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CAPITOL, AUSTIN, TEXAS,  
January 18, 1869.

Convention met pursuant to adjournment.

Roll called.

Quorum present.

Prayer by the chaplain.

Journal of Saturday read and adopted.

Mr. Keigwin rose to a personal question respecting a speech of the Hon. R. K. Smith, published in the San Antonio Express, stating he was elected to a seat in the Convention in violation of the order of Major General Reynolds.

Mr. Varnell rose to a personal question respecting an assertion in to-day's Austin Republican, stating that on the question of division he had paired off with Mr. Caldwell. He denied the assertion in the Republican.

Mr. Varnell offered the following resolution :

*Resolved*, That the Austin Republican be, and it is hereby discontinued from and after this date, for gross defamation and insult to members of this Convention.

Mr. Thomas raised the point of order that the resolution could not be considered without a suspension of the rules.

The President decided the point of order in the negative.

Mr. McCormick moved that the consideration of the resolution be postponed till next Wednesday at 11 o'clock.

Mr. Hamilton, of Travis, moved to reject the resolution.

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

Yeas—Messrs. Adams, Armstrong of Jasper, Bell, Bellinger, Bryant of Grayson, Carter, Cole, Fleming, Gaston, Hamilton of Travis, Harris, Harn, Horne, Kealy, Keigwin, Leib, Mackey, McCormick, McWashington, Morse, Mundine, Munroe, Pedigo, Phillips of San Augustine, Posey, Rogers, Schuetze, Sorrell, Stockbridge, Sumner, Thomas, Vaughan, Watrous, Williams, Wilson of Brazoria, Wright—36.

Nays—Messrs. President, Bledsoe, Brown, Board, Bryant of Harris, Butler, Burnett, Curtis, Degener, Downing, Evans of McLennan, Evans of Titus, Fayle, Flanagan, W. Flanagan,

2D SESS.—20

Gray, Hamilton of Bastrop, Hunt, Johnson of Harrison, Kendal, Kuechler, Lippard, Long, Mullins, Newcomb, Patten, Ruby, Scott, Slaughter, Smith, Varnell, Whitmore, Wilson of Milam—33.

So the Convention rejected the resolution.

Mr. Bledsoe introduced a declaration incorporating the Dallas Bridge Company, and asked its reference to the Committee on Internal Improvements.

It was so ordered.

Mr. Pedigo, from Committee on Counties and County Boundaries, reported as follows :

COMMITTEE ROOM,  
Austin, January 18, 1869.

Hon. E. J. DAVIS,

President of the Convention :

SIR : Your Committee on Counties and County Boundaries, to whom was referred a petition from sundry citizens of Refugio county, praying for the removal of the site of said county from the town of Refugio to the town of St. Mary's, have had the same under consideration, and a majority of the committee believing that the change asked for will inure to the benefit and promote the convenience of a large number of the inhabitants of that county, and do injury to none, have instructed me to report to the Convention the accompanying declaration, and ask its adoption.

Respectfully submitted,

H. L. PEDIGO,  
Chairman Committee.

### DECLARATION

Establishing the county seat of Refugio county :

*Be it declared by the people of the State of Texas in Convention assembled :*

That the county seat of Refugio county shall hereafter be at the town of St. Mary's, in said county, and remain there until removed by law.

Mr. Varnell moved a suspension of the rules to take up declaration.

Rules suspended.

The question recurred upon the adoption of the resolution.

It was adopted.

Mr. Pedigo moved a further suspension of the rules to put declaration on its passage.

Rules suspended.

Declaration read a third time and passed.

Mr. Flanagan moved that Mr. Wm. Preece, Jr., be substituted instead of Mr. Wm. Preece, Sr., as door keeper of the Convention.

Carried.

Mr. Munroe, from Committee on Engrossed Provisions, reported as follows :

COMMITTEE ROOM,  
Austin, January 18, 1869.

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

SIR : The Committee on Engrossed Provisions, after examination, instruct me to report the following resolutions and declarations, as being correctly engrossed, viz :

No. 60. A declaration respecting the Texas and New Orleans Railroad and the Pacific Railroad.

No. 85. Declaration for the relief of Houston and Texas Central Railway Company.

No. 86. Resolution respecting the Houston Union.

No. 87. Resolution requesting the Congress of the United States to call into service a regiment of Texas cavalry to repel Indian invasion.

No. 88. Declaration supplemental to a declaration in relation to the International Pacific Railroad Company, passed Aug. 10, 1868.

No. 89. A declaration to incorporate the Belton Bridge Company.

No. 90. A declaration incorporating the Bolivar Point, East Texas and Red River Railroad Company.

No. 91. Resolution congratulatory of the appointment of Major General Canby to the command of the Fifth Military District.

Respectfully submitted,

A. T. MUNROE,  
Chairman Committee.

Mr. Slaughter moved a suspension of the rules to take up a bill incorporating the Jefferson Navigation Company.

Rules suspended.

Mr. Bryant of Grayson offered the following amendment :

*Be it declared,* That a board of survey and supervision be appointed by the mayor of the city of Jefferson to regulate the toll; and

*Be it further declared,* That no toll shall be collected except at low tide water.

Mr. Fleming moved the amendment be rejected.

Carried.

Mr. Slaughter 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, Adams, Bell, Brown, Buffington, Butler, Cole, Degener, Downing, Evans of McLennan, Evans of Titus, Fayle, Flanagan, W. Flanagan, Fleming, Gaston, Gray, Hamilton of Bastrop, Harris, Harn, Horne, Johnson of Harrison, Kendal, Kuechler, Lippard, Long, McCormick, Morse, Mullins, Mundine, Munroe, Newcomb, Patten, Phillips of San Augustine, Ruby, Schuetze, Scott, Slaughter, Smith, Stockbridge, Watrous, Whitmore, Williams, Wilson of Brazoria, Wright—46.

Nays—Messrs. Armstrong of Jasper, Bellingier, Bledsoe, Board, Bryant of Grayson, Bryant of Harris, Hamilton of Travis, Kealy, Keigwin, Leib, Posey, Rogers, Sumner, Thomas, Varnell—15.

Main question ordered.

The question recurred upon the adoption of the declaration.

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

Yeas—Messrs. Adams, Bell, Bledsoe, Brown, Bryant of Harris, Buffington, Butler, Cole, Degener, Downing, Evans of McLennan, Evans of Titus, Fayle, Flanagan, W. Flanagan, Fleming, Gaston, Gray, Harris, Harn, Horne, Hunt, Johnson of Harrison, Kendal, Lippard, Long, McCormick, Morse, Mullins, Mundine, Munroe, Newcomb, Patten, Ruby, Schuetze, Scott, Slaughter, Smith, Stockbridge, Varnell, Watrous, Whitmore, Williams, Wilson of Brazoria, Wright—46.

Nays—Messrs. President, Armstrong of Jasper, Bellinger, Board, Bryant of Grayson, Hamilton of Bastrop, Hamilton of Travis, Kealy, Keigwin, Leib, Phillips of San Augustine, Posey, Rogers, Sumner, Thomas—15.

So the declaration was adopted.

Mr. Gray moved a further suspension of the rules to put declaration on its final passage.

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

Yeas—Messrs. Adams, Bell, Bledsoe, Brown, Butler, Burnett, Cole, Degener, Downing, Evans of McLennan, Fayle, Fleming, Gaston, Gray, Hamilton of Bastrop, Harris, Harn, Horne, Hunt, Johnson of Harrison, Kendal, Kuechler, Lippard, McCormick, Morse, Mullins, Mundine, Newcomb, Patten, Phillips of San Augustine, Ruby, Schuetze, Scott, Slaughter, Smith, Stockbridge, Varnell, Watrous, Whitmore, Wilson of Brazoria, Wilson of Milam, Wright—42.

Nays—Messrs. President, Armstrong of Jasper, Bellinger, Board, Bryant of Grayson, Buffington, Evans of Titus, W. Flanagan, Hamilton of Travis, Kealy, Keigwin, Leib, Long, Munroe, Rogers, Sumner, Thomas—18.

Rules not suspended.

The President announced the business in order was the consideration of the declaration incorporating the New Orleans, Mobile and Chattanooga Railroad Company.

Mr. Patten moved that the declaration be made the special order of the day for to-morrow at eleven o'clock A. M.

Carried.

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

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

Yeas—Messrs. Bell, Bellinger, Bledsoe, Brown, Bryant of Grayson, Buffington, Cole, Curtis, Degener, Downing, W. Flanagan, Fleming, Gaston, Gray, Hamilton of Bastrop, Harris, Harn, Horne, Hunt, Johnson of Harrison, Kealy, Kendal, Kuechler, McCormick, McWashington, Morse, Mullins, Mundine, Munroe, Newcomb, Rogers, Schuetze, Stockbridge, Sumner, Vaughan, Watrous, Whitmore, Williams, Wilson of Brazoria—39.

Nays—Messrs. President, Adams, Armstrong of Jasper, Board, Butler, Burnett, Carter, Evans of McLennan, Fayle, Flanagan, Hamilton of Travis, Keigwin, Leib, Lippard, Long, Phillips of San Augustine, Ruby, Scott, Slaughter, Smith, Sorrell, Thomas, Varnell, Wilson of Milam, Wright—25.

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

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