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[Mr. Flanagan in the chair.]

Mr. Martin, of Navarro, proposed to amend the amendment by inserting the word "commissions," between "fees" "and," so as to read "fees, commissions and perquisites."

Accepted by Mr. Russell, of Wood.

On motion of Mr. Dillard, debate was closed, and the amendment lost by the following vote:


Nay—Abner, Ballinger, Blake, Brady, Cline, Crawford, Darnell, Davis of Brazos, Dohney, Ferris, Flanagan, Fleming, Gaither, Henry of Limestone, Henry of Smith, Kilgore, Kil-lough, Lacy, Lockett, McCabe, McKinney of Walker, Martin of Hunt, Mills, Mitchell, Moore, Murphy, Norvell, Nunn, Pauli, Rentfro, Reynolds, Ross, Russell of Harrison, Smith, Stayton, Stockdale, Waelder, West—38.

Mr. Dohney moved to adjourn to 9 o’clock a. m. to-morrow. Carried.

SIXTY-FIRST DAY.

Hall of Representatives,
Austin, Texas, November 16, 1875.

Convention met pursuant to adjournment; roll called; quorum present. Prayer by the Rev. J. S. Goetz, of the Presbyterian Church.

Journal of yesterday read and adopted.

Mr. Chambers stated that in the several votes taken on salaries for judges he had agreed to pair off with Mr. McCormick, he (Chambers) voting for the lower salaries, and Mr. McCormick for the salaries reported by the committee.

The Secretary was instructed to make the necessary correction.

On motion of Mr. Reynolds, Mr. Davis, of Wharton, was indefinitely excused.

On motion of Mr. Cooke, of San Saba, Mr. West was excused for to-day.
On motion of Mr. Ford, Mr. Cardis was excused.

Mr. Reagan made the following report:

Committee Room,

Austin, Texas, November 16, 1875.

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

The special committee to whom was referred various resolutions in relation to old Spanish and Mexican land titles, have had the same under consideration, and with a full appreciation of the importance of the subject, and after careful consideration, instruct me to report the following declarations, and to recommend their adoption as a separate article in the constitution.

John H. Reagan, Chairman.

"Article—"

"Sec. 1. All fines, penalties, forfeitures and escheats which have heretofore accrued to the Republic and State of Texas, under their constitutions and laws, shall accrue to the State under this constitution; and the Legislature shall provide a method for determining what lands have been forfeited, and for giving effect to escheats; and all such rights of forfeiture and escheat to the State shall ipso facto enure to the protection of the holders of junior titles, as provided in sections 2, 3 and 4 of this article.

"Sec. 2. Any claim of title or right to land in Texas, issued prior to the 13th day of November, 1835, not duly recorded in the county where the land was situated at the time of such record, or not duly archived in the General Land Office, or not in the actual possession of the grantee thereof, or some person claiming under him, prior to the accruing of junior title or color of title thereto from the sovereignty of the soil, under circumstances reasonably calculated to give notice to said junior grantee, has never had, and shall not have, standing or effect against such junior title or color of title, acquired without such notice of such prior claim of title or right; and no condition annexed thereto has been, or ever shall be released or waived, but actual performance of all such conditions shall be proved by the person or persons claiming under such title or claim of right in order to maintain action thereon, and the holder of such junior title or color of title shall have all rights of the government which have heretofore existed, or now exist, arising from the non-performance of all such conditions.

"Sec. 3. Non-payment of taxes on any claim of title to land dated prior to the 13th day of November, 1835, up to the date of the adoption of this constitution, shall be held to be a presump-
tion that the right thereto has reverted to the State, and that said claim is a State demand, which presumption shall only be rebutted by payment of all taxes on said lands, State, county, and city, to be assessed on the fair value of such lands by the Comptroller, and paid to him, without commutation or deduction for any part of the above period.

"Sec. 4. No claim of title or right to land, which existed prior to the 13th day of November, 1835, which has not been duly recorded in the county where the land was situated at the time of such record, or which has not been duly archived in the General Land Office, shall ever thereafter be deposited in the General Land Office, or recorded in this State, or delineated on the maps, or used as evidence in any of the courts of this State; and the same are State claims. But this shall not affect such rights or presumptions as arise from actual possession.

"Sec. 5. All claims, locations, surveys, grants and titles to land of any kind, which are declared null and void by the constitution of the Republic or State of Texas, are, and the same shall remain, forever null and void.

"Sec. 6. The Legislature shall pass stringent laws for the detection and conviction of all forgers of land titles, and may make such appropriations of money for that purpose as may be necessary.

"Sec. 7. Sections 2, 3, 4 and 5 of this article shall not be construed to set aside or repeal any law or laws of the Republic or State of Texas releasing the claimants of headrights of colonists of a league of land or less from compliance with the conditions on which their grants were made."

On motion of Mr. Dohoney, one hundred copies ordered printed and made special order for Saturday, 20th inst., at 10 o'clock a. m.

Mr. King made the following report:

Committee Room,
Austin, Texas, November 14, 1875.

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

Sirs—Your committee on Counties and County Lands, to whom were referred various resolutions and memorials, have carefully considered the same in connection with the whole subject, and beg leave to report the following article, and recommend its adoption as a part of the constitution.

Respectfully,

HENRY C. KING, Chairman.
Section 1. The Legislature shall have power to create counties for the convenience of the people, subject to the following provisions:

First—In the territory of the State exterior to all counties now existing, no new county shall be created with a less area than nine hundred square miles, in a square form, unless prevented by pre-existing boundary lines. Should the State lines render this impracticable in border counties, the area may be less. The territory referred to may, at any time, in whole or in part, be divided into counties in advance of population, and attached, for judicial and land surveying purposes, to the most convenient organized county or counties.

Second—Within the territory of any county or counties now existing, no new county shall be created with a less area than four hundred and fifty square miles, nor shall any such county now existing be reduced to a less area than four hundred and fifty square miles. No new county shall be created so as to approach nearer than twelve miles of the county seat of any county from which it may in whole or in part be taken. Counties of a less area than nine hundred, but of four hundred and fifty or more square miles, within counties now existing, may be created by a vote of two-thirds of each house of the Legislature, taken by yeas and nays, and entered on the journals. Any county now existing may be reduced to an area of not less than four hundred and fifty square miles, by a like two-thirds vote. When any part of a county is stricken off and attached to another county, the part stricken off shall be helden for, and obliged to pay, its proportion of all the liabilities then existing of the county from which it is taken, in such manner as may be prescribed by law.

Third—No part of any existing county shall be detached from it and attached to another existing county, until the proposition for such change shall have been submitted, in such manner as may be provided by law, to a vote of the electors of both counties, and shall have received a majority of those voting on the question in each.

County seats.

Sec. —. The legislature shall pass laws regulating the manner of removing county seats, but no county seat situated within five miles of the geographical centre of the county shall be removed except by a vote of two-thirds of all electors voting on the subject. A majority of such electors, however, voting at such election, may remove a county seat from a point more than
five miles from the geographical centre of the county to a point within five miles of such centre, in either case the centre being determined by a certificate from the Commissioner of the General Land Office."

On motion of Mr. Allison, one hundred copies were ordered printed.

Unfinished business, viz: "Art. —, Judicial Department."

Mr. Chambers offered the following amendment:

"Provided, District Attorneys shall receive an annual salary of $500, to be paid by the State, and such fees, commissions and perquisites as may be provided by law. (County Attorneys shall receive as compensation only such fees, commissions and perquisites as may be prescribed by law)."

 Adopted.

Mr. German offered the following amendment to section 19, line 270.

Strike out the words "the next general election," and insert "an election shall be held for the unexpired term."

Lost.

Mr. Stewart proposed to amend as follows:

After the word "attorney," in section 19, line 257, insert the words "for counties in which there is not a resident Criminal District Attorney."

 Adopted.

Mr. Stewart offered the following additional section, to follow section 19 of printed bill:

"Sec. —. The Legislature, by a vote of two-thirds, shall have power by local law in any county to allow in all cases, civil and criminal, without regard to amount or nature of the judgment, to confer the right of appeal directly from the judgments and orders of County Courts and Justices of the Peace, and County Commissioners, to the District Court of such county or counties; provided, that the operation of such local laws shall not extend in all to more than one-tenth of the organized counties in this State."

Lost by the following vote:

Yea—Arnim, Ballinger, DeMorse, Erhard, King, McCormick, Martin of Hunt, Reagan, Robertson of Bell, Spikes, Stewart—11.

Nay—Abernathy, Allison, Barnett, Blake, Blassingame, Bruce, Burleson, Crawford, Darnell, Dillard, Dohoney, Douglas, Ferris, Flanagan, Fleming, Flournoy, German, Graves, Henry of Limestone, Holt, Johnson of Collin, Johnson of Franklin, Killough, Lacy, Lockett, Mills, Mitchell, Moore, Murphy, Mar-
Mr. Sansom offered the following additional section:

"Sec. 20. The Legislature shall have the power, after two years from the adoption of this constitution, to make such modifications in the judicial system of the State as may be necessary to meet the wants of the people."

Mr. McKinney, of Walker, offered the following substitute for Mr. Sansom's amendment:

"The Legislature shall have power to increase, diminish or change the civil and criminal jurisdiction of the County Courts."

The yeas and nays being demanded, the amendment was adopted, as an amendment to the substitute, by the following vote:


**Nays**—Allison, Barnett, Brady, Bruce, Burleson, Cooke of San Saba, Crawford, DeMorse, Dillard, Dohoney, Ferris, Henry of Limestone, Henry of Smith, Holt, Kilgore, King, Lacy, Martin of Hunt, Moore, Murphy, Nunn, Pauli, Reagan, Rentfro Reynolds, Sansom, Scott, Sessions, Weaver, Whitehead—30.

Adopted as an amendment to the article.

Mr. Waelder proposed to amend the amendment as follows: Insert after "power" the words "by local or general law."

Adopted by the following vote:


**Nays**—Barnett, Brady, Bruce, Cline, Flanagan, Fleming, German, Henry of Limestone, Lacy, Lockett, Mills, Murphy,
Mr. Flournoy proposed to amend the section just adopted as follows:

"And in case of any such change of jurisdiction the Legislature shall also conform the jurisdiction of the other courts to such change."

Adopted.

Mr. Davis, of Brazos, offered the following amendment:

Add to section — the following: "And after the first of January, 1880, the Legislature shall have power to make such changes and modifications in the organization and jurisdiction of any of the courts of this State as may be deemed necessary for the speedy, prompt and efficient administration of justice."

Lost.

Mr. Brown offered the following amendment:

Amend section 20, line 284, by striking out the words "judge of the county," and insert "County Commissioners."

Adopted.

Mr. German proposed to amend section 20, line 284, by striking out the words "until the general election for county or State officers," and insert the words "an election shall be held for the unexpired term."

Lost by the following vote:


Mr. DeMorse offered the following amendment:

Add to section 20, "In no case shall the fees hereafter charged by district, county or precinct officers exceed those existent in 1860, until the meeting of the first Legislature; and it shall be the duty of the first Legislature under this constitution to revise and reduce the fees allowed to executive officers of the courts, exercising a judicious discretion therein."
Mr. Brown offered the following amendment:
Amend section 20 as follows: Strike out all after the word "sheriff," in line 280, to the word "who," in line 281; also in line 281 strike out the words "their offices," and insert the words "his office."
Adopted.
Mr. Murphy offered the following amendment:
Amend section 22 by adding to the section the words, "Which may include the science of economy and the art of knowing how to live on the smallest possible fees and salaries."
The chair ruled the amendment out of order.
Mr. Murphy appealed, and the Convention sustained the ruling of the chair.
Mr. Sansom offered the following amendment:
"Sec. —. The Legislature shall provide by law for the protection of counties against exorbitant charges for board of prisoners; for the compensation of jurors without charging the counties therefor, and for the enforcement of penal servitude upon persons who may become a charge upon counties by reason of the commission of crime."
Lost.
Mr. Ferris offered the following amendment to section 7, Waelder's substitute:
Strike out "$500" and insert "$200," so as to read "when the matter in controversy shall be valued at or amount to $200, exclusive of interest."
Lost by the following vote:
YEAS—Ballinger, Cline, Crawford, Davis of Brazos, Demorse, Dillard, Dohoney, Ferris, Flanagan, Ford, Henry of Smith, Kilgore, McCormick, Moore, Murphy, Nugent, Nunn, Ramey, Smith, Stayton, Stockdale, Waelder—22.
Mr. Waelder offered the following additional section:
"Sec. —. Vacancies in the office of Judges of the Supreme Court, of the Court of Appeals and District Court shall be filled by the Governor, until the next succeeding general election; and
vacancies in the office of County Judge and Justice of the Peace shall be filled by the County Commissioners' Court, until the next general election for such officers."

On motion of Mr. Reagan, the main question, on the engrossment of the article, was ordered.

Mr. Waelder's amendment adopted.

The yeas and nays being called on the engrossment of the article, it was ordered engrossed by the following vote:


**Nay**—Ballinger, Brady, Crawford, Davis of Brazos, DeMorse, Planagan, Ford, Henry of Smith, Kilgore, King, Lockett, McCabe, Mills, Mitchell, Moore, Murphy, Nunn, Pauli, Rentfro, Reynolds, Russell of Harrison, Smith, Stayton, Stewart, Stockdale—25.

Mr. Cline was paired off with Mr. Gaither, but would have voted "nay."

Mr. Martin, of Hunt, was paired off with Mr. Norvell, but would have voted "yea."

On motion of Mr. King, Mr. Waelder was granted indefinite leave of absence from to-morrow.

On motion of Mr. Stockdale, Mr. Stayton was granted indefinite leave of absence from to-morrow.

On motion of Mr. Whitfield, Mr. Ford was granted indefinite leave of absence from next Saturday.

On motion of Mr. Ford, Mr. Whitfield was granted indefinite leave of absence from Saturday next.

"Article —, General provisions," was then taken up and read second time.

[Mr. Brown in the chair.]

Mr. McCormick offered the following amendment:

Amend section 1 by striking out all of the section after the word "State," in line 7, down to and including line 14.

The yeas and nays being called on the adoption of the amendment it was lost by the following vote:

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Nays—Allison, Ballinger, Blassingame, Brown, Bruce, Chambers, Cline, Cooke of San Saba, Crawford, Darnell, Davis of Brazos, DeMorse, Dohoney, Ferris, Flanagan, Fleming, German, Graves, Henry of Limestone, Henry of Smith, Holt, Johnson of Collin, Johnson of Franklin, Killough, Lacy, McKinney of Denton, McKinney of Walker, Martin of Navarro, Martin of Hunt, Mills, Mitchell, Moore, Nugent, Nunn, Ramey, Roberston of Bell, Sansom, Scott, Sessions, Smith, Spikes, Stewart, Wade, Weaver, Whitehead—45.

Mr. Stockdale proposed to amend by striking out from line 9, section 1, the words “by the Congress of the United States.”

Mr. Stewart proposed to amend the amendment as follows:

Add to Mr. Stockdale’s amendment the words “by the legal voters of the State.”

Laid on the table, and Mr. Stockdale’s amendment adopted.

Mr. Ramey, by leave, offered the following resolution:

Resolved, That the Committee on Engrossed and Enrolled Ordinances be authorized to employ such assistance as may be necessary to keep the engrossing and enrolling up with the work of the Convention.

Adopted.

Mr. Cline proposed to amend by striking out all of section 1, line 15, to line 20, both inclusive.

Adopted.

Mr. Stockdale offered to amend as follows:

Strike out “or appointed,” in line 19, and insert in the parenthesis “or if the office is one of appointment, to secure my appointment.”

Adopted.

Mr. Nunn proposed to amend by inserting in line 22, after “who shall,” “have been or may.”

Mr. Crawford offered the following substitute for the amendment:

Section 2, line 26, after the word “office” insert “and ;” and in line 22 strike out the words “and from the right of suffrage.”

Mr. Nunn’s amendment adopted.

On motion of Mr. Flournoy, the Convention adjourned to 2½ o’clock p. m., pending Mr. Crawford’s amendment.

EVENING SESSION—2½ o’clock.

Convention met pursuant to adjournment; roll called; quorum present.

Consideration of pending question resumed, viz: “Article —, General Provisions.”
Mr. Waelder, this morning, in voting for the engrossment of the article on Judiciary, stated that he did so while protesting against the inadequate salaries provided for the judges.

Mr. Whitfield, in voting the affirmative, made the same protest.

Mr. Darnell, by leave, submitted the following report:

**Committee Room,**

**Austin, November 16, 1875.**

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

SIR,—Your select committee of fifteen, to whom was referred an ordinance for an extension of time in favor of the Texas and Pacific Railroad Company, on certain parts of its lines in the State of Texas, would respectfully report that they have had the same under careful consideration, and the majority of said committee instruct me to report the accompanying ordinance back to the Convention, and recommend its passage, with the following amendment to be added at the end of said ordinance, to-wit:

"Provided, that nothing herein contained shall interfere with any contract heretofore made by said company with the citizens, or any of the them, of any county or town on the line or lines of its road, as to the completion of any part thereof. And provided further, that said road shall be constructed on its chartered line from Fort Worth to a point at or near the town of El Paso, on the Rio Grande river."

N. H. DARNELL, Chairman.

Whereas, The Texas and Pacific Railway Company, a corporation chartered by the Congress of the United States, has received certain grants from this State, and has acquired, by purchase from or through the Southern Pacific Railway Company, and the Southern Trans-Continental Railway Company, certain grants, property rights and franchises, subject to certain legislative limitations and restrictions as to the commencement and prosecution of the work, and as to the time of its completion to certain points in this State;

And Whereas, After completing 265 miles of new road, and grading, bridging and tieing, ready for the iron rails, 118 additional miles of roadway, the financial panic of 1873, and the distrust and embarrassment that followed, paralyzing every industrial and commercial enterprise, has forced a temporary suspension of the work of construction, thereby occasioning a heavy loss to the company, from causes against which it was powerless to protect itself; therefore,

Resolved, That none of the legislative grants made to or ac-
required by said company, in respect to the commencement and prosecution of the work, or as to the date of completion of any portion of its lines in Texas, shall be held to have lapsed, and that the said company shall have eighteen months from the passage of this ordinance in which to complete 120 miles of its lines between Eagle Ford and Fort Worth, and between Brookston and Texarkana, and seven additional years in which to complete 695 miles additional of its road, upon the route as heretofore designated by legislative authority to the Rio Grande, at or near El Paso; this extension to be in lieu of the restrictions and limitations of time and manner of prosecuting the work heretofore fixed by legislative authority.

On motion of Mr. Darnell, one hundred copies of the ordinance and amendment were ordered to be printed.

Mr. Blassingame protested against the report as being a majority report of the committee.

Mr. Crawford's amendment, pending on adjournment, to article on General Provisions, was lost.

Mr. Nunn offered the following amendment:

In line 30, after the word “county,” strike out and insert “or if there be no such public works, then in such other manner and under such regulations as may be prescribed by law.”

Withdrawn.

Mr. Holt offered the following amendment:

After “labor,” in line 30, strike out the words “on the public works of the county.”

Adopted.

Mr. McCormick moved to strike out section 4.

On motion of Mr. Mills, laid on the table.

Mr. Nugent proposed to amend by striking out in lines 36 and 37 the words “of suffrage or.”

Lost.

Mr. Robertson, of Bell, offered the following amendment:

Section 6, line 46, after the word “concurrence,” insert “of two-thirds.”

Adopted.

Mr. Bruce offered the following amendment:

Strike out “without the concurrence of both houses of the Legislature.”

Adopted.

Mr. Flanagan proposed to amend as follows:

Amend section 11 by striking out all after “interest,” in line 65.

Mr. Nugent moved to lay the amendment on the table.
Carried by the following votes:


**Nay**—Brady, Chambers, Flanagan, Holt, Kilgore, King, Lockett, McCabe, Martin of Navarro, Mills, Mitchell, Murphy, Pauli, Rentfro, Reynolds, Robertson of Bell, Russell of Harrison, Stockdale, Waelder—19.

Mr. Robertson, of Bell, offered the following amendment:

Section 11, line 66, strike out the word "twelve" and insert "ten."

Mr. Blassingame offered the following as an amendment to the amendment:

Line 64, strike out "eight" and insert "six." Line 66, strike out "twelve" and insert "ten."

Mr. Russell, of Wood, moved to lay both amendments on the table.

Carried by the following vote:


Mr. Russell, of Harrison, offered the following substitute for section 11:

"Sec. 11. The Legislature is forbidden from making laws limiting parties to contracts in the amount of interest they may agree upon for loans of money or other property; provided, this section is not intended to change the provisions of law fixing rate of interest in contracts where the rate of interest is not specified."
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Lost by the following vote:


Mr. Rentfro moved to amend by striking out "section 11."

Lost by the following vote:

Yeas—Ballinger, Blake, Brady, Cline, Erhard, Flanagan, Lockett, Murphy, Pauli, Rentfro, Reynolds, Russell of Harrison, Stockdale—13.


Mr. Pauli moved the following amendment:

Strike out "section 12."

Mr. Dillard moved to lay the motion on the table.

Carried by the following vote:


Nays—Blake, Brady, Flanagan, Fleming, Lockett, McCabe,
Mr. Wadder moved to strike out "section 13."
Carried.
Mr. Sansom offered the following amendment, to fill the blank made by striking out "section 13."

"Sec. 13. The counties of this State shall not pay for board of prisoners at a rate to exceed forty cents per day for each prisoner; and the Legislature is required to pass suitable laws to enforce this provision."

Laid on the table by the following vote:

YEAS—Abernathy, Arnim, Ballinger, Barnett, Blake, Blossingame, Bruce, Burleson, Cline, Crawford, Darnell, Davis of Brazos, DeMorse, Dohoney, Erhard, Ferris, Fleming, Ford, Graves, Henry of Limestone, Holt, Johnson of Franklin, Kilgore, Killough, King, Lacy, McCormick, McKinney of Walker, Martin of Navarro, Martin of Hunt, Mitchell, Moore, Murphy, Nugent, Reagan, Rentfro, Reynolds, Robertson of Bell, Ross, Sessions, Smith, Spikes, Stockdale, Wadder, Weaver—45.


Mr. Nunn offered the following amendment:
Add in line 83, "and failure to comply with this condition shall vacate the office so held."
Adopted.
On motion of Mr. Nunn, "section 16" was stricken out.
Mr. McCormick moved to strike out "or claimed," in section 17, line 87.
Lost.
Mr. Cline moved to strike out of line 89, section 17, the words "and the increase of the same."
Mr. Stockdale moved to substitute the motion by inserting the word "natural" before "increase."
Mr. Russell, of Wood, moved to close debate on the pending amendments.
Lost.
Mr. Stockdale amended his amendment as follows:
Line 87, between "of" and "wife," "the husband:" line 88, read "their" for "her," and line 89, read "their" for "her."
Mr. DeMorse moved to lay both amendments on the table.
A division of the question was ordered.
The question to lay Mr. Stockdale's amendment on the table was put and carried by the following vote:

**Yeas**—Allison, Arnim, Barnett, Blassingame, Bruce, Burleson, Chambers, Cooke of San Saba, Darnell, Davis of Brazos, DeMorse, Douglas, Erhard, Ferris, Ford, Graves, Henry of Smith, Johnson of Collin, Johnson of Franklin, Killough, Lacy, McCormick, Martin of Navarro, Martin of Hunt, Moore, Murphy, Robertson of Bell, Russell of Harrison, Sessions, Smith, Spikes, Stewart, Wade, Weaver—34.


The question then recurring on laying Mr. Cline's amendment on the table, the same was put, and the Convention refused to lay the amendment on the table by the following vote:


**Nays**—Allison, Ballinger, Barnett, Blake, Brady, Bruce, Chambers, Cline, Cooke of San Saba, Crawford, Davis of Brazos, Dillard, Douglas, Erhard, Ferris, Fleming, Ford, Graves, Henry of Smith, Holt, Lockett, McCormick, McKinney of Denton, Moore, Murphy, Nugent, Nunn, Pauli, Ramey, Reagan, Rentfro, Scott—32.

On motion of Mr. Nugent debate was closed on the amendment, and a direct vote had, which resulted as follows:


**Nays**—Abernathy, Arnim, Blassingame, Brady, Brown, Bruce, Darnell, DeMorse, Dohoney, Flanagan, Fleming, Johnson of Collin, Johnson of Franklin, Lacy, McCa, Martin of Navarro, Martin of Hunt, Mills, Mitchell, Nunn, Rentfro, Reynolds, Robertson of Bell, Ross, Russell of Harrison, Russell of Wood, Smith, Spikes, Stewart, Stockdale, Weaver, West, Whitehead, Whitfield—34.

So the amendment was lost.
Mr. Davis, of Brazos, proposed to amend as follows:
Add to the section as follows: "And all property owned, claimed or acquired in like manner by the husband shall be his separate property."

[Mr. Stockdale in the chair.]
Mr. Davis's (of Brazos) amendment adopted:
Mr. Dohoney moved to strike out section 18.
Lost.

Mr. Waelder offered the following additional section:
"Sec. —. The Legislature may pass laws for the regulation of live stock and the protection of stock-raisers in the stock-raising portions of the State, and exempt from the operation of such laws other portions, sections or counties; provided, that any local laws thus passed shall be submitted to the freeholders of the section to be affected thereby, and approved by them, before it shall go into effect."
Adopted.

Mr. Crawford offered the following as a substitute for section 17:
"Sec. 17. All property, both real and personal, of the wife, owned or claimed by her before marriage, and that acquired afterwards by gift, devise, or descent, shall be her separate property, and laws shall be passed more clearly defining the rights of the wife, in relation as well to her separate property as that held in common with her husband. Laws shall also be passed providing for the registration of the wife's separate property."
Adopted by the following vote:
NAYS—DeMorse, Dohoney, Flanagan, Mitchell, Rentfro, Stockdale—6.

On motion of Mr. Chambers, the Convention adjourned to 9 A. M. to-morrow.