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Citation: *Journal of the Texas State Convention: Assembled at Austin, Feb. 7, 1866. Adjourned April 2, 1866. [Austin, TX.]: Printed at the Southern Intelligencer Office, 1866.*

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Burke, Camp of Upshur, Clements, Dalrymple, Dickson, Drake, Gentry, Giddings, Gurley, Halbert, Henderson, Hunt, Ireland, Lindsey, Mabry, Nelson, Norris, Parsons, Perry, Phillips, Porter, Randolph, Reeves, Richardson, Roberts, Runnels, Saufley, Stuman, Shepard, Slaughter, Spaight, Taylor of Houston, Thompson, Tyus, Walker, Waul, Whitfield and Wilson—44.

Nays—Messrs. Armstrong, Bacon, Benge, Bumpass, Davis of Webb, Davis of Cherokee, Degener, Flanagan, Hancock, Hart, Hill, Hurt, Johnson of Tarrant, Johnson of Titus, Jones of Bastrop, Jones of Bexar, Lane, Latimer, Ledbetter, McCracken, Middleton, Murchison, Norton, Parker, Ranck, Saunders, Shields, Shuford, Shaw, Smith of Colorado, Smith of Lamar, Taylor of Fannin, Thomas of Cameron, Varnell, Woods and Young—36.

So the motion was tabled.

On motion of Mr. Flanagan, the Convention adjourned till 7½ o'clock this evening.

7½ o'clock, P. M.

Convention met; roll called; no quorum.

Absentees—Messrs. Allen, Bryan, Davis of Webb, Degener, Flanagan, Hancock, Hart, Hill, Hurt, Johnson of Tarrant, Jones of Bastrop, Jones of Bexar, Latimer, Ledbetter, McCracken, Parker, Ranck, Richardson, Saunders, Shuford, Shields, Taylor of Fannin, Thomas of Cameron, Varnell and Young.

No quorum appearing.

On motion of Mr. Spaight, Convention adjourned to meet tomorrow morning at 10 o'clock.

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TUESDAY, March 13th, 1866.

Convention met pursuant to adjournment; prayer by the Chaplain; roll called; quorum present; journal of yesterday read, and adopted.

Mr. Johnson, chairman committee on Public Lands, made the following report:

COMMITTEE ROOM, March 9, 1866.

*Hon. D. C. Dickson, President pro tem. of the Convention:*

The committee on Public Lands, to whom was referred a resolution requiring them to inquire into the expediency of giving to actual settlers upon the unappropriated public domain of the State three hundred and twenty acres of land, have had the same under consideration, and instruct me to report the accompanying ordinance, and recommend its adoption by the Convention:

## AN ORDINANCE.

*Be it ordained by the people of Texas, in Convention assembled,* That all persons, or their assigns, who have settled upon and improved, or may hereafter settle upon and improve any of the unappropriated public domain of the State, and shall occupy the same continuously for the space of three years from the date of such settlement, shall be entitled to a donation of three hundred and twenty acres of land, to be surveyed in a body, including his or her improvement. And the Legislature shall provide such regulations as may be necessary to carry this ordinance into immediate effect. *Provided,* that in all cases the occupant shall pay the legal fees for surveying and patenting the same.

Ordinance read first time, and passed to orders of the day.

Mr. Dalrymple, chairman committee on Indian Affairs, made the following report :

COMMITTEE ROOM, March 12th, 1866.

*Hon. D. C. Dickson, President, pro tem., Convention :*

The committee on Indian Affairs, to whom was referred a resolution requiring them to inquire into the expediency of giving to actual settlers upon the unappropriated public domain of the State three hundred and twenty acres of land, have had the same under consideration, and instruct me to report the accompanying ordinance, and recommend its adoption. They also instruct me to report that, taken in connection with other measures of frontier protection which are now under consideration in your body, they regard it as preferable to any other means within the power of the State for protecting the people of the frontier.

## AN ORDINANCE.

*Be it Ordained, by the People of Texas in Convention assembled,* That all persons, or their assigns, who have settled upon and improved, or may hereafter settle upon and improve any of the unappropriated public domain of the State, and shall occupy the same continuously for three years from the date of such settlement, shall be entitled to a donation of three hundred and twenty acres of land, to be surveyed in a body, including his or her improvement. And the Legislature shall provide by law such regulations as shall be necessary to carry this ordinance into immediate execution. *Provided,* That in all cases the occupant shall pay the legal fees for surveying and patenting the same.

Ordinance read first time, and passed to orders of the day.

Mr. Randolph, chairman of committee on Engrossed and Enrolled Ordinances, made following Report :

COMMITTEE ROOM, March 12, 1866.

To Hon. D. C. Dickson, *President of the Convention, pro tem* :

The committee on Engrossed and Enrolled Ordinances have examined the ordinance annulling the ordinance of secession, and find the same correctly engrossed.

Report adopted.

#### ORDERS OF THE DAY.

The report of the committee on the General Provisions of the Constitution, reporting back amendments to Art. VIII, Freedmen, taken up, and the question being on the adoption of the amendments proposed by the committee, on motion of Mr. Mabry, a division of the amendments was ordered.

The question being on the adoption of the first amendment, on motion, it was adopted.

The question of the second amendment being before the House, Mr. Mabry offered amendment, as follows :

Add at the end of the 2d Section, "as to facts hereafter occurring."

Adopted.

Mr. Halbert offered the following amendment :

Amend committee's second amendment by striking out the word "other," in the fifth line.

Lost.

The question recurring on the adoption of the committee amendment as amended, and being put, the same was adopted.

Mr. Gurley offered the following amendment to the 2d Section as adopted :

Strike out the word "orally," in second line of 2d Section, and insert after the word race in third line the words, "except that they shall in no case testify by deposition."

Mr. Mabry offered the following as an amendment to the amendment of Mr. Gurley, viz :

After the word "orally," in second line 2d Section, the words "in open court."

Amendment of Mr. Mabry lost.

The question recurring on the amendment of Mr. Gurley, Mr. Taylor of Fannin moved a division of the question.

Carried.

Mr. Flanagan moved to lay the amendment as divided on the table.

Motion prevailed, and amendment laid on the table.

Mr. Davis of Webb proposed to amend as follows :

Strike out "orally," in second line, and, in third line, after the word race, insert, "and the Legislature shall provide such

regulations for taking their depositions as will tend to insure the truth."

On motion of Mr. Hunt, amendment of Mr. Davis of Webb laid on the table.

Mr. Allen proposed to amend as follows :

In first line, Sec. 2d, strike out "right," and insert the word "privilege."

Mr. Henderson moved the previous question.

Motion seconded.

The question being, shall the main question be now put, and the Yeas and Nays being called for, stood thus :

Yeas—Messrs. Anderson, Bacon, Beall, Bengé, Bradshaw, Bumpass, Burke, Flanagan, Gentry, Hart, Henderson, Hill, Hunt, Jones of Bastrop, Middleton, Norris, Perry, Reeves, Richardson, Saufley, Selman, Shaw, Smith of Lamar, and Whitfield—24.

Nays—Messrs. Allen, Armstrong, Ball, Camp of Upshur, Dalrymple, Davis of Webb, Davis of Cherokee, Dickson, Drake, Giddings, Gurley, Halbert, Hancock, Hurt, Johnson of Tarrant, Johnson of Titus, Jones of Bexar, Latimer, Mabry, McCormack, Murchison, Nelson, Norton, Parker, Parsons, Phillips, Randolph, Roberts, Runnels, Saunders, Shepard, Spaight, Taylor of Houston, Walker, Waul, Woods, and Young—37.

So the House refused to order the main question.

Mr. Waul proposed to amend as follows, as a substitute for the amendment proposed by Mr. Allen :

Strike out "right to testify," and insert "from testifying."

Adopted.

Mr. Ireland offered the following amendment :

Amend the 2d Section by adding "provided this Section shall not take effect until the Freedman's Bureau is abolished in this State."

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

Mr. Walker offered an amendment as follows :

Amend Sec. 1st in 6th line, after "have" insert the word "the." Adopted.

The question recurring on the engrossment of the ordinance, the same was put, and the ordinance was ordered to be engrossed.

On motion of Mr. Waul, the rule was suspended, and the ordinance put on its third and final reading.

Mr. Mabry moved to reconsider the vote ordering the ordinance to be engrossed.

Mr. Hunt moved to lay the motion of Mr. Mabry on the table. Carried.

Mr. Norris proposed to amend as follows :

After the word "orally," in second line, insert the words "in open court, or before the grand jury."

Mr. Saunders moved the previous question. Seconded.

The question being, shall the main question be now put, the same was ordered by the House.

The main question recurring, which was, shall the ordinance pass, and the Yeas and Nays being called for, stood thus :

Yeas—Messrs. Bacon, Beall, Benge, Bumpass, Camp of Upshur, Dalrymple, Davis of Cherokee, Drake, Gentry, Giddings, Gurley, Hancock, Henderson, Hill, Hunt, Hurt, Ireland, Johnson of Tarrant, Johnson of Titus, Jones of Bexar, Lindsey, Mabry, McCormack, Nelson, Norton, Perry, Phillips, Randolph, Reeves, Richardson, Roberts, Saunders, Shepard, Shields, Shuford, Shaw, Slaughter, Spaight, Taylor of Houston, Thompson, Tyus, Varnell, Walker, Waul, Whitfield, Wilson, Woods, and Young—47.

Nays—Messrs. Allen, Armstrong, Ball, Bradshaw, Burke, Davis of Webb, Degener, Dickson, Flanagan, Halbert, Hart, Jones of Bastrop, Latimer, Middleton, Murchison, Norris, Parker, Porter, Ranck, Runnels, Saufley, Smith of Colorado, Smith of Lamar, Taylor of Fannin—25.

So the ordinance was passed on its third and final reading, and was ordered to be engrossed.

The report of the committee on Finance and accompanying ordinance, touching the public debt of the State of Texas, taken up.

Mr. Henderson moved to go into committee of the whole to consider the ordinance. Motion lost.

Mr. Henderson moved the previous question. Seconded.

Mr. Gentry moved a call of the House.

Call sustained.

Mr. Henderson withdrew the motion for the previous question.

On motion, call of the House suspended.

On motion of Mr. Gentry, Convention adjourned till 7½ o'clock this evening.

7½ o'clock, P. M.

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

The question pending at the hour of the last adjournment, viz : the report and accompanying ordinance reported by the Finance Committee, touching the public debt, again taken up.

Mr. Roberts offered the following amendment, by way of addition to the 3d Section, viz :

"Except those which would have been included in the necessary and appropriate expenses of the State Government, had there been no civil war; and those may be ascertained and paid, with such equitable discount upon their nominal amount, or face value, as the Legislature may make."

Mr. Whitfield offered the following as a substitute for the amendment:

"It shall be the duty of the Legislature to ascertain, and make provision for the payment of all debts against the State, that accrued prior to the 1st day of February, A. D. 1861, and also for all debts contracted for the support of the Lunatic Asylum, the Deaf and Dumb Asylum, and the Blind Asylum, since the 1st day of February, A. D. 1861."

Mr. Young moved to lay both the amendment and the substitute on the table.

On motion, a division of the question was granted.

Mr. Young withdrew his motion to lay on the table.

On motion of Mr. Davis of Cherokee, Convention adjourned until 9 $\frac{1}{2}$  o'clock to-morrow, pending the substitute of Mr. Whitfield.

WEDNESDAY, March 14th, 1866.

Convention met pursuant to adjournment; prayer by the chaplain; roll called; quorum present; journal of yesterday read and adopted.

Mr. Norton, chairman of committee on Condition of State, made following report:

COMMITTEE ROOM, March 14th, 1866.

*To Hon. D. C. Dickson, President pro tem. of the Convention:*

The committee on the Condition of the State, to whom was referred the resolution introduced by Hon. D. C. Giddings, delegate from Washington, upon the subject of freedmen, have had the same under consideration, and have directed me to report the accompanying resolution, and recommend its adoption:

*Resolved,* That the President of the United States be requested to appoint a commission, of persons disconnected with the Freedman's Bureau, or the army, to visit Texas, for the purpose of ascertaining the real condition of the freedmen, and disposition of the people towards them, with a view of gaining such reliable information as will enable the government to determine the necessity of a longer continuance of the Freedman's Bureau in this State.