

# TEXAS LAW | Tarlton Law Library Jamail Center for Legal Research

Citation: *Journals of the Convention, assembled at the city of Austin on the Fourth of July, 1845, for the purpose of framing a constitution for the State of Texas. Austin: Miner & Cruger, printers to the Convention, 1845.*

Content downloaded from

Tarlton Constitutions 1824-1876 (<http://tarlton.law.utexas.edu/constitutions/>)

The text of these documents is in the public domain. That is, the original words and content are freely usable.

The images of the documents are copyrighted material; the copyright is held by the Tarlton Law Library. The copyrighted images may be used only with permission. Permission is granted to use the copyrighted materials in the classroom for educational purposes. Downloading, printing, publication, public display or otherwise using any of the copyrighted images, including on the web or in a forum other than a classroom, requires permission from Tarlton. Requests for permission to use these materials should be submitted online to [rarebooks@law.utexas.edu](mailto:rarebooks@law.utexas.edu).

If you are uncertain whether you need permission to use these materials, please contact us at [rarebooks@law.utexas.edu](mailto:rarebooks@law.utexas.edu).

FRIDAY MORNING, July 18, 1845.

The Convention met pursuant to adjournment, and was opened with prayer by the Chaplain.

Present—Messrs. President Rusk, Anderson, Armstrong of J., Armstrong of R., Baylor, Bache, Brashear, Brown, Burroughs, Caldwell, Cazneau, Clark, Cunningham, Cuney, Darnell, Davis, Evans, Everts, Forbes, Gage, Hemphill, Henderson, Hicks, Hogg, Horton, Howard, Holland Hunter, Irion, Jewett, Jones, Kinney, Latimer of L., Latimer of R. R., Lewis, Love, Lumpkin, Lusk, Lipscomb, Mayfield, McGowan, McNeill, Miller, Moore, Navarro, Parker, Power, Rains, Runnels, Scott, Smyth, Standefer, Tarrant, Van Zandt, White, Wood, Wright and Young.

The journal of the preceding day was read and adopted.

The credentials of Ballard C. Bagby, a delegate from the county of Red River, was presented; and, on motion of Mr. Young, Mr. Bagby was invited to take his seat as a member of this body.

On motion of Mr. Gage, Mr. Bagby was added to the Committee on the State of the Nation.

Mr. Evans presented the petition of Charles S. Hensley, praying for the establishment of a new county, adjacent to the Forks of the Trinity, which was referred to the committee on the Legislative Department.

Mr. Lipscomb offered the following resolution :

*Resolved*, That the Committee on General Provisions be instructed to enquire into the expediency of authorizing the Legislature to protect, by law, from forced sale, a certain portion of the property of all heads of families.

Which was read and laid on the table, one day, for consideration.

Mr. Hemphill offered the following resolution :

*Resolved*, That the Committee on General Provisions be instructed to enquire into the expediency of declaring, in the Constitution, that all certificates for head-rights, and all claims, grants, and evidences of title to land, which were issued to fictitious persons, or were forged, are, and the same were, null and void from the beginning.

On motion of Mr. Young, the rule requiring the resolution to lay on the table one day, for consideration, was suspended—"Judiciary Committee" was inserted, in the place of "Committee on General Provisions," and the resolution, on motion of Mr. Young, was adopted.

On motion of Mr. Davis, the Convention proceeded to the

### ORDERS OF THE DAY.

The report of the Committee on the Executive Department being first in order, was taken up.

Mr. Forbes moved to lay the report on the table. Lost.

On motion of Mr. Van Zandt, the Convention went into committee of the whole, on the said report, Mr. Van Zandt in the chair. After some proceeding therein, the committee rose, and through their chairman, reported progress, and asked leave to sit again.

Which report was adopted; and, on motion, the Convention adjourned until half past 3 o'clock, P. M.

HALF PAST THREE O'CLOCK, P. M.

The Convention met pursuant to adjournment—roll called—quorum present.

On motion of Mr. Gage, the Convention went into committee of the whole, upon the report of the Executive Committee, Mr. Smyth in the chair. After some proceeding therein, the committee rose, reported progress, and asked leave to sit again.

Which report was adopted.

On motion of Mr. Young, the Convention adjourned until half past 8 o'clock, to-morrow morning.

---

SATURDAY MORNING, July 19, 1845.

The Convention met pursuant to adjournment—prayer by the Chaplain.

Present—Messrs. President Rusk, Armstrong of R., Armstrong of J., Bagby, Baylor, Bache, Brashear, Brown, Burroughs, Caldwell, Cazneau, Clark, Cunningham, Cuney, Daruell, Davis, Evans, Everts, Forbes, Gage, Hemphill, Henderson, Hicks, Hogg, Horton, Howard, Holland, Hunter, Irion, Jewett, Jones, Kinney, Latimer of L., Latimer of R. R., Lewis, Love, Lumpkin, Lusk, Lipscomb, Mayfield, McGowan, McNeill, Miller, Moore, Navarro, Parker, Power, Rains, Runnels, Scott, Smyth, Standefer, Tarrant, Van Zandt, White, Wood, Wright and Young.