter, Stockbridge, Thomas, Varnell, Vaughan, Wilson of Brazoria, Wilson of Milam, Wright—46.

Nays—Messrs. Board, Boyd, Curtis, Degener, Evans of McLennan, Goddin, Harris, Hunt, Johnson of Harrison, Jordan, Kendal, Kuechler, Leib, Lippard, Long, McWashington, Newcomb, Patten, Rogers, Smith of Galveston, Smith of Marion, Sumner, Watrous, Whitmore, Williams, Yarborough—26.

So the call of the House was suspended.

Mr. Patten moved a call of the House.

Call not sustained.



The question recurred upon the motion of Mr. Patten to lay the whole subject upon the table.

Mr. Patten moved a call of the House.

Call sustained.

Absentees—Messrs. Butler, Downing, Mullins, Oaks, and Ruby.

Mr. Slaughter moved to adjourn until to-morrow morning at nine o'clock.

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

Yeas—Messrs. Bellinger, Bledsoe, Carter, Degener, Fayle, Glenn, Long, Mackey, Newcomb, Patten, Pedigo, Ruby, Slaughter, Smith of Marion, Vaughan—13.

Nays—Messrs. President, Adams, Armstrong, of Jasper, Armstrong, of Lamar, Bell, Board, Brown, Bryant of Grayson, Buffington, Burnett, Cole, Coleman, Constant, Curtis, Evans of McLennan, Flanagan, W. Flanagan, Fleming, Foster, Gaston, Goddin, Hamilton of Travis, Harris, Hunt, Johnson of Harrison, Johnson of Calhoun, Jordan, Kealy, Keigwin, Kendal, Kuechler, Leib, Lindsay, Lippard, McWashington, Mills, Morse, Muckleroy, Mundine, Munroe, Phillips of San Augustine, Phillips of Wharton, Posey, Rogers, Schuetze, Scott, Smith of Galveston, Stockbridge, Sumner, Thomas, Varnell, Watrous, Whitmore, Williams, Wilson of Brazoria, Wilson of Milam, Wright, Yarborough—58.

So the Convention refused to adjourn.

Mr. Coleman moved the call of the House be suspended.

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

Yeas—Messrs. President, Armstrong of Jasper, Bell, Brown, Bryant of Grayson, Buffington, Burnett, Carter, Coleman, Constant, Flanagan, W. Flanagan, Fleming, Foster, Gaston, Glenn, Hamilton of Travis, Harris, Johnson of Calhoun, Kealy, Keigwin, Leib, Lindsay, Mackey, Mills, Muckleroy, Mullins, Mundine, Munroe, Pedigo, Phillips of San Augustine, Phillips of Wharton, Posey, Rogers, Schuetze, Slaughter, Stockbridge, Thomas, Varnell, Vaughan, Wilson of Brazoria, Wilson of Milam, Wright, Yarborough—44.

Nays—Messrs. Armstrong of Lamar, Bellinger, Bledsoe, Board, Boyd, Cole, Curtis, Degener, Evans of McLennan, Fayle, Goddin, Hunt, Johnson, of Harrison, Jordan, Kendal, Kuechler, Lippard, Long, McWashington, Morse, Newcomb, Patten, Ruby, Scott, Smith of Galveston, Smith of Marion, Sumner, Watrous, Whitmore, Williams—30.

So the call of the House was suspended.

Mr. Patten moved a call of the House.

Call sustained.

Mr. Bryant, of Grayson, moved the call of the House be suspended.

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

Yeas—Messrs. Adams, Armstrong of Jasper, Armstrong of Lamar, Bell, Brown, Bryant of Grayson, Burnett, Carter, Cole, Coleman, Constant, Flanagan, W. Flanagan, Fleming, Foster, Gaston, Glenn, Hamilton of Travis, Harris, Horne, Johnson of Calhoun, Jordan, Kealy, Keigwin, Leib, Lindsay, Mackey, Mills, Muckleroy, Mullins, Mundine, Munroe, Phillips of San Augustine, Phillips, of Wharton, Posey, Rogers, Schuetze, Scott, Slaughter, Stockbridge, Thomas, Varnell, Vaughan, Wilson of Brazoria, Wilson of Milam, Wright—46.

Nays—Messrs. Bledsoe, Board, Boyd, Buffington, Curtis, Degener, Evans of McLennan, Fayle, Goddin, Hunt, Johnson of Harrison, Kendal, Kuechler, Lippard, Long, McWashington, Morse, Newcomb, Patten, Pedigo, Ruby, Smith of Galveston, Smith of Marion, Sumner, Watrous, Whitmore, Williams—27.

So the Convention suspended the call of the House.

Mr. Patten moved to adjourn until to-morrow, at nine o'clock.

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

Yeas—Messrs. Armstrong of Jasper, Armstrong of Lamar, Bellinger, Carter, Coleman, Degener, Evans of McLennan, Fleming, Hunt, Keuchler, Leib, Lindsay, Long, Mackey, McWashington, Mills, Newcomb, Patten, Pedigo, Rogers, Ruby, Schuetze, Scott, Slaughter, Smith of Marion, Thomas, Watrous, Wilson of Brazoria—29.

Nays—Messrs. Adams, Bell, Bledsoe, Board, Boyd, Brown, Bryant of Grayson, Buffington, Burnett, Cole, Constant, Curtis, Fayle, Flanagan, W. Flanagan, Foster, Gaston, Goddin, Hamilton of Travis, Harris, Horne, Johnson of Harrison, Johnson of Calhoun, Jordan, Kealy, Keigwin, Kendal, Lippard, Morse, Muckleroy, Mullins, Mundine, Munroe, Phillips, of San Augustine, Phillips of Wharton, Posey, Smith of Galveston, Stockbridge, Sumner, Varnell, Vaughan, Whitmore, Williams, Wilson of Milam, Wright, Yarborough—46.

So the Convention refused to adjourn.

The question recurred upon the motion to lay upon the table.

Mr. Patten moved a call of the House.

Call sustained.

Mr. Mullins moved the call of the House be suspended.

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

Yeas—Messrs. Bell, Brown, Bryant of Grayson, Burnett, Carter,

Coleman, Constant, Flanagan, W. Flanagan, Fleming, Foster, Gaston, Hamilton of Travis, Harris, Horne, Johnson of Calhoun, Jordan, Kealy, Keigwin, Leib, Lindsay, Mackey, Mills, Morse, Muckleroy, Mullins, Mundine, Pedigo, Phillips of San Augustine, Phillips of Wharton, Posey, Schuetze, Scott, Slaughter, Stockbridge, Thomas, Varnell, Vaughan, Watrous, Williams, Wilson of Brazoria, Wilson of Milam, Wright, Yarborough—44.

Nays—Messrs. President, Adams, Armstrong of Jasper, Armstrong of Lamar, Bledsoe, Board, Boyd, Buffington, Cole, Curtis, Degener, Evans of McLennan, Fayle, Glenn, Goddin, Hunt, Johnson of Harrison, Kendal, Kuechler, Lippard, Long, McWashington, Munroe, Newcomb, Patten, Rogers, Ruby, Smith of Galveston, Smith of Marion, Sumner, Whitmore—31.

So the Convention suspended the call.

Mr. Sumner moved to adjourn until eight o'clock to-morrow morning.

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

Yeas—Messrs. Armstrong of Jasper, Armstrong of Lamar, Bell, Bellinger, Bledsoe, Carter, Coleman, Degener, Goddin, Horne, Hunt, Keuchler, Long, McWashington, Newcomb, Patten, Rogers, Ruby, Schuetze, Sumner, Thomas, Vaughan, Watrous, Wilson of Milam, Yarborough—33.

Nays—Messrs. President, Adams, Bledsoe, Board, Boyd, Brown, Bryant of Grayson, Buffington, Burnett, Cole, Constant, Evans of McLennan, Fayle, Flanagan, W. Flanagan, Fleming, Foster, Gaston, Hamilton of Travis, Harris, Johnson of Harrison, Johnson of Calhoun, Jordan, Kealy, Keigwin, Kendal, Leib, Lindsay, Lippard, Mackey, Mills, Morse, Muckleroy, Mullins, Mundine, Munroe, Pedigo, Phillips of San Augustine, Phillips of Wharton, Posey, Scott, Smith of Galveston, Smith of Marion, Stockbridge, Varnell, Whitmore, Williams, Wilson of Brazoria, Wright—38.

So the Convention refused to adjourn.

Mr. Patten moved a call of the House.

Call sustained.

Mr. Buffington moved to suspend the call of the House.

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

Yeas—Messrs. Adams, Armstrong of Jasper, Armstrong of Lamar, Bell, Bellinger, Brown, Bryant of Grayson, Burnett, Carter, Cole, Coleman, Flanagan, W. Flanagan, Fleming, Foster, Gaston, Hamilton of Travis, Horne, Johnson of Harrison, Johnson of Calhoun, Jordan, Kealy, Keigwin, Mackey, Mills, Muckleroy, Mullins, Mundine, Phillips of San Augustine, Phillips of Wharton, Posey, Schuetze, Scott, Stockbridge, Thomas, Varnell, Wilson of Brazoria, Wilson of Milam, Wright, Yarborough—41.

Nays—Messrs. President, Bledsoe, Board, Boyd, Buffington, Constant, Curtis, Degener, Evans of McLennan, Fayle, Glenn, Goddin, Hunt, Kendal, Kuechler, Leib, Lippard, Long, McWashington, Morse, Munroe, Newcomb, Patten, Pedigo, Rogers, Ruby, Smith of Galveston, Smith of Marion, Sumner, Watrous, Whitmore, Williams—32.

So the Convention suspended the call.

Mr. Patten moved a call of the House.

Call sustained.

Mr. Sumner moved the Convention adjourn until this evening, at eight o'clock.

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

Yeas—Messrs. President, Bell, Evans of McLennan, Kuechler, Long, Newcomb, Oaks, Patten, Ruby, Smith of Galveston, Smith of Marion, Sumner—10.

Nays—Messrs. Adams, Armstrong of Jasper, Armstrong of Lamar, Bellinger, Bledsoe, Board, Boyd, Brown, Bryant of Grayson, Buffington, Burnett, Carter, Cole, Coleman, Curtis, Degener, Downing, Fayle, Flanagan, W. Flanagan, Fleming, Foster, Gaston, Glenn, Goddin, Hamilton of Travis, Harris, Hunt, Johnson of Harrison, Johnson of Calhoun, Jordan, Kealy, Keigwin, Kendal, Leib, Lippard, Mackey, McWashington, Mills, Morse, Muckleroy, Mullins, Mundine, Munroe, Pedigo, Phillips of San Augustine, Phillips of Wharton, Posey, Rogers, Schuetze, Scott, Smith of Galveston, Stockbridge, Thomas, Varnell, Watrous, Whitmore, Williams, Wilson of Brazoria, Wilson of Milam, Wright, Yarborough—62.

So the Convention refused to adjourn.

Mr. Schuetze moved that the Convention adjourn until to-morrow morning at nine o'clock.

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

Yeas—Messrs. President, Armstrong, of Jasper, Armstrong, of Lamar, Bellinger, Carter, Degener, Downing, Evans, of McLennan, Fayle, Glenn, Goddin, Hunt, Keigwin, Kuechler, Long, Mackey, McWashington, Mills, Muckleroy, Newcomb, Oaks, Patten, Pedigo, Posey, Rogers, Schuetze, Scott, Smith of Marion, Sumner, Thomas, Watrous, Whitmore, Williams—26.

Nays—Messrs. Adams, Bell, Bledsoe, Board, Boyd, Brown, Bryant, of Grayson, Buffington, Burnett, Cole, Coleman, Constant, Curtis, Flanagan, W. Flanagan, Fleming, Foster, Gaston, Hamilton of Travis, Harris, Horne, Johnson of Harrison, Johnson of Calhoun, Jordan, Kealy, Kendal, Leib, Lippard, Morse, Mullins, Mundine, Munroe, Phillips of San Augustine, Smith, of Galveston, Stockbridge, Varnell, Wilson of Brazoria, Wilson, of Milam, Wright, Yarborough—47.

So the Convention refused to adjourn.

Mr. Bledsoe moved to adjourn *sine die*.

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

Yeas—Messrs. Armstrong of Jasper, Armstrong of Lamar, Bledsoe, Boyd, Cole, Curtis, Degener, Downing, Evans, of McLennan, Fryle, W. Flanagan, Gaston, Glenn, Keigwin, Kuechler, Leio, Lippard, Long, Morse, Mullins, Newcomb, Oaks, Patten, Varnell, Whitmore—26.

Nays—Messrs. President, Adams, Bell, Bellinger, Board, Brown, Bryant of Grayson, Buffington, Burnett, Carter, Coleman, Constant, Flanagan, Fleming, Foster, Goddin, Hamilton of Travis, Harris, Horne, Hunt, Johnson of Harrison, Johnson of Calhoun, Jordan, Kealy, Kendal, Mackey, McWashington, Muckleroy, Mundine, Munroe, Pedigo, Phillips of San Augustine, Phillips, of Wharton, Posey, Rogers, Ruby, Schuetze, Scott, Smith of Galveston, Smith of Marion, Stockbridge, Sumner Thomas, Watrous, Wilson of Milam, Wright, Yarborough—49.

So the Convention refused to adjourn *sine die*.

Mr. Patten moved a call of the House.

Call suspended.

Mr. McWashington moved to adjourn until to-morrow morning, at nine o'clock.

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

Yeas—Messrs. President, Armstrong of Jasper, Armstrong of Lamar, Bellinger, Bledsoe, Bryant of Grayson, Carter, Coleman, Constant, Curtis, Degener, Downing, Evans of McLennan, Foster, Glenn, Goddin, Horne, Hunt, Johnson of Harrison, Johnson of Calhoun, Keigwin, Kendal, Kuechler, Long, Mackey, McWashington, Newcomb, Oaks, Patten, Pedigo, Posey, Rogers, Ruby, Schuetze, Scott, Thomas, Watrous, Williams—38.

Nays—Messrs. Adams, Bell, Board, Boyd, Brown, Buffington, Burnett, Cole, Flanagan, W. Flanagan, Fleming, Gaston, Hamilton of Travis, Harris, Jordan, Kealy, Leib, Lippard, Mills, Morse, Muckleroy, Mullins, Mundine, Munroe, Phillips of San Augustine, Phillips of Wharton, Smith of Galveston, Smith of Marion, Stockbridge, Sumner, Varnell, Whitmore, Wilson of Brazoria, Wilson of Milam, Wright, Yarborough—30.

So the Convention refused to adjourn.

Mr. Degener moved that the Convention take a recess until the 3d of December.

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

Yeas—Messrs. Armstrong of Jasper, Bellinger, Bledsoe, Boyd,

Degener, Evans of McLennan, Glenn, Kuechler, Lippard, Morse, Mullins, Oaks, Patten, Yarborough—13.

Nays—Messrs. President, Adams, Armstrong of Lamar, Bell, Board, Brown, Bryant of Grayson, Buffington, Burnett, Carter, Cole, Coleman, Constant, Curtis, Downing, Flanagan, W. Flanagan, Fleming, Foster, Gaston, Goddin, Hamilton of Travis, Harris, Hunt, Johnson of Harrison, Johnson of Calhoun, Jordan, Kealy, Keigwin, Kendal, Leib, Mackey, McWashington, Mills, Muckleroy, Mundine, Munroe, Newcomb, Phillips of San Augustine, Phillips of Wharton, Posey, Rogers, Ruby, Schuetze, Scott, Smith of Galveston, Smith of Marion, Stockbridge, Sumner, Thomas, Watrous, Wilson of Brazoria, Wilson of Milam, Wright—53.

So the Convention refused to adjourn.

Mr. Patten moved a call of the House.

Call sustained.

Mr. Hamilton, of Travis, moved the Convention adjourn until nine o'clock to-morrow morning.

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

Yeas—Messrs. President, Adams, Armstrong of Jasper, Armstrong of Lamar, Bellinger, Bledsoe, Board, Boyd, Brown, Bryant of Grayson, Buffington, Carten, Cole, Coleman, Constant, Curtis, Downing, Gaston, Glenn, Goddin, Hamilton of Travis, Horne, Hunt, Johnson of Harrison, Jordan, Keigwin, Kendal, Keuchler, Leib, Long, McWashington, Mills, Muckleroy, Munroe, Newcomb, Oaks, Patten, Pedigo, Posey, Rogers, Ruby, Scott, Smith of Galveston, Smith of Marion, Stockbridge, Thomas, Varnell, Watrous, Wilson of Milam, Wright, Yarborough—51.

Nays—Messrs. Bell, Burnett, Degener, Evans of McLennan, Flanagan, W. Flanagan, Fleming, Foster, Harris, Johnson of Calhoun, Kealy, Lippard, Morse, Mullins, Mundine, Phillips of San-Augustine, Schuetze, Sumner, Whitmore, Wilson of Brazoria—20.

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