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CAPITOL, AUSTIN, TEXAS,
January 12, 1868.

Convention met pursuant to adjournment.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and adopted.

Mr. Flanagan moved a suspension of the rules to take up Declaration respecting the Southern Pacific Railroad Company.

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

Yeas—Messrs. President, Adams, Bell, Board, Brown, Bryant of Harris, Burnett, Carter, Cole, Downing, Evans of McLennan, Evans of Titus, Fayle, Flanagan, W. Flanagan, Gaston, Gray, Harris, Harn, Horne, Johnson of Harrison, Jordan, Keigwin, Kendal, Kuechler, Leib, Mackey, McCormick, McWashington, Morse, Mullins, Munroe, Newcomb, Pedigo, Phillips of San Augustine, Rogers, Ruby, Schuetze, Smith, Sorrell, Varnell, Vaughan, Watrous, Williams, Wilson of Brazoria, Wilson of Milam, Wright—47.

Nays—Messrs. Armstrong of Jasper, Armstrong of Lamar, Bellingier, Bledsoe, Bryant of Grayson, Buffington, Butler, Fleming, Hamilton of Bastrop, Hunt, Kealy, Lippard, Mundine, Posey, Scott, Stockbridge, Thomas—17.

Mr. Flanagan moved the previous question.

Previous question seconded.

Mr. Buffington moved a call of the House.

Call sustained.

Absentees—Messrs. Coleman, Constant, Foster, Johnson of Calhoun, Mills, Newcomb, Phillips of Wharton, Slaughter, Sumner—9.

Mr. Flanagan moved a suspension of the call.

Call suspended.

Mr. Buffington moved a call of the House.

Call sustained.

By permission of the Convention the previous question was withdrawn to allow Mr. Board to speak to the merits of the Declaration.

The President announced that the hour of 11 o'clock had arrived,

fixed by the Convention to go into Committee of the Whole upon the report of the Special Committee on the Condition of the State.

Mr. Flanagan moved the rules be suspended to allow the further consideration of the Declaration before the Convention.

The Convention refused to suspend.

On motion the Convention resolved itself into Committee of the Whole upon the report* of the Special Committee on the Condition of the State.

[Mr. Armstrong, of Lamar, in the chair.]

Committee rose. Reported progress and asked leave to sit again at 7 o'clock to-night.

Leave granted.

Mr. Gray introduced the following resolution :

Resolved, 1st. That a committee of eleven be appointed, and that the Constitution, so far as engrossed, be referred to said committee for correction and revision and the supplying of parts omitted. That said committee is instructed to act on and report said Constitution as a whole, and with the least possible delay ; and to enable said committee to act promptly the members thereof during their deliberations are authorized to absent themselves from this House, unless when a call of the House is made.

2nd. That said committee is further instructed to prepare and report an ordinance providing for an election to be held on the question of the adoption of the Constitution, to be submitted by this Convention ; such election to be held at the earliest convenient time.

Mr. Sumner moved the rejection of the resolution.

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

Yeas—Messrs. Board, Sumner—2.

Nays—Messrs. President, Adams, Armstrong of Jasper, Armstrong of Lamar, Bell, Bellinger, Bledsoe, Brown, Bryant of Grayson, Bryant of Harris, Buffington, Butler, Carter, Cole, Curtis, Degener, Downing, Evans of McLennan, Evans of Titus, Fayle, Flanagan, W. Flanagan, Fleming, Gaston, Gray, Hamilton of Bastrop, Hamilton of Travis, Harris, Harn, Horne, Hunt, Johnson of Harrison, Jordan, Kealy, Keigwin, Kendal, Kuechler, Leib, Lip-

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pard, Long, Mackey, McWashington, Morse, Mullins, Mundine, Munroe, Newcomb, Patten, Pedigo, Phillips of San Augustine, Posey, Rogers, Ruby, Schuetze, Scott, Slaughter, Smith, Sorrell, Stockbridge, Thomas, Varnell, Watrous, Whitmore, Williams, Wilson of Brazoria, Wright—66.

So the Convention refused to reject.

Mr. Patten moved a suspension of the rules to put the resolution on its passage.

Mr. Bryant, of Grayson, offered the following amendment :

Amend by inserting eighty-five instead of eleven.

Mr. Patten moved the previous question.

Previous question seconded.

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

Main question ordered.

The question recurred upon the adoption of the resolution.

It was adopted.

Mr. Armstrong, of Lamar, gave notice that he would move a reconsideration of the vote adopting the declaration of Mr. Newcomb, in regard to the forfeiture of valid land certificates.

On motion, the Convention adjourned till 7 o'clock this evening.

EVENING SESSION—SEVEN O'CLOCK.

Convention met pursuant to adjournment.

Roll called.

Quorum present.

Mr. Burnett moved the Convention resolve itself into Committee of the Whole upon the report of the Committee on the Condition of the State.

Carried.

[Mr. Armstrong, of Lamar, in the chair.]

The committee rose, reported progress, and asked leave to sit again to-morrow evening at seven o'clock.

Leave granted.

Mr. Buffington moved the Convention 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, Bledsoe, Bryant of Grayson, Buffington, Burnett, Fayle, Fleming, Gaston, Gray, Kealy, Keigwin, Munroe, Phillips of San Augustine, Posey, Stockbridge, Sumner, Thomas, Vaughan, Watrous, Williams—21.

Nays—Messrs. President, Adams, Armstrong of Lamar, Bell, Board, Bryant of Harris, Butler, Carter, Curtis, Degener, Evans of McLennan, Flanagan, W. Flanagan, Hamilton of Bastrop, Hamilton of Travis, Harris, Harn, Horne, Hunt, Jordan, Kendal, Kuechler, Leib, Lippard, Long, McCormick, McWashington, Morse, Mullins, Newcomb, Patten, Schuetze, Scott, Slaughter, Smith, Sorrell, Varnell, Whitmore, Wilson of Brazoria, Wilson of Milam, Wright—41.

So the Convention refused to adjourn.

The president announced that the business in order was upon the motion of Mr. Armstrong to reconsider the vote adopting the declaration respecting valid land certificates.

Mr. Armstrong moved to postpone the consideration of the motion until next Saturday week.

Mr. Flanagan moved to lay the motion to reconsider upon the table.

Carried.

Mr. Smith of Galveston moved to suspend the rules to take up the resolution introduced by Mr. Varnell respecting the Austin Republican.

By consent, the motion to suspend the rules was withdrawn.

Mr. McCormick moved the rules be suspended to take up the report of the Committee on Education.

Lost.

Mr. Newcomb, by permission, introduced a petition from citizens of Kendal and Karnes counties, Texas, praying the passage of the declaration favoring a division of the State, on certain lines, and asking its reference to the Committee on the Division of the State.

It was so referred.

Mr. Slaughter introduced the following resolution :

WHEREAS, the reporter employed by this Convention cannot do the duties necessary to render his services valuable to this body or the State :

And, whereas, it is an unnecessary expense, not justifiable,

2D SESS.—17

Be it resolved, That his services are henceforth discontinued.

Mr. Patten moved a suspension of the rules to consider resolution.

Rules suspended.

The question recurred upon the adoption of the resolution.

The yeas and nays were demanded, and resulted thus :

Yeas—Messrs. President, Armstrong of Jasper, Bell, Bellinger, Bledsoe, Butler, Carter, Curtis, Fayle, Hamilton of Bastrop, Hunt, Johnson of Harrison, Kuechler, Lippard, McWashington, Morse, Newcomb, Patten, Phillips of San Augustine, Schuetze, Scott, Slaughter, Sumner, Whitmore, Williams, Wilson of Milam—26.

Nays—Messrs. Adams, Armstrong of Lamar, Board, Bryant of Grayson, Bryant of Harris, Buffington, Evans of McLennan, Flanagan, W. Flanagan, Gaston, Gray, Hamilton of Travis, Harris, Harn, Jordan, Kealy, Keigwin, Kendal, Leib, McCormick, Mullins, Munroe, Pedigo, Posey, Smith, Sorrell, Stockbridge, Thomas, Varnell, Vaughan, Watrous, Wilson of Brazoria, Wright—34.

So the Convention refused to adopt.

Mr. Leib introduced the following resolution :

Resolved, That a special committee of five be appointed to inquire into the particulars pertaining to a certain amount of special school fund, now held by the Bank of Manchester, in England.

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

Rules suspended.

Mr. Butler moved to refer the resolution to the Committee on Education.

It was so ordered.

Mr. Butler 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, Bell, Bellinger, Bledsoe, Bryant of Harris, Buffington, Butler, Curtis, Fleming, Foster, Gray, Hamilton of Travis, Horne, Hunt, Kealy, Keigwin, Kendal, Kuechler, Long, Mullins, Munroe, Phillips of San Augustine, Posey, Schuetze, Sorrell, Stockbridge, Sumner, Thomas, Vaughan, Williams, Wilson of Brazoria—32.

Nays—Messrs. President, Adams, Board, Bryant of Grayson, Carter, Evans of McLennan, Fayle, Flanagan, W. Flanagan, Hamilton of Bastrop, Harris, Harn, Johnson of Harrison, Jordan, Leib, Lippard, McCormick, McWashington, Morse, Newcomb, Patten, Pedigo, Scott, Slaughter, Smith, Varnell, Watrous, Whitmore, Wilson of Milam, Wright—30.

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