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CAPITOL, AUSTIN, TEXAS,
DECEMBER 14, 1868.

Convention met pursuant to adjournment.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of Saturday read and adopted.

The president caused the following letters to be read from Messrs. Grigsby, Boyd, Muckleroy, and Talbot, resigning their seats in the Convention :

NACOGDOCHES, TEXAS,
November 3, 1868.

To Brigadier General J. J. REYNOLDS,
Commanding Fifth Military District :

Owing to impaired and failing health, I am admonished that I will be unable to attend another session of the Convention for forming a Constitution for the State of Texas. I am a delegate from the county of Nacogdoches, and have, therefore, to request, respectfully, that this be received as my resignation of the position, and that an election be ordered to fill the vacancy.

I have the honor to be,
Very respectfully,
(Signed)

D. MUCKLEROY.

JEFFERSON, TEXAS,
September 30, 1868.

To Major General J. J. REYNOLDS,
Commanding Fifth Military District :

DEAR SIR: Having determined to abstain from any further participation in political affairs, I deem it due to the people of this the first election district to give them an opportunity of selecting a delegate whose thoughts run in such channels. I, therefore, hereby tender my resignation as a member of the Constitutional Convention of Texas.

It may not be amiss to add that I take this step with no feeling of hostility to the reconstruction party with which I have acted, but purely on private grounds.

Respectfully,

Your obedient servant,
(Signed)

AARON GRIGSBY.

PAOLA, MIAMI COUNTY, KANSAS,
October 19, 1868.

To Major General J. J. REYNOLDS,
Commanding Fifth Military District:

SIR: My private business will not permit of my return to Texas before spring. I, therefore, tender my resignation of membership of the Constitutional Convention of the State of Texas for the counties of Williamson and Burnett.

Most respectfully,

Your obedient servant,
(Signed)

JOSEPH W. TALBOT.

Official copies respectfully furnished the President of the Constitutional Convention for his information, and in compliance with request of December 13th, 1868.

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

OWENSVILLE, TEXAS,
December 4, 1868.

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

DEAR SIR: I hereby tender my resignation as delegate to the Constitutional Convention of Texas.

Very respectfully,

J. B. BOYD.

The president announced the committee under the resolution of Mr. Burnett, respecting the pay of absent members, to be Messrs. Burnett, Long, and Phillips, of San Augustine.

Mr. Hamilton, of Bastrop, offered the following resolution:

Resolved, That Brevet Major General J. J. Reynolds, commanding the District of Texas, be, and he is hereby respectfully requested, to cause the Provisional Governor of Texas to communi-

cate to this Convention what steps or action, if any, he has taken to give effect and force to the ordinance passed by this body at its late session, touching the rights, privileges and interest of the Houston and Central Texas Railroad Company, and also the rights which the people of this country claim to have in the school fund which is invested in the railroad bonds of this and other companies, and to furnish a copy of any guarantees or receipts which he may have given to the agents or officers of said Central Road.

Mr. Butler moved a suspension of the rules to take up the resolution.

Rules suspended.

Mr. McCormick offered the following amendment :

Resolved, That the Provisional Governor of Texas be, and he is hereby, requested to give information, etc.

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

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

Yeas—Messrs. Bryant of Harris, Curtis, Degener, Downing, Flanagan W., Goddin, Hamilton of Bastrop, Lippard, Long, Mullins, Newcomb, Patten, Phillips of San Augustine, Ruby, Scott, Slaughter, Wilson of Milam—17.

Nays—Messrs. President, Adams, Armstrong of Jasper, Armstrong of Lamar, Bellinger, Bledsoe, Board, Bryant of Grayson, Buffington, Burnett, Caldwell, Carter, Cole, Fayle, Flanagan, Fleming, Gaston, Glenn, Harris, Johnson of Harrison, Jordan, Kealy, Keigwin, Kendal, Keuchler, Lindsay, Mackey, McCormick, McWashington, Morse, Mundine, Munroe, Rogers, Schuetze, Smith, Stockbridge, Sumner, Thomas, Varnell, Watrous, Williams, Wilson of Brazoria, Wright—43.

So the Convention refused to lay the amendment upon the table. The question recurred upon the adoption of the amendment.

It was adopted.

The question recurred upon the adoption of the resolution as amended.

It was adopted.

Mr. Caldwell offered the following resolution :

Resolved, That this Convention has heard with regret of the removal of Brevet Major General J. J. Reynolds, from the command of the Fifth Military District, by the order of the President,

and that the thanks of this Convention are hereby tendered to Gen. Reynolds for the faithful and impartial manner in which he has executed the laws of Congress, and especially for his efforts in suppressing lawlessness and violence in the State.

Resolved, 2. That an official copy of the resolution be forwarded to him.

Mr. Caldwell moved a suspension of the rules to take up the resolution.

Rules suspended.

Mr. Caldwell moved that the resolution be made the special order for Friday next at ten o'clock.

Carried.

The president announced that the business in order was upon the resolution of Mr. Newcomb,* to repeal the resolution of Mr. Thomas, passed at the first session of the Convention respecting the division of the State.

The previous question being seconded, Mr. Thomas raised the point of order that under rule eleventh the resolution of Mr. Newcomb was not before the Convention.

The president decided the point of order in the negative.

Mr. Thomas appealed from the decision of the chair to the Convention.

The question then recurred, "Shall the decision of the chair stand as the decision of the House.

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

Yeas—Messrs. Adams, Armstrong of Jasper, Bellinger, Board, Brown, Bryant of Harris, Buffington, Butler, Burnett, Caldwell, Carter, Cole, Curtis, Degener, Downing, Fayle, Flanagan, W. Flanagan, Gaston, Glenn, Goddin, Hamilton of Bastrop, Hamilton of Travis, Harris, Johnson of Harrison, Jordan, Kendal, Kuechler, Lindsay, Lippard, Long, Mackey, McWashington, Morse, Mullins, Mundine, Munroe, Newcomb, Patten, Phillips of San Augustine, Ruby, Scott, Slaughter, Smith, Stockbridge, Varnell, Watrous, Williams, Wilson of Milam, Wright—51.

Nays—Messrs. Bryant of Grayson, Fleming, Kealy, Keigwin, McCormick, Rogers, Thomas, Wilson of Brazoria—8.

* For resolution see page 13.

So the decision of the Chair was sustained.

The question recurred upon the adoption of the resolution offered by Mr. Newcomb.

Mr. Thomas moved a call of the House.

Call sustained.

Absentees—Messrs. Armstrong of Lamar, Bell, Coleman, Evans of Titus, Fleming, Harn, Hunt, Johnson of Calhoun, Kirk, Mills, Phillips of Wharton, Sorrell, Vaughan, Whitmore—14.

Mr. Degener asked that Mr. Posey be excused.

Excused.

Mr. Glenn asked that Mr. Sorrell be excused.

Excused.

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

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

Yeas—Messrs. President, Adams, Bellinger, Bledsoe, Board, Brown, Bryant of Harris, Buffington, Butler, Burnett, Carter, Degener, Downing, Fayle, Flanagan, W. Flanagan, Gaston, Glenn, Goddin, Hamilton of Bastrop, Jordan, Kendal, Keuchler, Lippard, Long, Morse, Mullins, Munroe, Newcomb, Patten, Ruby, Schuetze, Scott, Slaughter, Smith, Varnell, Wright—37.

Nays—Messrs. Armstrong of Jasper, Bryant of Grayson, Caldwell; Cole, Fleming, Hamilton of Travis, Harris, Johnson of Harrison, Kealy, Keigwin, Lindsay, Mackey, McCormick, McWashington, Mundine, Phillips of San Augustine, Rogers, Stockbridge, Sumner, Thomas, Watrous, Williams, Wilson of Brazoria, Wilson of Milam—24.

So the call of the House was sustained.

Mr. Sumner moved a call of the House.

Call sustained.

Absentees—Messrs. Bell, Coleman, Evans of Titus, Foster, Horne, Hunt, Johnson of Calhoun, Kirk, Mills, Phillips of Wharton, Vaughan, Whitmore—12.

Mr. Smith offered the following resolution :

Resolved, That the absence of Mr. Coleman from the State of Texas is retarding the business of the Convention ;

It is therefore ordered, That the Secretary be directed to omit his name from the roll until he reports in person.

Resolution declared out of order and withdrawn.

Mr. Patten moved that the seat of Mr. Coleman be declared vacant.

Motion by leave withdrawn.

Mr. Degener offered the following resolution :

Resolved, That those members of the Convention who have not answered at the roll call since the recess shall be deemed excused until they resume their seats, and shall, until then, not draw any pay unless a good excuse for their absence be given.

Ruled out of order.

Mr. Glenn moved that Mr. Kirk be excused on account of sickness.

Excused.

Mr. Lindsay asked that Mr. Schuetze be excused until next Thursday.

Leave granted.

Mr. Stockbridge moved to adjourn till to-morrow morning at ten o'clock.

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

Yeas—Messrs. Armstrong of Jasper, Bellinger, Bryant of Grayson, Caldwell, Cole, Hamilton of Travis, Johnson of Harrison, Keigwin, Kendal, Kuechler, Lindsay, Mackey, McCormick, McWashington, Morse, Mundine, Rogers, Stockbridge, Thomas, Watrous, Wilson of Brazoria, Wilson of Milam—22.

Nays—Messrs. President, Adams, Armstrong of Lamar, Bledsoe, Board, Brown, Bryant of Harris, Buffington, Butler, Burnett, Carter, Curtis, Degener, Downing, Evans of Titus, Fayle, Flanagan, W. Flanagan, Fleming, Gaston, Goddin, Hamilton of Bastrop, Harris, Horne, Jordan, Kealy, Lippard, Long, Mullins, Munroe, Newcomb, Patten, Phillips of San Augustine, Ruby, Scott, Slaughter, Smith, Sumner, Varnell, Williams, Wright—41.

So the Convention refused to adjourn.

Mr. Bryant, of Grayson, moved to adjourn till to-morrow morning at nine o'clock.

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

Yeas—Messrs. Armstrong of Jasper, Armstrong of Lamar, Bellinger, Bryant of Grayson, Burnett, Caldwell, Cole, Hamilton of Travis, Johnson of Harrison, Keigwin, Lindsay, Mackey, McCormick, McWashington, Morse, Mundine, Rogers, Stockbridge, Sumner, Thomas, Watrous, Wilson of Brazoria, Wilson of Milam—23.

Nays—Messrs. President, Adams, Bledsoe, Board, Brown, Bryant of Harris, Buffington, Carter, Curtis, Degener, Downing, Evans of Titus, Fayle, Flanagan, W. Flanagan, Fleming, Gaston, Goddin, Hamilton of Bastrop, Harris, Horne, Jordan, Kealy, Kendal, Kuechler, Lippard, Long, Mullins, Munroe, Newcomb, Patten, Phillips of San Augustine, Ruby, Scott, Slaughter, Smith, Varnell, Williams, Wright—39.

So the Convention refused to adjourn.

Mr. Hamilton, of Travis, moved to adjourn till to-morrow morning at ten o'clock.

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

Yeas—Messrs. Armstrong of Jasper, Armstrong of Lamar, Bellinger, Bryant of Grayson, Burnett, Caldwell, Cole, Evans of Titus, Fleming, Glenn, Hamilton of Travis, Johnson of Harrison, Keigwin, Lindsay, Mackey, McCormick, McWashington, Morse, Mundine, Rogers, Stockbridge, Sumner, Thomas, Watrous, Williams, Wilson of Brazoria, Wilson of Milam—27.

Nays—Messrs. President, Adams, Bledsoe, Board, Brown, Bryant of Harris, Buffington, Carter, Curtis, Degener, Downing, Fayle, Flanagan, W. Flanagan, Gaston, Goddin, Hamilton of Bastrop, Harris, Horne, Jordan, Kealy, Kendal, Kuechler, Lippard, Long, Mullins, Munroe, Newcomb, Patten, Phillips of San Augustine, Ruby, Slaughter, Smith, Varnell, Wright—35.

So the Convention refused to adjourn.

Mr. Evans, of Titus, was excused on account of sickness.

Mr. Smith moved the suspension of the call of the House.

Lost.

Mr. Bryant, of Grayson, moved to adjourn till ten o'clock to-morrow morning.

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

Yeas—Messrs. Armstrong of Jasper, Bellinger, Bryant of Grayson, Burnett, Caldwell, Glenn, Hamilton of Travis, Johnson of

Harrison, Keigwin, Lindsay, Mackey, McCormick, McWashington, Morse, Mundine, Rogers, Stockbridge, Sumner, Thomas, Williams, Wilson of Brazoria, Wilson of Milam—22.

Nays—Messrs. President, Adams, Armstrong of Lamar, Bledsoe, Board, Brown, Bryant of Harris, Buffington, Butler, Carter, Curtis, Degener, Downing, Flanagan, W. Flanagan, Gaston, Goddin, Hamilton of Bastrop, Harris, Horne, Jordan, Kealy, Kendal, Keuchler, Lippard, Long, Mullins, Munroe, Newcomb, Patten, Phillips of San Augustine, Ruby, Scott, Slaughter, Smith, Varnell, Wright—37.

So the Convention refused to adjourn.

Mr. Armstrong of Lamar, moved to adjourn till to-morrow morning at ten o'clock.

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

Yeas—Messrs. Armstrong of Jasper, Armstrong of Lamar, Belinger, Bledsoe, Bryant of Grayson, Buffington, Burnett, Caldwell, Cole, Fleming, Gaston, Hamilton of Bastrop, Hamilton of Travis, Johnson of Harrison, Kealy, Keigwin, Kuechler, Lindsay, Mackey, McCormick, McWashington, Morse, Mundine, Newcomb, Patten, Rogers, Stockbridge, Sumner, Thomas, Watrous, Williams, Wilson of Brazoria, Wilson of Milam—34.

Nays—Messrs. President, Adams, Board, Brown, Bryant of Harris, Butler, Carter, Curtis, Degener, Downing, Fayle, Flanagan, W. Flanagan, Goddin, Harris, Horne, Jordan, Kendall, Lippard, Long, Mullins, Munroe, Phillips of San Augustine, Ruby, Slaughter, Smith, Varnell, Wright—28.

So the Convention was declared adjourned till to-morrow morning at ten o'clock.