Citation: *Journal of the Constitutional Convention of the State of Texas: Begun and Held at the City of Austin Texas. Constitutional Convention (1875). Galveston: Printed for the Convention at the "News" Office, 1875.*

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Legislature, each member thereof shall, before entering upon his duties as such, be also required to swear that he will, while a member of the Legislature, faithfully endeavor to provide for the strict enforcement of the first, second, and third sections of this article."

Referred to the Committee on Railroad Corporations.

The President announced the following standing Committee on Ordinances:

Messrs. Stockdale, Stayton, Wade, Brown, Cook of San Saba, Smith, Davis of Brazos.

Mr. Henry of Smith, moved to add Mr. Nunn to Committee on Judiciary.
Carried.

Mr. King moved to add Mr. Cooley to Committee on Counties and County Lands.
Carried.

Mr. Dohoney moved to add Johnson, of Franklin, to Committee on General Provisions.
Carried.

Mr. Flanagan moved to add Mr. Brady to Committee on Apportionment.
Carried.

Mr. Ford moved to add Mr. Murphy to Committee on Judiciary.
Carried.

Mr. Brown moved to adjourn to 9 o'clock A. M. to-morrow.
Carried.

EIGHTH DAY.

HALL OF REPRESENTATIVES, AUSTIN, TEXAS, SEPTEMBER 14, 1875.

Convention met pursuant to adjournment; roll called; quorum present. Prayer by Rev. Mr. Talliaferro. Journals read and adopted.

The President announced the following Committee on Old Land Titles and Mexican Grants.

Messrs. Reagan, Wright, Robertson of Bell, Ballinger, Henry of Smith, West and Ferris.

Mr. Ford offered the following resolution:

Resolved, That the following be incorporated as a provision of the constitution:
"Judges of the Supreme Court and of the District and Criminal Courts, and the judges of any court of record which may be created or established by law in pursuance of this constitution, are prohibited from taking an active part in the discussion of political questions, and from becoming active partisans in the election of Federal, State, district and county officers, during their respective terms of office. Any judge of any court of record who shall during his term of office violate the provisions of this clause, shall, upon conviction, be removed from office. The Legislature, during their first session after the adoption of this constitution, shall pass a law providing for the speedy trial of any judge so offending."

Referred to Committee on Judiciary.

Mr. Norvell offered the following resolution:

Resolved, That the following shall be Article — of the constitution:

"ARTICLE —.

"JUDICIAL DEPARTMENT.

"Section 1. The judicial power of this State shall be vested in one Supreme Court, in District Courts, and in such inferior courts as the Legislature may from time to time establish and such jurisdiction may be vested in corporation courts as may be deemed necessary, and be directed by law; provided, that no judge of any court, except those of the Supreme and District Courts, shall receive a salary from the State.

"Sec. 2. The Supreme Court shall consist of a Chief Justice and two Associated Justices, any two of whom shall form a quorum.

"Sec. 3. The Supreme Court shall have appellate jurisdiction only, which shall be co-extensive with the limits of the State; but shall not extend to or embrace cases of misdemeanor or interlocutory judgments; nor shall it extend to or embrace cases commenced in any other court except the District Court, and such cases relating to the estates of decedents and wards commenced in the Probate Court and brought into the District Court by appeal or certiorari, as may be designated by law. And the Supreme Court and the judges thereof shall have power to issue the writ of habeas corpus, and under such regulations as may be prescribed by law may issue writs of mandamus, and such other writs as shall be necessary to enforce its own jurisdiction, and also to compel a judge to proceed to trial and judgment in a cause. And the Supreme Court shall hold its sessions once every year at not more than three places in the State.

"Sec. 4. The Supreme Court shall appoint its own clerk,
who shall hold his office for four years, and be subject to removal by the said court for neglect of duty, misdemeanor in office, and such other causes as may be prescribed by law.

"Sec 5. The Judges of the Supreme and District Courts shall be elected by the qualified electors of the State, in the manner prescribed by law. The Judges of the Supreme Court shall hold their offices for six years, and the Judges of the District Court shall hold theirs for four years, provided, the election for District Judges shall be confined to their respective Districts.

"Sec 6. The State shall be divided into twenty-four Judicial Districts, which number shall not be increased previous to the expiration of four years from the first general election under this Constitution, but may thereafter be increased not exceeding two Districts within each succeeding period of four years, provided, the Legislature shall have power to change the Judicial Districts whenever they may deem it expedient. For each District there shall be elected a Judge, who shall have resided in the State for three years next preceding his election, and in the District for one year next preceding his election, and who shall continue to reside in the District during his term of office, and hold the Courts at one place in each county not less than twice in each year, in such manner as may be prescribed by law.

"Sec 7. The Judges of the Supreme Court shall have resided in the State for five years next preceding their election, and shall receive a salary not less than three thousand five hundred dollars annually, and the Judges of the District Court a salary not less than two thousand five hundred dollars annually, and the salaries of the Judges shall not be increased or diminished during their continuance in office.

"Sec 8. The Judges of the Supreme and District Courts shall be removed by the Governor on the address of a majority of each House of the Legislature, for willful neglect of duty, misconduct, habits of drunkenness, oppression in office, incompetency, or other reasonable cause which shall not be sufficient ground for impeachment, provided, however, that the cause or causes for which such removal shall be required, shall be stated at length in such address, and entered on the journals of each house, and provided further, that the cause or causes shall be notified to the Judge so intended to be removed, and he shall be admitted to a hearing in his own defense before any vote for such address shall pass, and in all such cases the vote shall be taken by yeas and nays, and entered on the journals of each house respectively.

"Sec 9. All Judges of the Supreme and District Courts
shall, by virtue of their offices, be conservators of the peace throughout the State. The style of all writs and process shall be 'The State of Texas.' All prosecutions shall be carried on in the name and by the authority of the 'State of Texas,' and conclude, 'against the peace and dignity of the State.'

"Sec. 10 The District Court shall have original jurisdiction of all criminal cases, of all suits in behalf of the State to recover penalties, forfeitures, and escheats, and of all cases of divorce, and of all suits, complaints, and pleas whatever, without regard to any distinction between law and equity, when the matter in controversy shall be valued at or amount to two hundred and fifty dollars, exclusive of interest, and the said courts or the judges thereof, shall have power to issue all writs necessary to enforce their own jurisdiction and give them a general superintendence and control over inferior jurisdictions. And in the trial of criminal cases the jury trying the same shall find and assess the amount of punishment to be inflicted, or fine to be imposed, except in cases where the punishment inflicted or fine imposed shall be specifically fixed by law. The District Court shall also have appellate jurisdiction in criminal cases originating in inferior courts, with such exceptions, and under such regulations as the Legislature may prescribe.

"Sec. 11 There shall be a Clerk of the District Court for each county, who shall be elected by the qualified voters, and who shall hold his office for two years, subject to removal by information, or by presentment of a grand jury and conviction by a petit jury. In case of vacancy, the Judge of the District shall have the power to appoint a clerk for the unexpired term. The Clerk of the District Court shall be Recorder for the county, and ex-officio Clerk of the Probate and County Court.

"Sec. 12 There shall be elected by the qualified electors of the State, an Attorney General for the State, and a District Attorney for each judicial district, who shall hold their offices for two years provided, That the election for District Attorneys shall be confined to their respective districts. The Attorney General shall receive an annual salary not less than two thousand dollars, and the District Attorneys, each, an annual salary not less than five hundred dollars, which shall not be increased or diminished during their continuance in office.

"Sec. 13 There shall be elected in each county, by the qualified voters, one Sheriff, who shall hold his office for two years, and be commissioned by the Governor. Vacancies in the office of Sheriff shall be filled by election for the unexpired term.
"Sec 14. Each county shall be divided into five justice's precincts. There shall be elected in each county, by the qualified voters, five Justices of the Peace, one of whom shall reside, after his election, at the county seat, and shall be the Chief Justice, and no two of said justices shall reside in the same justice's precinct. They shall hold their offices for two years, be commissioned by the Governor, and should a vacancy occur, an election shall be held for the unexpired term.

"Sec 15. There shall be elected in each county, by the qualified voters, as may be directed by law, one constable for each justice's precinct, who shall hold his office for two years, and the constable shall perform the duties required by law. Vacancies in the office of constable shall be filled by election for the unexpired term.

"Sec 16. There shall be in each county of the State a Probate Court, one term of which shall be held by the Chief Justice, at the county seat, in each month. The Probate Court shall have jurisdiction for appointing guardians, for the probate of wills, for granting letters testamentary, and of administration, for settling the accounts of executors, administrators, and guardians, and for the transaction of business appertaining to estates, and the District Courts shall have original and appellate jurisdiction, and general control over said Probate Court, and original jurisdiction and control over executors, administrators, guardians, and minors, under such regulations as may be prescribed by law.

"Sec 17. Justices of the Peace shall have concurrent jurisdiction with the District Court of all misdemeanors, and such civil jurisdiction as shall be provided by law. The Justices of the Peace in each county, or any three of them, shall constitute the County Court, with such jurisdiction over the local affairs, interests, and police matters in the county, as the Legislature shall prescribe. Justices of the Peace shall be, ex-officio, Notaries Public. They shall also perform the duties of Coroner, except such as may, by law, be devolved upon Constables.

"Sec 18. No judge shall sit in any case wherein he may be interested, or where either of the parties may be connected with him by affinity or consanguinity, within such degree as may be prescribed by law, or where he shall have been of counsel in the cause. When the Supreme Court, or any two of its members shall be thus disqualified to hear and determine any cause or causes in said court, or when no judgment can be rendered in any case or cases in said court, by reason of the equal division of opinion of said judges, the same shall be certified to the Gov-
error of the State, who shall immediately commission the requisite number of persons learned in the law for the trial and determination of said case or cases. When the Judges of the District Court are thus disqualified, the parties may, by consent, appoint a proper person to try the said case; and the judges of the said courts, may exchange districts, or hold courts for each other, when they may deem it expedient, and shall do so when directed by law. The disqualification of judges of inferior tribunals, shall be remedied as may be prescribed by law.

"Sec. 19. Should a vacancy occur in the office of Supreme or District Judge, Attorney General or District Attorney, the same shall be filled by election for the unexpired term.

"Sec. 20. Sheriffs, Clerks of the District Court, and Justices of the Peace shall receive such fees or other compensation as may be provided by law.

"Sec. 21. Each qualified voter in a county shall also be a qualified juror in the county, provided he be a freeholder in the State.

"Sec. 22. In the trial of all causes in equity in the District Court, the plaintiff or defendant shall, upon application in open court, have the right of trial by jury, to be governed by the rules and regulations prescribed in trials at law.

"Sec. 23. In all causes arising out of a contract, before any inferior judicial tribunal, when the amount in controversy shall exceed ten dollars, the plaintiff or defendant shall, upon application to the presiding officer, have the right of trial by jury.

"Sec. 24. In all cases where Justices of the Peace or other judicial officers of inferior tribunals, shall have jurisdiction in the trial of causes, where the penalty for the violation of a law is fine or imprisonment (except in cases of contempt), the accused shall have the right of trial by jury."

.Referred to Committee on Judiciary.

Mr. Brady offered the following resolution:

WHEREAS, The Hon. M. H. Goddin, a delegate to this Convention from the Fifteenth Senatorial District, has tendered his resignation as such delegate, thus causing a vacancy in the representation in said district; therefore

Resolved, That the President of this Convention be and he is hereby instructed to order an election to be held in said district, to fill said vacancy caused by the resignation of the Hon. M. H. Goddin, in ten days from the passage of this resolution.

Referred to a select committee of three.

Mr. Brown offered the following resolution:

Resolved, That the Committee on Railroad Corporations be
instructed to consider the propriety of requiring that no railroad or part of railroad hereafter constructed in this State, shall pass within three miles of a county seat without passing through and maintaining a depot in such town, unless prevented from so doing by natural obstacles, such as hills, mountains, or streams, the truth of which shall be a judicial question.

Referred to Committee on Railroad Corporations.

Mr. Brown also offered the following resolution:

Resolved, That the Committee on Revenue and Taxation be instructed to take into consideration the propriety of providing that all taxes on lands in this State, not situated in an organized county, shall be assessed and collected, under uniform provisions of law, by the Comptroller, at the seat of government.

Referred to Committee on Revenue and Taxation.

Mr. Haynes offered the following resolution:

Resolved, That the Legislature shall pass no law requiring the citizens of this State to pay a tax or license to sell their productions in any market in the State, nor grant to any corporation the power to pass such laws or ordinances.

Referred to Committee on Revenue and Taxation.

Mr. Gaither offered the following resolution:

Resolved, That the following clause shall be inserted in the next State constitution:

"That no separate Criminal Court shall be created in any county in the State of Texas unless said county contains at least twenty-five thousand inhabitants."

Referred to Committee on Judiciary.

Mr. Nunn offered the following resolution:

Resolved, That the Attorney General be and he is hereby requested to furnish to this Convention such information as to the amount and character of the business in the courts of this State as may be in his possession, and that the same be referred to the committee for dividing the State into judicial districts.

Adopted.

The following is the report of special committee:

Convention Hall,
Austin, September 14, 1875.

To the Hon. E. B. Pickett, President of the Convention.

The special committee to which was referred a resolution "to ascertain and report to this Convention on Monday next, or as soon as practicable, whether a stenographer can be secured to report the full proceedings of this Convention, and if one can be obtained, at what cost per day," beg leave to report that they have performed that duty, with the following result:
That the services of Mr. George Gibbons can be obtained at ten dollars per day, confining his services to the report of the debates.

Your committee would suggest that in connection with this report of debates, it would be essential to have a condensed report of the journals, which would have to be made by the journal clerk, as it would be impracticable for the stenographic reporter to do more than take notes and write out debates.

The committee recommend the passage of the accompanying resolution.

All of which is respectfully submitted.

E. S. C. Robertson, Chairman.

Resolved, That the services of Mr. Geo. Gibbons be engaged at ten dollars per day, to report the debates of the Convention, and that the Committee on Printing be authorized to contract for the publication of the same.

Lost.

Mr. Fleming offered the following resolution:

Resolved, That the following section be incorporated in the constitution, under its appropriate caption:

"That no officer of this State nor of any county, city or town, shall receive directly or indirectly, for salary, fees and perquisites more than five thousand dollars net profit per annum, and any and all sums in excess of this amount shall be paid into the State, county, city, or town treasury, as shall hereafter be directed by appropriate legislation."

Referred to the Committee on Legislative Department.

Mr. West offered the following resolution:

Resolved, That the Committee on Federal Relations be, and are hereby, instructed to inquire into, and as far as practicable to ascertain, the condition of our Mexican and Indian frontiers; the character and extent of depredations on the persons and property of the people of this State; by whom done and whether with the sanction or acquiescence of any foreign government; whether the depredators, by the character of their arms or clothing, have the appearance of having any official position, and if so, under what government; and where and in what manner they seek refuge; as well as the disposition made of property, if any, taken by such parties.

Also as to our Indian frontier, whether and what character of depredations have been committed on the settlers; by what Indians; and whether attributable to mismanagement or infidelity of officers in charge of that service; and, also, as to the amount in value and character of the property lost by our citi-
zens, whether by depredations on the Mexican or Indian border; as also the expenses incurred by the State of Texas in giving protection to her citizens against such depredations; and, also, to obtain from the Executive and Adjutant General's office all the information on these matters that they can.

Referred to Committee on Federal Relations.

Mr. Johnson, of Collin, offered the following resolution:

Resolved, That every person who has or shall have right of entry into any real estate, consisting of lands, tenements or hereditaments, shall make entry therein within two years next after this right shall have accrued; and, on failure so to do, shall be forever barred thereafter; provided, that married women, infants, insane persons, and all others laboring under a disability to sue, shall have two years in which to make entry next after their disabilities shall have been removed.

Referred to Committee on General Provisions.

Mr. Russell, of Harrison, offered the following resolution:

Resolved, That the following provision be incorporated in the constitution, viz:

"That there shall be elected by the qualified voters of each Judicial District in this State one District Judge, who shall, in addition to other qualifications, be a man of good moral character and a resident citizen of the district two years next preceding his election; shall have attained the age of thirty-five years, and shall have been a licensed practicing lawyer in this State for the ten years next preceding his said election; that the tenure of said office shall be for the term of (8) eight years, and the annual salary of the same shall be the sum of —— dollars, and shall not be increased or diminished during said term."

Referred to Committee on Judiciary.

Mr. DeMorse offered the following resolution:

Resolved, That the following be referred to the Committee on the Judicial Department:

Adjudication of civil causes by the courts shall be based upon the principle that while it is the duty of the State to provide tribunals for the settlement of difficulties, it is not just that the State, as a political body, or that individuals not personally interested, should bear the cost of adjudication.

Referred to Committee on Judiciary.

Mr. Waelder offered the following resolution:

Resolved, That the Committee on Judiciary inquire into the expediency of providing not less than two terms of the District Court in each county, but authorizing and requiring the Legislature to fix more than two terms for such counties as may, by
reason of their populations, or for other causes, require it—thus leaving the number of terms to be held in each county to be so regulated by the Legislature as to meet the wants of the several counties.

Referred to Committee on Judiciary.

Mr. Dohoney offered the following resolution:

Resolved, That the Committee on the Legislative Department be instructed to inquire into the expediency of inserting a provision in the Constitution, inhibiting the Legislature from passing any law to license the sale of intoxicating liquors as a beverage.

Referred to Committee on Legislative Department.

Mr. Flournov offered the following resolution:

Resolved, That the Courts of this State shall not, hereafter, entertain any claim to real estate which originated from the States of Coahuila and Texas, or from the Republic of Texas, unless the evidences of title to such real estate shall have been of record in the county where the same is situated, or in one of the counties from which the county in which the same is situated has been organized for more than ten years preceding the 1st day of January, 1875.

Referred to select committee of seven on Old Lands, Land Titles, etc.

Mr. Kilgore offered the following resolution:

Resolved, That section —, Bill of Rights of the proposed new Constitution, shall read as follows:

"Section — Private property shall not be taken for public purposes without just compensation first made or secured to the owner thereof, as soon as the actual damage and the value of the property taken can be ascertained by arbitrators selected according to law, who shall not take into consideration any advantage that may result to said owner on account of the improvement for which it is taken."

Referred to Committee on Bill of Rights.

Mr. Ballinger offered the following resolution:

Resolved, That the Committee on the Judicial Department insert the following sections in the articles of the constitution on the Judicial Department:

"Section —. When any Judge of a District Court shall fail to attend to hold court at the beginning, or at any time during the term appointed by law, a failure to hold or continue the session of said court shall not be caused thereby, but the practising lawyers in attendance on said court shall thereupon proceed to elect one of their number who shall be the Judge of said court,
take oath as such, and have and perform all the duties of judge for the term of said court, while the regular Judge continues absent.

"Sec. —. When any District Judge or any special judge of a District Court, as provided in the preceding section, shall be disqualified from trying any cause on the docket of said court, no change of venue, on account of such disqualification shall be necessary, but on the call of such cause the parties shall agree to a special judge to try and make all orders in the same, or on failure so to agree, the practising lawyers in attendance on the court shall elect one of their number who shall take the oath and be the lawful judge in said cause."

Referred to Committee on Judiciary.

Mr. Smith offered the following resolution:

Resolved, That the Committee on Education be instructed to inquire into the propriety and utility of incorporating in the constitution the following provisions:

"Section —. The Legislature shall establish and maintain a State University as soon as the university fund will permit; also, establish and maintain one school of a high grade of learning, and such primary schools in each county in this State as will insure the gratuitous instruction of all persons in this State within the scholastic age prescribed by law.

"Sec. —. The President of the University shall be the President of the Board of Education,' and shall have the supervision and control of public instruction throughout the State, in such manner and under such restrictions as the Legislature may prescribe.

"Sec. —. The moneys and lands heretofore granted, or which may hereafter be granted, for the endowment and support of a university, shall constitute a special fund for the endowment and maintenance of said university; and the Legislature shall not have power to appropriate the university fund, nor the interest thereon, for any other purpose than the endowment and support of said university.

"Sec. —. The proceeds arising from the sale or rent of county public school lands shall be expended for the use of public schools in the county to which the lands belong, in such manner as the Legislature may direct.

"Sec. —. All the lands heretofore, or which may hereafter be, set apart by the Legislature for public schools, and all moneys, bonds and other property now belonging to the public school fund, all lands escheated to the State, the net proceeds from sales of estrays, unclaimed dividends or distributive shares of the
tates of deceased persons, or from fines, penalties and forfeitures, all gifts, grants or devises that may hereafter be made to this State, and not otherwise appropriated by the terms of the grant, shall be sacretly preserved as a public school fund and faithfully appropriated in the manner prescribed by law to establish and maintain free public schools in this State, and for no other purpose; provided, That the proceeds arising from sales of estrays or from fines, penalties and for forfeitures shall be appropriated in the counties where the sales are made, and the fines and forfeitures are collected.

"Sec. —. The Legislature shall, as soon as the public funds are sufficient, carry into effect the provisions of this constitution by appropriate legislation."

Referred to Committee on Education.

Mr. King offered the following resolution:

Resolved, That the committee on the Executive Department be instructed to inquire into the expediency of incorporating into the constitution the following provision:

"Every bill which shall have passed both houses of the Legislature shall be presented to the Governor; if he approve, he shall sign it, but if not, he shall return it with his objections to the house in which it shall have originated, who shall enter the objections at large upon the journals and proceed to reconsider it; if, after such reconsideration, two-thirds of the members present shall agree to pass the bill, it shall be sent, with the objections, to the other house, by which it shall likewise be reconsidered; if it shall be approved by two-thirds of the members present of that house, it shall become a law; but in such cases the votes of both houses shall be determined by yeas and nays, and the names of the members voting for or against the bill shall be entered on the journals of each house respectively.

"Every bill which shall have passed both houses of the Legislature shall be presented to the Governor; if he approve, he shall sign it, but if not, he shall return it with his objections to the house in which it shall have originated, who shall enter the objections at large upon the journals and proceed to reconsider it; if, after such reconsideration, two-thirds of the members present shall agree to pass the bill, it shall be sent, with the objections, to the other house, by which it shall likewise be reconsidered; if it shall be approved by two-thirds of the members present of that house, it shall become a law; but in such cases the votes of both houses shall be determined by yeas and nays, and the names of the members voting for or against the bill shall be entered on the journals of each house respectively."

If any bill shall not be returned by the Governor within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Legislature shall, by their adjournment, prevent its return, in which case it shall not become a law without the approval of the Governor. No bill shall become a law after the final adjournment of the Legislature, unless approved by the Governor within thirty days after such adjournment. If any bill presented to the Governor contain several items of appropriation of money, he may object to one or more of such items, while approving of the other portion of the bill. In such case he shall append to the bill, at the time of signing it, a statement of the items to which he objects; and the appropriation so
objected to shall not take effect. If the Legislature be in session he shall transmit to the house in which the bill originated a copy of such statement, and the items objected to shall be separately reconsidered. If on reconsideration one or more of such items be approved by two-thirds of the members of each house present, the same shall be a part of the law notwithstanding the objections of the Governor.

"All the provisions of this section in relation to bills not approved by the Governor shall apply in cases in which he shall withhold his approval from any item or items contained in a bill appropriating money."

Referred to Committee on Executive Department.

Mr. Wade offered the following resolution:

Resolved, That for judicial purposes the State be divided into three supreme districts, and that each supreme district be divided into seven sub-districts; each supreme district shall elect one Supreme Judge and seven District Judges, who shall be residents of the supreme districts and take their districts by lot and hold their office six years.

Referred to Committee on Judiciary.

Mr. Holmes offered the following resolution:

Resolved, That there be added to the eleemosynary institutions of the State an inebriates' asylum, for the cure of drunkenness and the reform of inebriates; the revenue necessary for the support of the same to be collected from the liquor dealers of the State, under the name of the Inebriates' Asylum tax, which tax shall be known as occupation tax.

Referred to Committee on General Provisions.

Mr. Cooley offered the following resolution:

Resolved, That the following shall constitute a part of the proposed constitution, to-wit:

"See. — It shall be the duty of the Legislature, whenever necessary, to provide adequate protection for the persons and property of all citizens of this State against incursions, attacks and depredations by Indians and the inhabitants of any foreign State; and, for this purpose, the Legislature may incur indebtedness, borrow money and make appropriation thereof in such sum or sums as may be required."

Referred to Committee on Legislative Department.

The President announced the following committee on Mr. Brady's resolution to fill vacancy occasioned by resignation of Mr. Goddin.

Messrs. Brady, Davis and Flournov.

Mr. German offered the following resolution:
Resolved, That the Committee on Education be required to inquire into the propriety of including the lands set apart for the purpose of building two universities and the proceeds of the sale thereof as a part of the permanent school fund for the purpose of keeping up public schools.

Referred to Committee on Education.

Mr. Martin, of Hunt, offered the following resolution:

Resolved, That the Committee on Federal Relations be instructed to ascertain the amount of money expended for the defense and protection of the frontier by this State since its admission into the Union under the present constitution, and to report to this Convention such proceeding as it may deem necessary and proper, to have the same reimbursed by the Government of the United States.

Referred to Committee on Federal Relations.

Also by Mr. Martin, of Hunt, the following resolution:

Resolved, That the Committee on Legislative Department be instructed to inquire into the expediency of incorporating a provision in the constitution requiring the Legislature to establish by law a Board of Equalization in the several counties of this State, whose duty it shall be to equalize and make uniform the taxes on real estate.

Referred to Committee on Legislative Department.

Mr. Weaver offered the following resolution:

Whereas, A number of resolutions have been introduced partially disfranchising all the members of this Convention, therefore, in order to be impartial and make a clean sweep of all (chaplains excepted) connected with this body, be it

Resolved, That neither one of the secretaries, sergeant-at-arms, door-keepers, or any officer or appointee of this Convention, nor any newspaper reporter of the same, shall hold any office until five years after the adoption of this constitution; and not then unless he is elected by the sovereign people.

Referred to Committee on General Provisions.

Business on the President's Desk.

Whereas, The sergeants-at-arms have no time to assist the door-keeper; and, whereas, the door-keeper is not able to attend to all the duties devolving upon him, therefore, be it

Resolved, That this body proceed at once to the election of an assistant door-keeper, who shall have the same pay as door-keeper.

September 13th, taken up and referred to a special committee of three, consisting of Messrs. Kilgore, Brown and West.

Mr. Flournoy moved to reconsider the vote refusing to adopt
the resolution by Mr. Robertson, of Bell, concerning the employment of a phonographic reporter.

Mr. Mills offered the following amendment:
That said phonographer shall report said debates in a round, legible hand, ready for the printer, without additional charge.

Mr. Allison moved to postpone action on the question until to-morrow.

Lost.
The amendment of Mr. Mills was then adopted.
The resolution was then adopted.
On motion of Mr. Henry, Mr. Ramey was added to the Committee on Legislative Department.
Carried.
Mr. Robertson, of Bell, moved to add Mr. Henry, of Limestone, to the Committee on Taxation and Revenue.
Mr. Dohoney moved to add Mr. Rugely to the Committee on Legislative Department.
Carried.
Mr. Russell, of Harrison, moved to add Mr. Holmes to the Committee on General Provisions.
Carried.
Mr. King moved to adjourn to 9 o'clock a.m. to-morrow.
Carried.

NINTH DAY.

HALL OF REPRESENTATIVES,
AUSTIN, TEXAS, SEPTEMBER 15, 1875.

Convention met pursuant to adjournment; roll called; quorum present. Prayer by Rev. Dr. Dodge.
On motion of Mr. Ferris, Mr. Smith was excused from attendance on account of sickness.
Journals read and adopted.
The following is the report from Committee on Printing and Contingent Expenses:
To the Hon. E. B. Pickett, President of the Convention:

Your Committee on Printing and Contingent Expenses having received a proposal from Messrs. C. Von Boeckmann & Son to print the constitution, about to be framed, in the German language, in pamphlet form, small pica type, including translation, at the rate of one third of one cent (\(\frac{1}{3}\)c.) per page, have had the same under consideration and have instructed me to report: