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CAPITOL, AUSTIN, TEXAS,  
January 25, 1869.

Convention met pursuant to adjournment.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of Saturday read and adopted.

Mr. Patten, on motion of Mr. W. Flanagan, was excused on account of sickness.

Mr. Flanagan offered two petitions, and asked their reference to the Committee on Internal Improvements without reading.

It was so ordered.

Mr. McCormick, from the special committee appointed to investigate the claim of the heirs of W. A. Smith, deceased, against the State, reported as follows:

COMMITTEE ROOM,  
January 25, 1869.

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

Your Special Committee to whom was referred a declaration in favor of the heirs of W. A. Smith, deceased, ask leave to report:

1st. That we have no doubt that the deceased W. A. Smith, his wife and daughter, were respectively the superintendent, matron and music teacher, from, on or about the 15th day of March, 1862, to the 1st day of July, 1865, and that they faithfully discharged their duties, and have not received compensation for such services.

2nd. That said indebtedness, so unpaid, was by the Convention of 1866 declared an invalid indebtedness against the State of Texas, and that this Convention has engrossed as a part of the new Constitution a provision to the same effect; but your committee are of the opinion that the action of the Convention of 1866, and of this Convention, as far as it has progressed, was of a general nature, and by reason of such generality the claim now before us is embraced.

3rd. This being an indebtedness incurred by the State of Texas during the late rebellion, we do not seek the payment thereof upon the ground that in law said debt is valid or binding. But we do favor and ask that this indebtedness be exempted from the operation of the general and sweeping provision, that all claims against

the State accruing during the rebellion are void. This is not one of a class of claims, being the only one of this nature that can exist.

Superintendence, care and teaching of the poor unfortunate blind, who were found in the Blind Asylum of Texas at the time of the commencement of and during the late rebellion, had no political bearing whatever.

It would have shocked our sense of humanity to have seen the State of Texas, although in the hands of men in open war against the government of the United States, turn these unfortunate blind out in the streets, unprovided for; and we certainly think that those who fed, nursed and taught them during that period ought to be paid.

We, therefore, report back the following substitute for the original, and ask its passage :

*Resolved*, That the Legislature of the State of Texas shall make an appropriation for the payment of the claim of the heirs of W. A. Smith, deceased, for services in the Blind Asylum of Texas during the rebellion, and that such claim is excepted out of the operation of section 35 of the general provisions of the Constitution passed by this Convention.

Mr. McCormick moved to suspend the rules to consider the resolution reported :

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

Yeas—Messrs. Adams, Armstrong of Jasper, Bell, Board, Buffington, Carter, Cole, Flanagan, W. Flanagan, Gaston, Hamilton of Bastrop, Hamilton of Travis, Harris, Harn, Horne, Johnson, Jordan, Keigwin, Kendal, Kuechler, Leib, Lippard, McCormick, McWashington, Morse, Mullins, Mundine, Posey, Ruby, Schuetze, Slaughter, Smith, Sorrell, Stockbridge, Thomas, Varnell, Vaughan, Watrous, Williams, Wilson of Brazoria, Wilson of Milam—42.

Nays—Messrs. President, Armstrong of Lamar, Bellinger, Bledsoe, Bryant of Grayson, Bryant of Harris, Burnett, Degener, Downing, Fayle, Fleming, Gray, Kealy, Newcomb, Phillips of San Augustine, Rogers, Whitmore, Wright—18.

So the rules were suspended.

The question recurring upon the adoption of the resolution,

Mr. Davis moved to insert the word "may" instead of "shall."

Agreed to.

Upon the adoption of the resolution as amended, the yeas and nays were demanded and resulted thus :

Yeas—Messrs. Adams, Armstrong of Lamar, Bell, Board, Bryant of Grayson, Bryant of Harris, Buffington, Burnett, Carter, Cole, Curtis, Downing, Fayle, Flanagan, W. Flanagan, Fleming, Gaston, Gray, Hamilton of Bastrop, Hamilton of Travis, Harris, Harn, Horne, Hunt, Johnson, Jordan, Kealy, Keigwin, Kendal, Kuechler, Leib, Lippard, McCormick, McWashington, Morse, Mullins, Mundine, Newcomb, Ruby, Schuetze, Slaughter, Smith, Sorrell, Stockbridge, Thomas, Varnell, Vaughan, Watrous, Whitmore, Williams, Wilson of Brazoria, Wilson of Milam, Wright—53.

Nays—Messrs. President, Armstrong of Jasper, Bellinger, Degener, Phillips of San Augustine, Rogers—6.

So the resolution was adopted.

Mr. Flanagan moved a further suspension of the rules to put resolution on its final passage.

Rules suspended.

Resolution read third time and passed.

Mr. Fayle, from Committee on Enrolled Provisions, reported as follows :

COMMITTEE ROOM,  
Austin, January 25, 1869.

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

SIR: The Enrolling Committee have had the following declarations and resolutions under consideration, Nos. 62 to 72, inclusive, and find them to be correctly enrolled.

No. 62. Resolution respecting a committee to remain in session during the recess, and for other purposes.

No. 63. Declaration levying a special tax for the payment of the per diem pay and mileage of members; the per diem pay of the officers, and the contingent expenses of the Reconstruction Convention.

No. 64. Declaration authorizing the Governor to invest the school fund of the treasury in United States gold-bearing bonds.

No. 65. Declaration incorporating the Navasota, Washington and Brazos Eridge Company.

No. 66. Declaration granting the Mexican Gulf Railroad Company an extension of time for the completion of the second twenty-five miles of road.

No. 67. Resolution authorizing the Secretary to pay copying clerk.

No. 68. Declaration authorizing the publication of the constitution, as far as adopted, in newspapers specified.

No. 69. Declaration extending the grants and privileges of the Columbus, San Antonio and Rio Grande Railroad.

No. 70. Declaration granting lands to actual settlers, to purchasers of land, and to location of genuine land certificates within the limits of the Memphis and El Paso Railroad Reserve.

No. 71. Declaration respecting the Central Railroad Company.

No. 72. Report of Committee on Counties and County Boundaries.

All of which is respectfully submitted,

WM. R. FAYLE,  
Chairman Enrolling Committee.

Adopted.

Mr. Adams offered the following

### RESOLUTION.

WHEREAS, Matters of general legislation have already accumulated to a very considerable extent upon this Convention; and

WHEREAS, It is evident that more business of the same nature will be presented; therefore,

*Resolved*, That this Convention will not entertain the consideration of any new business of a legislative character until all the business now before the Convention, including the framing of a constitution, be disposed of.

*Resolved*, further, That to expedite business and perfect our labors

as soon as possible, this Convention shall have a morning and evening session, the former to begin at half-past nine o'clock, the latter at half-past seven o'clock, to take effect the twenty-seventh instant.

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

Rules suspended.

The question recurred upon the adoption of the resolution.

It was adopted.

Mr. Flanagan moved a reconsideration of the vote adopting the resolution.

Mr. Phillips of San Augustine moved to lay the motion to reconsider on the table.

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

Yeas—Messrs. Adams, Armstrong of Jasper, Armstrong of Lamar, Bell, Bellinger, Bledsoe, Brown, Bryant of Grayson, Buffington, Burnett, Carter, Degener, Fleming, Gaston, Gray, Hamilton of Bastrop, Kealy, Keigwin, Lippard, McWashington, Morse, Phillips of San Augustine, Sorrell, Thomas, Varnell, Williams, Wright—27.

Nays—Messrs. President, Board, Bryant of Harris, Butler, Curtis, Downing, Flanagan, W. Flanagan, Hamilton of Travis, Harris, Harn, Horne, Hunt, Johnson, Jordan, Kendal, Kuechler, Leib, Long, McCormick, Mullins, Mundine, Newcomb, Rogers, Ruby, Schuetze, Scott, Slaughter, Smith, Stockbridge, Vaughan, Watrous, Whitmore, Wilson of Brazoria, Wilson of Milam—35.

So the Convention refused to lay on the table.

The question recurred upon the motion to reconsider the vote adopting the resolution offered by Mr. Adams.

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

Yeas—Messrs. President, Board, Bryant of Harris, Butler, Curtis, Flanagan, W. Flanagan, Harris, Horne, Hunt, Johnson, Jordan, Kendal, Kuechler, Leib, Long, McCormick, Mullins, Mundine, Ruby, Schuetze, Scott, Slaughter, Smith, Stockbridge, Vaughan, Wilson of Brazoria, Wilson of Milam—28.

Nays—Messrs. Adams, Armstrong of Jasper, Armstrong of Lamar, Bell, Bellinger, Bledsoe, Brown, Bryant of Grayson, Buffington, Burnett, Carter, Cole, Degener, Downing, Fleming, Gaston, Gray, Hamilton of Bastrop, Hamilton of Travis, Harn, Kealy,

Keigwin, Lippard, McWashington, Morse, Newcomb, Phillips of San Augustine, Rogers, Sorrell, Thomas, Varnell, Watrous, Whitmore, Williams, Wright—35.

So the Convention refused to reconsider.

Mr. Vaughan introduced the following resolution :

*Resolved*, That a committee of three be appointed by the Chair, to take into consideration and report upon the most practicable mode of publishing the journals of this Convention. Said committee is hereby instructed to report immediately.

The action reported by them shall be immediately acted upon by the Convention, and until disposed of.

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

Rules suspended.

The question recurred upon the adoption of the resolution.

It was adopted.

Mr. Gray offered the following resolution :

*Be it resolved by delegates of the people in Convention assembled,*

That George H. Slaughter, a delegate of this Convention, shall be allowed mileage to this Convention, according to the distance actually travelled in reaching this Convention from his residence in Smith county; that the Secretary issue a certificate therefor, and when approved by the President of this Convention, the same shall be a sufficient voucher to the Comptroller to draw his draft on the Treasurer.

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

Rules suspended.

The question recurred upon the adoption of the resolution ;

Mr. Ruby moved to amend by adding Messrs. Johnson and Kendall.

Mr. Butler 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, Armstrong of Lamar, Bell,

Bellinger, Board, Brown, Butler, Burnett, Downing, Fayle, Flanagan, W. Flanagan, Fleming, Gray, Hamilton of Bastrop, Hamilton of Travis, Harris, Harn, Horne, Hunt, Jordan, Kuechler, Leib, Newcomb, Ruby, Smith, Sorrell, Stockbridge, Varnell, Vaughan, Whitmore, Williams. Wilson of Brazoria—34.

Nays—Messrs. Armstrong of Jasper, Bryant of Grayson, Bryant of Harris, Buffington, Carter, Cole, Curtis, Gaston, Johnson, Kealy, Keigwin, Kendal, Long, McWashington, Morse, Mullins, Phillips of San Augustine, Posey, Rogers, Scott, Thomas, Watrous, Wilson of Milam, Wright—24.

So the main question was ordered.

The question recurred upon the adoption of the resolution.

It was adopted.

Mr. Gray moved a suspension of the rules to take up the following declaration, reported July 18, last, to create the county of Paschal.

### DECLARATION.

SECTION 1. *Be it ordained by the people of Texas in Convention assembled,* That a new county be created, and to include the territory within the following boundaries, to wit: Beginning at a point, at the junction of Hart's Creek and Cypress Bayou, in Titus county; thence with the meanderings of said creek to the Hart's Creek bridge and turnpike; thence due north to the Sulphur fork of Red river; thence with the meanderings of said stream to a point five miles east of the northwest corner of Davis county; thence due south to the line of Marion county; thence along the line of what is now Marion and Davis counties to Cypress Bayou, and thence with the meanderings of said bayou to the place of beginning.

SEC. 2. *Be it further ordained,* That said new county shall be named Paschal, and the county seat shall be at the town of Dangerfield.

SEC. 3. *Be it further ordained,* That the county of Paschal shall constitute a part of the counties from which it is taken for all purposes, until a general election, or appointment of county officers, and shall for all judicial purposes remain a part of the counties of Titus and Davis, until the Legislature shall provide for holding courts in said county of Paschal.

SEC. 4. As soon as the officers of said county of Paschal are



elected or appointed, it shall be the duties of the officers of said county, exercising the powers of a police or county courts, to provide public buildings and records, and for this purpose the said court is authorized to levy a special tax, of not more than one-fourth of one per cent., upon all property taxable in the county. The said court may also issue its bonds for that purpose, in the sum of six thousand dollars, with interest not to exceed twelve per cent., payable semi-annually, provided the principal of said bonds shall be paid within five years from the date of issuance.

Rules suspended.

The question recurred upon the adoption of the declaration.

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

“ Amend by striking out the name of Paschal and insert Latimer.”

The question recurred upon the adoption of the amendment.

It was adopted.

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

It was adopted.

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

Rules suspended.

Declaration read third time and passed.

The President announced that the business in order was a resolution respecting the payment of absent members of last session their per diem and mileage.

Mr. Buffington moved a division of the question.

Carried.

The question then recurred upon the payment of the per diem and mileage of delegates who were indefinitely excused from attendance upon the first session of the Convention.

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

Yeas—Messrs. President, Armstrong of Lamar, Bell, Bellinger, Board, Buffington, Downing, Flanagan, W. Flanagan, Fleming, Gray, Hamilton of Travis, Harris, Harn, Horne, Hunt, Johnson, Jordan, Kendal, Kuechler, Leib, Long, McWashington, Mundine, Munroe, Newcomb, Ruby, Slaughter, Smith, Vaughan, Watrous, Whitmore, Williams, Wilson of Brazoria—34.

Nays—Messrs. Armstrong of Jasper, Bledsoe, Brown, Bryant of

Grayson, Burnett, Carter, Cole, Degener, Hamilton of Bastrop, Kealy, Keigwin, Lippard, Morse, Phillips of San Augustine, Posey, Rogers, Stockbridge, Thomas, Wilson of Milam—19.

So the first portion of the resolution was adopted.

The question recurred upon the adoption of that portion of the resolution giving per diem and mileage to all those members who were not in their seats at the commencement of the second session of the Convention.

The Convention agreed to adopt.

The President announced the business next in order was the following declaration incorporating the Austin Bridge Company:

### A DECLARATION

To Incorporate the "Austin City Bridge Company."

SECTION 1. *Be it declared by this Convention*, That John R. Billingley, M. A. Taylor, O. H. Millican, DeWitt C. Brown, R. N. Lane, J. M. Swisher and W. L. Chalmers, and such other persons as they may associate with them, are hereby declared to be a body corporate and politic, to be named and styled the "Austin City Bridge Company," and under such name may sue and be sued, plead and be impleaded in all the courts of this State, shall have, own and use a corporate seal, and shall have succession for a term of fifty years, and shall have the right to own, hold and use property, real and personal, for the purposes hereinafter set out, to the extent of two hundred thousand dollars.

SEC. 2. That said "Austin City Bridge Company" shall have the right, and are hereby empowered and authorized, to erect and construct a permanent, safe, first class, iron, pier, wood or wire suspension bridge across the Colorado river, opposite the city limits of the city of Austin, State of Texas.

SEC. 3. That said company shall commence the construction of said bridge on or before the first day of January, A. D. 1870, and shall complete the same within two years from the commencement thereof; and from and after the completion of said bridge the said company shall cross and pass over all manner of property and passengers offered, and shall keep said bridge in good order and in safe condition for crossing, and keep said bridge open for crossing both night and day, and shall be responsible for all losses, injuries or damages to property or persons, as common carriers at common law.

SEC. 4. That said company, after the completion of their bridge, shall have the right to charge, demand and receive from all persons passing over said bridge, either person or property, the following rates of toll as pay, to wit :

For each four-wheeled wagon, drawn by two horses, mules or oxen, fifty cents; and five cents additional for each additional horse, mule or ox attached to such wagon or vehicle.

For each buggy, cart, gig or other vehicle drawn by a single horse, mule or ox, twenty-five cents.

For each man and horse, ten cents; for each led or loose horse or ox, five cents; for stock horses or stock cattle, per head, three cents; for sheep, goats and hogs, two cents per head; and all other kinds and species of property not herein provided for, shall be charged rates in due proportion to the above.

SEC. 5. That said company shall have the right, and they are hereby authorized, to acquire by purchase or otherwise, any and all ferry franchises and privileges now held by persons over or across the said Colorado River opposite the said city limits of Austin City; and no person or company, from and after the passage hereof, shall have the right to build any bridge or erect any ferry across said Colorado River opposite the city limits of the city of Austin, or within one mile up and down said Colorado River below and above the said city limits of Austin City; provided, that nothing herein contained shall prohibit any railroad company from erecting a bridge for a railroad track.

SEC. 6. That the aforesaid corporators shall proceed, upon the passage hereof, to open books in the city of Austin for subscriptions to the capital stock, which capital stock shall be at least \$50,000, divided into shares of \$100 each; and as soon as said \$50,000 shall have been subscribed, the corporators shall call a meeting of the said stockholders; and at such meeting shall proceed to elect a President, Secretary and three Directors, whose duty it shall be to control and direct the affairs of said corporation; and they shall have the power to make all necessary rules and regulations for the conduct of said corporation; and said President, Secretary and Directors shall hold office for one year, and until their successors are duly chosen by the stockholders.

This declaration to take effect from and after its passage.

Declaration was read third time and passed.

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

*Resolved*, That the Honorable L. D. Evans is hereby authorized to draw the back pay due the late Honorable W. H. Mullins and forward the same to the widow of the deceased.

Rules suspended.

The question recurred upon the engrossment of the resolution. .

It was engrossed.

Mr. Flanagan moved a further suspension of the rules to put resolution on its final passage.

Rules suspended.

Resolution read a third time and passed.

The President announced the business next in order was the following declaration reported from the Committee on Emigration, granting State aid for emigration purposes :

#### A DECLARATION

To incorporate the Liverpool and Texas Steamship Company,  
Limited.

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

That T. H. McMahan, John Patton the younger, P. N. Spofford, J. J. Vickers, Allen Lewis, L. H. de Rosset, George Taylor, M. V. McMahan and Isaac Moses, or such of them, or such other persons as may hereafter be associated with them, are hereby declared and ordained a body corporate by the name of "The Liverpool and Texas Steamship Company, Limited" ; with power and authority, in said corporate name, to have continuous succession, to make contracts, to have and use a seal, to acquire by purchase, donation or otherwise, and to own, manage and alienate property, real, personal and mixed, to sue and be sued, to plead and be impleaded in law and equity, in like manner and as fully as natural persons, to carry on, conduct and manage any kind of mechanical, agricultural and commercial business incident to this declaration ; to issue shares and negotiate them ; and to possess, generally, all the powers, rights, immunities and privileges necessary to carry into effect the provisions and objects of said association.

SEC. 2. That the said company shall have the right to run a line

or lines of steamers or other vessels from and to any port or ports in Great Britain to and from the State of Texas, and to and from the continent of Europe, with power to touch at any intermediate port or ports on said voyages, and with such auxiliary or connecting line or lines as may be desired to promote the interests of this corporation.

SEC. 3. That the capital stock of said corporation shall be two million dollars (\$2,000,000), to be divided into twenty thousand (20,000) shares of one hundred dollars (\$100) each, to which extent the liability of each shareholder is limited, according to the number and value of shares held by him. And this corporation shall have authority to increase said capital stock to the amount of three million dollars (\$3,000,000) twelve months after the organization of said company.

SEC. 4. That the affairs of said corporation shall be managed by a board of eight (8) directors, who shall be elected by the shareholders, and in such manner and under such conditions as may be prescribed by the rules of said company. The directors shall have power to choose a president from their own number, and to elect and appoint such other officers and agents as they may deem necessary to manage the affairs of said company. In all vacancies, whether arising from death, resignation, or otherwise, the directors shall have the power to make new appointments.

SEC. 5. In addition to the eight directors authorized by section four of this declaration, shall be ex-officio directors the Governor and Treasurer of the State of Texas, and they shall have the right to vote on all questions relating to the affairs of the company. The president and directors of said company shall have full power to make and adopt all such rules, regulations and by-laws as they may consider necessary to effect the objects of this incorporation, not inconsistent with this charter or the constitution and laws of this State or of the United States.

SEC. 6. The president of the company, and a majority of the directors provided for in this declaration, shall be residents of the State of Texas, and the principal office of the company shall be in the city of Galveston, State of Texas.

SEC. 7. That in consideration of the many advantages to be derived by the people of the whole State of Texas from a successful and well-established communication with Europe and other maritime

countries, and that such enterprises as tend to the development of the State should be placed on the same liberal basis, and be considered as pertaining to the system of internal improvements of the State, the Governor of the State of Texas is hereby authorized and required to issue and shall issue to the said company the bonds of the State of Texas to the amount of five hundred thousand dollars (\$500,000), bearing interest at and after the rate of six (6) per cent. per annum from the date thereof; and the said bonds shall be of the denomination of one thousand dollars (\$1000) each, with coupons attached for the payment of the semi-annual interest due thereon; and the principal of said bonds shall be made payable thirty (30) years after the date of issue. The said bonds shall be made payable to the said company by its corporate name or bearer, and shall state on the face that they are issued in aid of said company; and the said bonds shall be signed by the Governor of the State, and countersigned by the Comptroller of Public Accounts, and they shall be delivered by the Governor to the agent of the company duly authorized to receive them, thirty days after the Governor of the State shall have received notice from the president of said company that the company has been organized under the provisions of this declaration, and the said notification shall be accompanied by a list of the directors of said company, and a certificate from the officer of the customs of the port of Galveston that three or more steamers have arrived under the control and management of this company or the corporators hereinbefore recited. The bonds hereby issued to the said company shall be prepared at their expense, under the directions of the Governor of the State.

SEC. 8. That for the purpose of further assisting the said corporation in promoting this enterprise, and inducing immigration to the State, there shall be and is hereby granted to the said company, five hundred thousand acres of land out of the unappropriated public domain of the State, as follows:

Whenever five hundred emigrants shall be introduced into the State under the direction of said company, and the said company shall lay before the Governor of the State the certificate of the American Consul at the port from which the vessel bringing said emigrants sailed, showing the number of emigrants said vessel sailed with, and also the certificate of the officer of customs of the port in the State of Texas where said vessel arrives, stating that said vessel has landed the number of emigrants named in the certificate of the American consul as above provided, then the Governor shall make his requisition upon the Commissioner of the Land Office for certificates to be issued to the said company for twenty thousand acres of the public land, each certificate to be for six hundred and forty

acres; and upon such requisition by the Governor the Commissioner of the Land Office shall issue certificates to the said company for said twenty thousand acres of land. And so upon every subsequent introduction of five hundred emigrants into the State by the said company, and evidence of the fact being laid before the Governor, he shall make his requisition upon the Commissioner of the Land Office in favor of said company for twenty thousand acres of the public land; and upon such requisition the Commissioner of the Land Office shall issue certificates to said company for twenty thousand acres of land, until in this manner the said five hundred thousand acres of land shall have been granted to the said company.

SEC. 9. That the said company shall execute to the Governor of the State, thirty days after the organization of this incorporation, a bond in the sum of two hundred thousand dollars, with two or more good and sufficient sureties, to be approved by the Governor, conditioned that the line of steam vessels contemplated by this declaration shall be maintained to ply between the port or ports of Texas and the port or ports of Europe for a period of five years from the date of the execution and delivery of said bonds; and provided further, that the obligors in the said bond of two hundred thousand dollars shall be responsible for the payment of the same out of their individual estates; and provided further, that the said bond shall be conditioned that the said company shall introduce into the State at least twelve thousand five hundred emigrants from Europe within five years from the date of the execution and delivery of said bond; and provided further, that said bond shall be conditioned that at least one-fifth of the whole number of emigrants introduced shall be adult males.

SEC. 10. That should said company, under the provisions of this charter, at any time introduce paupers or convicts, knowing them to be such, they shall be answerable to the State for the same, and upon an information duly and legally filed by the district attorney in a court of competent jurisdiction, they shall, upon a conviction, be fined in a sum not less than one thousand dollars nor more than five thousand dollars for each and every such violation.

SEC. 11. That the president of the company shall furnish to the Governor of the State, on the first day of July in every year, or so soon thereafter as possible, full and authentic accounts of the number of vessels employed by the company, their tonnage, the values and kinds of goods and produce im-

ported and exported, the number of immigrants, with their names, ages, professions and nationalities, and all and every other information that may be of service to the State.

SEC. 12. That this declaration shall have force and effect from and after its passage.

Mr. Schuetze moved the previous question.

Previous question seconded.

Mr. Degener 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, Armstrong of Lamar, Bellinger, Bryant of Grayson, Burnett, Degener, Downing, Fleming, Gaston, Gray, Hamilton of Bastrop, Harris, Harn, Jordan, Kealy, Keigwin, Newcomb, Thomas, Williams, Wilson of Milam—20.

Nays—Messrs. President, Adams, Bell, Board, Brown, Bryant of Harris, Buffington, Butler, Carter, Cole, Curtis, Fayle, Flanagan, W. Flanagan, Hamilton of Travis, Harn, Horne, Johnson, Kendal, Kuechler, Leib, Lippard, Long, McCormick, McWashington, Morse, Mullins, Mundine, Munroe, Phillips of Wharton, Rogers, Ruby, Schuetze, Scott, Slaughter, Smith, Sorrell, Stockbridge, Varnell, Vaughan, Watrous, Wilson of Brazoria, Wright—42.

So the Convention refused to adjourn.

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

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

Yeas—Messrs. Adams, Bell, Board, Brown, Bryant of Harris, Buffington, Butler, Cole, Curtis, Downing, Fayle, Flanagan, W. Flanagan, Hamilton of Travis, Harn, Horne, Johnson, Jordan, Kendal, Kuechler, Leib, Lippard, Long, McCormick, Morse, Mullins, Mundine, Munroe, Phillips of Wharton, Ruby, Schuetze, Slaughter, Smith, Sorrell, Stockbridge, Varnell, Vaughan, Watrous, Williams, Wilson of Brazoria, Wilson of Milam—41.

Nays—Messrs. President, Armstrong of Jasper, Armstrong of Lamar, Bellinger, Bryant of Grayson, Burnett, Carter, Degener, Fleming, Gray, Hamilton of Bastrop, Harris, Hunt, Kealy, Keigwin, Newcomb, Posey, Rogers, Thomas, Wright—20.

So the main question was ordered.



The question then recurred upon the final passage of the declaration, as reported from the committee.

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

Yeas—Messrs. Adams, Bell, Brown, Bryant of Harris, Buffington, Butler, Cole, Curtis, Downing, Fayle, Flanagan, W. Flanagan, Gaston, Hamilton of Travis, Harn, Horne, Johnson, Jordan, Kendal, Kuechler, Leib, Lippard, Long, McCormick, McWashington, Morse, Mullins, Mundine, Munroe, Phillips of Wharton, Ruby, Schuetze, Smith, Sorrell, Stockbridge, Varnell, Vaughan, Watrous, Williams, Wilson of Brazoria, Wilson of Milan—41.

Nays—Messrs. President, Armstrong of Jasper, Armstrong of Lamar, Bellinger, Board, Bryant of Grayson, Burnett, Carter, Degener, Fleming, Gray, Hamilton of Bastrop, Harris, Hunt, Kealy, Keigwin, Newcomb, Posey, Rogers, Slaughter, Thomas, Wright—22.

So the declaration was passed.

Mr. Flanagan moved to reconsider the vote adopting the declaration, and to lay the motion to reconsider upon the table.

Carried.

The President announced the committee, called for under the resolution of Mr. Vaughan, to be Messrs. Vaughan, Newcomb and Ruby.

Mr. Slaughter moved to adjourn till half-past seven o'clock this evening.

Lost.

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

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

Yeas—Messrs. President, Bellinger, Brown, Bryant of Grayson, Bryant of Harris, Buffington, Burnett, Carter, Degener, Downing, Fayle, Fleming, Gray, Hamilton of Bastrop, Hamilton of Travis, Harris, Hunt, Johnson, Jordan, Kealy, Keigwin, Kuechler, Leib, McWashington, Mundine, Newcomb, Posey, Rogers, Schuetze, Scott, Stockbridge, Thomas, Watrous, Williams, Wilson of Milan—35.

Nays—Messrs. Adams, Armstrong of Jasper, Armstrong of Lamar, Bell, Board, Carter, Cole, Flanagan, Gaston, Harn, Kendal, McCormick, Morse, Mullins, Ruby, Slaughter, Smith, Sorrell, Varnell, Vaughan, Whitmore, Wilson of Brazoria, Wright—23.

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