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Reynolds, Rentfro, Robertson of Bell, Robeson of Fayette, Russell of Wood, Spikes, Scott, Sessions, Wade, Weaver—44.
NAYS—Blake, Ballinger, Crawford, Cooke of San Saba, Cooley, Cardis, Douglas, Dillard, DeMorse, Dohoney, Davis of Brazos, Erhard, Ford, Ferris, Henry of Smith, King, Kilgore, McCormick, Moore, Murphy, Norvell, Nunn, Reagan, Ross, Smith, Stockdale, Stayton, Sansom, Whitehead, Whitfield, West, Waelder—32.

Mr. Martin, of Navarro, offered the following amendment:
Section 4, strike out all between the words “installed,” in line 27, and “he,” in line 28.
Adopted.

Mr. Crawford proposed to amend section 5, as follows:
“He shall receive no fees or perquisites or extra compensation for the performance of any duties connected with his office.”
Lost.

Mr. Henry, of Smith, offered the following amendment:
Add after the word “move,” in line 32, the words “until otherwise provided by law.”
Lost.

Mr. Murphy offered the following amendment:
Section 7, line 44, amend by adding after the word “invasion,” the words “and raiders from the Mexican Republic.”
Lost.

Mr. Stayton offered the following amendment:
Add to section 7, after the word “invasion,” in line 44, the following, “by troops under the direction or control of other States or governments, or by predatory bands therefrom.”

On motion of Mr. Robertson, of Bell, the Convention adjourned until 9 o’clock A. M., to-morrow, pending Mr. Stayton’s amendment.

TWENTY-SIXTH DAY.

HALL OF REPRESENTATIVES,
AUSTIN, TEXAS, OCTOBER 5, 1875.

Convention met pursuant to adjournment; roll called; quorum present; prayer by Rev. William Brush, D. D.
Journal of yesterday read and adopted.
On motion of Mr. Davis, of Brazos, A. T. McKinney, delegate elect from the Fifteenth District, to fill the vacancy occasioned by the resignation of Mr. Goddin, came forward, presented his
credentials, took the prescribed oath and his seat in the Convention.

Mr. Reagan, Chairman of the Committee on Judiciary, reported back a resolution declaring defaulters felons, and asked that it be referred to the Committee on Crimes and Punishments.

Referred as asked.

Also reported back a memorial of the citizens of Wilson county, and asked that it be referred to the Select Committee on Apportionment.

Referred as asked.

Mr. Scott submitted a memorial from the bar and citizens of the counties of Harrison, Gregg, Cass, Bowie and Wood, relative to the necessity of taking action in reference to certain railroads in this State.

Referred to Committee on Railroad Corporations.

Mr. Waelder, from the Committee on Immigration, submitted the following minority report and article:

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

The undersigned, dissenting from the report of the majority of the Committee on Immigration, begs leave to submit the accompanying article for the consideration of the Convention:

While I am free to concede that the Immigration Bureau has not accomplished, to the extent anticipated, the purpose of its establishment, I am yet of the opinion that the effort to induce immigration to our young State should not be given up.

It will scarcely be disputed that many, if not all parts of Texas need population—men with strong arms and ready hands to till her soil and engage in the various industrial pursuits which will reward the laborer for his work, to whatever branch of business he may turn his attention. Neither can it be denied that our State offers facilities to the classes indicated, equal to any that are offered by any other section of the country.

It is as true, that in relation to the soil, climate and productions, the agricultural, mineral and other resources of the different sections of the State, but little is known abroad; at least there is not that general knowledge which the emigrant from other States and countries would desire to have before selecting this as a new home.

If, then, we desire immigration, should we not furnish information of the advantages which the State offers to the settler within its limits? Is it not right that the State should publish this information in some authentic form?

With this view and for this purpose I recommend the estab-
The establishment and maintenance of a Bureau of Agriculture, Statistics and Immigration, by which the desired information can be gathered, compiled and disseminated, and through the means of which immigration may be drawn to our borders.

Not only would the information thus furnished be important to the seekers of new homes from other States and countries, but it would also be of great service to the present citizens and inhabitants of this State, giving them more complete and more accurate knowledge than they now have of the populations, productions, capacities, and resources of the different sections.

It is true that private enterprise has done much to impart knowledge of the subjects mentioned, but who can doubt that the same and more extended information, coming from a public officer, by authority of the State, would be regarded as more reliable, and therefore more acceptable.

The expense of this bureau would be trifling, as compared with what other States, or even individuals and associations of individuals, have done and are doing in the same direction. A bureau of the character recommended would simply require, in addition to a chief, and probably not more than one clerk, an appropriation for stationery, printing and postage, and the occasional employment of an agent for a limited time to attend to specific duties pertaining to the efficient workings of the system.

With the greatest desire to administer the affairs of the State in the most economical manner, the comparatively trifling sum required would be more than repaid by the knowledge which the system would impart to the citizens of the State, to say nothing of the advantages which would flow from the increase of population, adding to our material wealth, importing and creating property for taxation.

If all sections of the State do not need, or desire, increase of population, there are other sections whose prosperity would be enhanced thereby.

In justice to them, and for the general advantage of the State, I ask that some plan may be inaugurated which will produce the results indicated.

Without entering into further detail, I submit this minority report, and respectfully ask its favorable consideration.

JACOB WAELENDE,
Of the Committee on Immigration

“Article —

“Agriculture, Statistics and Immigration

“Section 1 The Legislature shall provide for the establish-
ment, maintenance and support of a Bureau of Agriculture, Statistics and Immigration, which bureau shall be charged with the gathering, publishing and dissemination of correct statistical information as to the population, productions, industrial and agricultural capacity, mineral and other resources of the different sections of, and by that and such other means as may be provided by law, encourage immigration to this State, provided, that the average of appropriations per year for the above purposes shall not exceed the sum of \( \ldots \) thousand dollars”

On motion of Mr Moore, one hundred copies of the report and article were ordered printed

Mr Ford, chairman of Committee on State Affairs, reported as follows

\[
\text{Committee Room, Austin, October 4, 1875}
\]

To the Hon E B Pickett, President of the Convention

The Committee on State Affairs, to which was referred the memorial of the widow and heirs of the late W A Smith, have had the same under consideration, and instruct me to report the accompanying section, and recommend that it be adopted by the Convention as a part of the new constitution

John S Ford, Chairman

"Sec — The Legislature shall make provision by law to have all claims and demands justly and lawfully due by the existing State government, or by any of its predecessors, and which shall be presented within one year from a date specified by law, and not thereafter, either adjudicated or audited, provided, that such claims and demands have not heretofore been either adjudicated or audited, and, provided also, that said claims and demands originated prior to the 28th day of January, 1861, or subsequent to the 5th day of August, 1865, and that they are not in contravention of the constitution and laws of the United States, and all claims and demands not so presented shall be and remain forever barred”

Mr Moore offered the following resolution

Resolved, That when, in considering any of the articles of the constitution as reported, amendments are offered, which affect such articles as may not yet be reported by the suitable committee, said amendments shall be referred without debate to said committee

Laid over under the rules

The Convention then proceeded to consider the unfinished business, viz: Mr Stayton’s amendment to Executive Article.
Mr Kilgore proposed to substitute the amendment by the following:

Section 7, add after the word "invasion," line 44, the words "whether by armies or by bands of lawless men."

Pending discussion on the amendment, the hour arrived for the special order, viz. The article on education.

On motion of Mr Whitfield, the special order was postponed until Friday next at 10 o'clock A M.

The Convention proceeded with the consideration of the pending subject, Mr Kilgore's substitute.

Lost.

Mr Ballinger offered the following as a substitute for the amendment:

"It shall be the duty of the Legislature to provide by law for the protection of the frontier from armed incursions and bands of robbers, and for calling forth the militia for that purpose."

Lost.

Mr King offered the following as a substitute for Mr Stayton's amendment:

"Sec 1 In line 44 strike out the word "and" and add the following words, "and protect the frontier from hostile incursions by Indians or other predatory bands."

Accepted by Mr Stayton.

On the question of the amendment the yeas and nays were called, and the amendment adopted by the following vote:


Mr Scott moved to reconsider the vote taken on yesterday refusing to strike out of section 1 the words "Lieutenant Governor."

Lost by the following vote:


Mr. Kilgore proposed to strike out of section 8, line 7, the word “disease” and insert “epidemic.”

Mr. Davis, of Brazos, proposed to amend as follows:
Section 8, strike out the balance of the section after the word “place” in line 6, and insert: “Should the casualties of war, or the prevalence of contagious diseases, render it unsafe to meet at the seat of government.”

Lost.

Mr. Kilgore’s amendment lost.

Mr. Ballinger offered the following amendment:
Add to section 8, “and shall not continue in session longer than thirty days.”

Mr. Waelder offered the following amendment:
Strike out all after the word “convened,” in line 49, to the end of the section.

Adopted.

Mr. Crawford offered the following amendment:
Strike out all after “convened,” in line 50, and insert: “Until they have taken final action thereon. Nor shall they afterward enter upon any legislation, except it be to meet the exigencies which necessitated the convening of the Legislature in extra session. The Governor shall convene no extraordinary session for a longer period than thirty days.”

Lost.

Mr. Dohoney moved to amend by striking out section 14, as the same was provided for, and properly belonged to article —, “Legislative Department.”

Lost.

Mr. Stockdale offered the following amendment:
Strike out of section 14 all after the word "adjournment," in line 110, and insert the following: "If any bill, except the general appropriation bill, containing appropriations for more than one object be presented to the Governor, he shall return it, for that reason, to the house in which it originated without his approval, if the Legislature be in session; if not, then to the State Department, as heretofore provided."

Lost.

Mr. Nugent proposed to strike out "will," in line 99, and insert "shall."

Adopted.

Mr. Flournoy proposed to amend section 14 as follows:
Strike out of lines 109 and 110 the words: "and give notice thereof by proclamation;" and the words: "and make proclamation of the same," in line 124.

Lost.

Mr. Mills moved to amend section 17, after the word "more," in line 157, "except mileage."

Withdrawn.

Mr. Brown offered the following amendment:
Section 17, lines 156 and 157, strike out the words "Speaker of the House of Representatives," and insert "members of the Senate."

Adopted.

Mr. Waelder proposed to strike out all of section 17 after the word "office," in line 163.

Adopted.

Mr. Pauli offered the following amendment:
Strike out, in line 160, all after the words "no more," down to and including the words "his office," in line 163.

Lost.

Mr. Waelder offered the following amendment:
Strike out the three first lines to and including the word "and," in line 4 of section 17.

Adopted.

Mr. Murphy proposed to amend by striking out of line 169 the word "and," and inserting the word "or," and strike out "they," and insert "he."

Adopted.

Mr. Scott offered the following amendment:
Section 19, strike out down to the word "the" in line 175, and insert the following:
"There shall be a seal of the State, which shall be kept by the Governor and used by him officially."
Lost
Mr. Martin, of Hunt, offered the following amendment:
Amend section 18 by inserting the word "may" before the word "succeed" in line 170
Adopted
Mr. McCormick proposed to add after the word "Texas," in line 176, the words and figures "1836."
Adopted
Mr. Brady proposed to amend section 21 by striking out all after the word "State," in line 180, down to and including the word "elect," in line 182, and insert "who shall be elected by the qualified voters of the State for a term of four years."
Lost
Mr. Mills proposed to amend by striking out "$2000" and inserting "$1800" as the salary of Secretary of State
Lost
Mr. Allison proposed to amend as follows:
Section 21, line 188, add after the words "$2000" the words "$500," so as to read "$2500 and no more"
On motion of Mr. Russell, of Wood, laid on the table by the following vote:
Nays—Allison, Blake, Ballinger, Crawford, Cooley, Henry of Smith, King, Kilgore, Norvell, Nunn, Reagan, Stockdale, Stavton, Whitehead, West, Waelder—16
Mr. Whitfield proposed to amend section 22, line 189, by striking out "two" and inserting "four"
Lost
Mr. Scott moved to reconsider the vote taken on yesterday extending the tenure of office of the Governor to four years.
Mr. Davis, of Brazos, moved to adjourn
Lost
On motion of Mr. Stockdale a call of the Convention was ordered.
Mr. German moved to suspend the call.
Lost.
Roll called.
Mr. Murphy moved to excuse Mr. Cardis.
Carried.
Messrs. Lynch, Mills and Killough appeared and answered.
On motion of Mr. Rentfro the call was suspended.
On motion of Mr. Whitfield the Convention adjourned to 2½ o'clock, pending Mr. Scott's motion.

EVENING SESSION—2½ o'clock.

Convention met; roll called; quorum present.
Mr. McKinney, of Walker, was added to the Committees on General Provisions and Crimes and Punishments, on motion of Mr. Mills and Mr. Russell, of Wood, respectively.
Question pending when the Convention adjourned—viz., Mr. Scott's motion to reconsider—taken up.
On motion of Mr. Scott, the consideration of the motion was passed for the present.
Mr. Martin, of Navarro, moved to reconsider the vote amending the article in regard to the seal of the State.
Carried, and amendment lost.
Mr. Ramey moved to reconsider the vote refusing to adopt the amendment increasing the salary of the Secretary of State.
Mr. Flournoy proposed to amend section 22 by inserting after the word "party," in lines 191 and 192, the following:
"And shall especially inquire into the charter rights of all private corporations, and from time to time, in the name of the State, take such action in the courts as may be proper and necessary to prevent any private corporation from exercising any power, or demanding or collecting any species of tax, toll, freight or wharfage, not authorized by law; and shall, whenever sufficient cause exists, seek a judicial forfeiture of such charters, unless otherwise expressly directed by law."
Adopted.
Mr. Moore proposed to amend by adding to the section: "Provided, That the fees which he may receive shall not amount to more than $2,000 annually."
Adopted.
Mr. Darnell proposed to amend section 23, line 200, by striking out the word "four," and inserting "two."
Adopted by the following vote:
Yeas—Allison, Abernathy, Abner, Brown, Blake, Blassingame, Burleson, Brady, Bruce, Crawford, Chambers, Cook of Gonzales, Cooke of San Saba, Cooley, Douglas, Dillard, Do- 
honey, Darnell, Davis of Wharton, Flournoy, Ferris, German, 
Graves, Holt, Holmes, Haynes, Johnson of Franklin, Johnson of 
Collin, Lacy, Martin of Navarro, Martin of Hunt, Mills, 
Mitchell, McKinney of Denton, McKinney of Walker, Murphy, 
Norvell, Nugent, Pauli, Reagan, Reynolds, Rentfro, Robeson of 
Fayette, Russell of Wood, Scott, Sessions, Sansom, Wade, 
Whitehead, Weaver, West—51.

Nays—Arnim, Ballinger, DeMorse, Davis of Brazos, Erhard, 
Ford, Fleming, Gaither, Henry of Smith, Henry of Limestone, 
King, Kilgore, Killough, Lockett, Lynch, Moore, Ramey, Robe-
rtson of Bell, Ross, Spikes, Smith, Stavton, Whitfield, Waelder— 
24.

Mr. German proposed to amend section 23, line 201, (salaries 
of Treasurer, Comptroller, and Commissioner of Land Office), 
by striking out "$2,500," and inserting "$2,000"

Mr. Reagan moved to strike out "$2,500," and insert "$3,000"

Lost by the following vote

Yeas—Blake, Ballinger, Cooley, DeMorse, Erhard, Gaither, 
Henry of Smith, Holmes, King, Lynch, McKinney of Walker, 
McCormiek, Reagan, Robertson of Bell, Smith, Stockdale, Stav-
ton, Sansom, Weaver, West, Waelder—21.

Nays—Allison, Abernathy, Arnim, Abner, Brown, Blassing-
game, Barnett, Burleson, Bruce, Crawford, Chambers, Cook of 
Gonzales, Cooke of San Saba, Douglas, Dillard, Dohoney, Dar-
nell, Davis of Brazos, Davis of Wharton, Flournoy, Fleming, 
Ferris, German, Graves, Holt, Henry of Limestone, Haynes, 
Johnson of Franklin, Johnson of Collin, Kilgore, Killough, 
Lockett, Lacy, Martin of Navarro, Martin of Hunt, Mills, 
Mitchell, McKinney of Denton, Moore, Murphy, Norvell, Nu-
gent, Pauli, Ramey, Reynolds, Rentfro, Robeson of Fayette, 
Ross, Russell of Wood, Spikes, Scott, Sessions, Wade, White-
head, Whitfield—55

Mr. Cooley offered the following as a substitute for the amend-
ment

Strike out the word "receive," in line 200, and insert the fol-
lowing therefor

"The Comptroller of Public Accounts shall receive an annual 
salary of four thousand dollars, and the Treasurer and Commis-
sioner of the General Land Office each"

On motion of Mr. Holt, the substitute was laid on the 
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Mr. Martin, of Navarro, moved to lay the amendment offered by Mr. German on the table.

Carried by the following vote:


Mr. Stayton offered to amend by striking out the words "and no more," in section 23, line 201, and insert "until otherwise provided by law."

On motion of Mr. Graves the amendment was laid on the table.

Mr. Scott called up his motion to reconsider the vote taken yesterday fixing the tenure of office of the Governor at four years, and the vote was reconsidered.

The question on the adoption of the amendment to strike out "two" and insert "four" was then put, and the amendment lost by the following vote:

Yea—Arnim, Ballinger, Cardis, DeMorse, Davis of Brazos, Erhard, Ford, Fleming, Ferris, Gaither, Henry of Smith, Henry of Limestone, Kilgore, Killough, Lynch, McCormick, Moore, Murphy, Ramey, Robertson of Bell, Robeson of Fayette, Ross, Spikes, Smith, Stayton, Whitfield, Waelder—27.

Mr. Dohoney moved to reconsider the vote adopting the amendment striking out a portion of lines 27 and 28, section 4.

Carried, and the Convention refused to strike out the lines.

Mr. Whitfield proposed to amend section 4, line 28, by striking out the words “at least thirty years of age” and insert “a qualified elector.”

Lost by the following vote:


Mr. Murphy offered the following amendment:

Section 24, line 219, insert between the words “be” and “guilty” the words “removed from once and adjudged.”

Adopted.

Mr. Stockdale proposed to amend the amendment just adopted as follows:

Strike out in lines 219 and 220 all after “perjury,” and insert “and so adjudged and punished accordingly and removed from office.”

Adopted.

Mr. Scott proposed to amend section 24, line 218, by inserting between the words “shall” and “make,” the word “wilfully.”

Adopted.

Mr. Murphy offered the following amendment:

Section 26, line 228, insert between the words “county” and “who,” the words “not to exceed six.”

Mr. Brady proposed to substitute the amendment as follows:

Amend section 26, by adding: “Provided not more than two shall be appointed in each justice’s precinct.”

Lost, and amendment lost.

Mr. Brady moved to reconsider the vote by which “Superin-
To the Hon. E. B. Pickett, President of the Convention:

The undersigned, a member of your Committee on Immigration, to which committee were referred certain resolutions, memorials, etc., relating to and concerning the establishment and maintenance of a Bureau of Immigration, would submit that he cannot concur in the report as made by a majority of said committee. He does not believe that the report above referred to is an expression of what he believes to be the wishes and opinions of a large majority of the people of this State upon this most important subject.

Said report, under the pretext of declining to impose upon the people of this State any additional burden in the way of taxation, in effect, by the present abolition of the present system of immigration, and its recommendation that no other system be inaugurated, by decreasing the number of immigrants, will cause an increase of taxation.

But it is contended that many immigrants, attracted by the salubrious climate, fertile soil, and the many advantages which attend a residence in Texas, will come within our borders without the outlay upon the part of the State of any money, and without receiving from the people thereof any assistance in coming hither.

The undersigned would submit that although moved by various considerations as above, many immigrants in the course of time may become citizens of the State, yet he regards it as a most mistaken and short-sighted policy upon the part of this Convention to refuse to provide for the establishment and efficient maintenance of an immigration bureau, for the reasons that although much may be accomplished in the building up of the fortunes of our State by individual efforts, yet it is an incontrovertible fact that a well sustained and efficient effort inaugurated and carried out under the supervision of the State inevitably accomplishes much more in attaining the desired end.

By individual effort we may perhaps partially carry out the wishes of the people; by combined effort we most certainly will.

It is presumed that no member of said committee seriously believes that it would not greatly redound to the interests of our State, and the interests of every individual citizen thereof, if an efficient bureau of immigration could be maintained. Believing that no one will seriously dispute this to be the fact, the undersigned insists that, therefore, the grounds of objection to such an establishment and maintenance must be those which are pre-