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Citation: *Debates in the Texas Constitutional Convention of 1875 Texas. Constitutional Convention (1875). Austin: Published by the University of Texas, c1930.*

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be compelled to remove with their families, or be tempted to coalesce with the Radicals. For the sake of humanity and the right of self-government he hoped the substitute would be adopted.

MR. COOK thought that the substitute sections ought to be adopted. He endorsed everything Judge Reagan had said, and was in sympathy with those suffering people in East Texas.

MR. MARTIN, of Navarro, said it was a very important question, one which would require considerable time and thought to settle. Upon his motion the Convention was adjourned until the next morning.

## TWENTIETH DAY

TUESDAY, SEPTEMBER 28, 1875<sup>39</sup>

### *The Legislative Article*

MR. BROWN opposed the McCormick substitute. He was in favor of returning to the old system of 1845. He represented the district giving the largest majority in the State, but his people favored a non-partisan Constitution, in favor of district and not local representation, which had occasioned so much trouble in the past. Should they now, because they had the majority, go back on the doctrine they had always taught? He said he would go as far as anybody to relieve the afflicted sections, as far as his conscience as a man would allow him, but he was responsible not only to his constituents but also to God for his actions in the Convention, and there was a point beyond which he could not, and would not go.

MR. GAITHER moved to postpone further consideration of the section until after the Apportionment Committee had reported.

MR. McCORMICK said that was agreeable to him. He said the gentleman from Dallas had talked so loud and growled so much that he could not understand him, but he believed he was on his side. Further consideration was postponed.

MR. FLOURNOY presented a resolution providing that it should require nine members to demand the yeas and nays instead of three, as formerly.

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<sup>39</sup>The proceedings for this day were taken from the *State Gazette* (Austin), September 29, 1875.

MR. MILLS said the rule would be an arbitrary one, enforced to throttle the minority of Republicans on the floor. He asked Democrats to have some regard for the political minority. He thought that if members were afraid of the yeas and nays they must be afraid to have their records go before the people. He was not afraid of his record, and thought that no one who was trying to do right ought to be afraid of his record.

MR. FLOURNOY said he had as much respect for minorities as any one, and was not afraid of his record. He had only desired to prevent the encumbrance of the records by two or three of the opposition.

THE PRESIDENT said it would require a suspension of the rules to consider the resolution, and it would require a two-thirds vote to carry it.

MR. McCORMICK moved to suspend the rules.

The motion to suspend the rules was lost by a vote of 46 yeas to 37 nays—it requiring a two-thirds vote.

## TWENTY-FIRST DAY

WEDNESDAY, SEPTEMBER 29, 1875<sup>40</sup>

MR. DOHONEY introduced a resolution providing that President Pickett appoint a committee of seven with instructions to inquire into the extent of the depredations on the frontier and the causes thereof, to correspond with the commander of the United States forces on the frontier and citizens, to prepare and present a memorial to Congress, urging that proper means be adopted for frontier protection; also that the Texas Senators and Congressmen lay the whole matter before the President, Secretary of War, and Congress, and demand protection for the future and reimbursement for past losses; also that a copy of the memorial be furnished the Texas Senators and Congressmen and the Major-General commanding the United States forces in the district embracing the Texas frontier.

MR. DOHONEY said the resolution might either be adopted at once or referred to the Committee on Federal Relations. He had conversed with several gentlemen on the question, among them the

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<sup>40</sup>The proceedings for this day were taken from the *State Gazette* (Austin), September 30, 1875.