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Mr. Bradshaw moved a call of the House.

Not seconded.

Mr. Norris offered a substitute for the bill.

On motion of Mr. Saufley, Convention adjourned till 9 o'clock Monday morning, pending substitute of Mr. Norris.

MONDAY, April 2d, 1866.

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

By leave, Mr. Norton introduced the following ordinance:

Resolved, That Art. III, Legislative Department, be amended by adding to the same the following section:

SEC. 32. The Legislature shall proceed as early as practicable to elect Senators to represent this State in the Senate of the United States, and also provide for the election of Representatives to the Congress of the United States.

Read a first time.

Rule suspended, ordinance read a second time, and ordered to be engrossed.

On motion, rule further suspended, ordinance read a third time, and passed.

By leave, Mr. Henderson *et al.* filed the following protest:

The undersigned members of the Convention beg leave to enter their solemn protest against the passage of the ninth section of an ordinance, making valid the laws and acts of officers therein mentioned, and for other purposes, and to make the following statement of the facts that led to the necessity of placing our names on the journal, in favor of a proposition that we believe to be utterly inconsistent with, and obnoxious to every principle of justice. This section was reported by the committee on the Judiciary, and its adoption recommended in connexion with a large number of other matters that we deem to be, not only of paramount importance to the country, but indispensable to its peace and prosperity, as will be seen by reference to the first and other sections of this ordinance. When this ordinance came up for action, both on its engrossment and final passage, it was taken up and acted on section by section, and before opportunity was given for amending or striking out this section, the previous question was ordered both on the second and third reading, and hence we were driven to the alternative of recording our votes in favor of this section in order to avoid the defeat

of that portion of the ordinance that we regarded as absolutely indispensable to the security and well being of the country.

J. W. HENDERSON,
M. T. JOHNSON.
A. M. GENTRY,
J. M. LINDSEY,
AMZI BRADSHAW,
E. J. GURLEY,
J. H. PARSONS,
BENJ. R. TYUS,
WM. M. TAYLOR.

The undersigned members of the Convention beg leave to enter their solemn protest against the passage of the third section of "an ordinance declaring the war debt void, and for other purposes," and assign our reasons for voting against the passage of the same, and stating the facts that compelled us to place our names on the journals against a proposition that embodied one of the acts necessary for the proper restoration of our State as one of the States in the Union. With a desire to cheerfully comply with the requirements of the President's restoration policy, by declaring the war debt *void*, still, as the same was coupled with a proposition to repudiate all of the civil debt of the State, even that created for the support and maintenance of the public Asylums, which we had endeavored at every stage of the ordinance to have stricken out, or modified, but all our exertions were overridden by a determined majority, who refused even our efforts to have said 3d section submitted to a direct vote of the people; therefore, we felt compelled by our sense of justice, and regard for public rectitude, to vote against the whole ordinance, as being utterly inconsistent with, and obnoxious to every principle of good faith. *And holding that national integrity is essential to national prosperity*, we file this, our protest, as a vindication of our action in what we believe to be a solemn and sacred duty to our country, and the honesty of our purpose.

J. W. HENDERSON.
B. T. SELMAN.
D. C. DICKSON.
J. H. PARSONS.
A. M. GENTRY.
WM. M. TAYLOR.
J. K. P. RECORD.
M. T. JOHNSON.
AMZI BRADSHAW
BENJ. R. TYUS

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

COMMITTEE ROOM, April 2d, 1866.

Hon. Wm. M. Taylor, President, pro tem., of Convention :

The committee on Engrossed and Enrolled Ordinances have examined and found correctly engrossed an ordinance donating three hundred and twenty acres of land to every settler; and an ordinance to provide for the payment of the salaries of, and liabilities incurred, by the officers of the Blind, Deaf and Dumb, and Lunatic Asylums.

Read, and accepted.

Mr. Davis of Cherokee offered the following resolution:

Resolved, That the Clerk of the Convention be, and he is hereby directed to furnish to the delegates selected to repair to Washington, and present to the President the ordinances of a general character, passed by this Convention, an authenticated copy of all such ordinances.

Adopted.

On motion of Mr. Flanagan, House proceeded to the consideration of the

ORDERS OF THE DAY.

Question pending at the hour of the last adjournment, viz: An ordinance touching a division of the State, again taken.

Question being on the substitute of Mr. Norris, on motion of Mr. Davis of Webb, the previous question was ordered, and being put, (the main question being the engrossment of the ordinance,) the ordinance was ordered to be engrossed.

On motion, rule suspended, and the ordinance read a third time, and placed on its passage, and the Yeas and Nays being called for, stood thus:

Yeas—Messrs. Armstrong, Benge, Dalrymple, Davis of Webb, Davis of Cherokee, Flanagan, Gurley, Henderson, Latimer, Lindsey, Mabry, Middleton, Murchison, Nelson, Norton, Parker, Parsons, Perry, Phillips, Ranck, Reeves, Saunders, Selman, Shields, Shuford, Smith of Lamar, Taylor of Houston, Thomas of Cameron, Tyus, Waul and Woods—31.

Nays—Messrs. Anderson, Ball, Bradshaw, Bumpass, Drake, Gentry, Hancock, Harwood, Hill, Johnson of Tarrant, Norris, Porter, Randolph, Record, Shaw, Thompson, and Whitfield—17.

Mr. Bumpass and others submitted the following protest:

I stand here to protest, in positive terms, against any and all measures looking to a division, either now or hereafter, of the great State of Texas; against giving the people of any portion

of the State the power of doing the same. I declare, that in my judgment, nothing would be more suicidal, nothing more dangerous, nothing more disastrous to the people of this State, and the people of the great south-west, than the adoption of this uncalled for and unholy measure. It will weaken the influence of the south-west in our national Legislature, if our brethren of the North are ever forgiving enough to allow us our representation there. It will create small States, perhaps antagonistic to each other, instead of presenting an unbroken front in opposition to any measure calculated to injure the interest of the south-western portion of this American republic. It will estrange the interest of persons who, above all others, should be friends. It will, while it may increase the number of Senators in the United States Senate, weaken their influence, by causing their interest to clash. I protest against it because the signs of the times indicate that we are on the very eve of important events, which may terminate forever the existence of civil and religious liberty on this American continent, or that it may be lost for a long time amid the ruins of a military despotism; and then, if Texas shall have remained united, it will have territory sufficient, it may have population great enough, to seize once more the old Star of Texas, and raise it above the common ruin by which it may be surrounded; or, like the brave defenders of the Alamo, go down defending Texas as it was, as it is, and as I pray to God it may always be, undivided, unaltered, and unchanged.

I wish Texas to remain the great territorial State she is, that in a future day, if the worst comes, and amid a conflict for power between parties now organizing, both north and south, American liberty should be lost, that Texas, located far to the south west, united as she should be, may furnish a nucleus around which may rally the lovers of free and republican government, or furnish sepulchres for the last who desire to perpetuate the boon.

BUMPASS,
M. T. JOHNSON.

I protest, too, against the way and manner this measure has been carried. In this, that under the rules of the Convention, it required a majority of four-fifths of the members to suspend the rule, and on this motion, as many as a half dozen members called in a loud tone of voice for the Yeas and Nays, which call was disregarded by the President presiding, and the vote taken, and proclaimed by him as carried by the sound; and further, because, when the vote was taken on the final passage, it was found that a quorum was not voting, when members were

brought in, and required by the President presiding to vote, with out the leave of the Convention for them to do so.

JOHN K. BUMPASS,
JOHN HANCOCK,
J. K. P. RECORD,
WM. R. ANDERSON,
ORIN DRAKE,
WELLS THOMPSON,
F. A. HILL,
H. HART,
J. W. WHITFIELD,
A. M. GENTRY.

Mr. Whitfield moved that the Convention now stand adjourned sine die, and the Yeas and Nays being called for, stood thus :

Yeas—Messrs. Anderson, Bacon, Bengé, Bumpass, Hancock, Hart, Hill, Mabry, Murchison, Nelson, Record, Saunders, Thomas of Cameron, Thompson, Whitfield and Woods—16.

Nays—Messrs. Armstrong, Ball, Dalrymple, Davis of Webb, Davis of Cherokee, Drake, Flanagan, Gentry, Gurley, Harwood, Henderson, Johnson of Tarrant, Latimer, Middleton, Norton, Norris, Parker, Parsons, Perry, Phillips, Randolph, Reeves, Shields, Shuford, Shaw, Slaughter, Smith of Lamar, Taylor of Houston, Tyus, and Waul—30.

House refused to adjourn.

Mr. Davis of Cherokee moved to suspend the rule, to take up a report and ordinance from Finance Committee, touching the substituting of certain United States Bonds with State Bonds, &c.

Carried.

Ordinance taken up, read a first time, and the question being on its engrossment, Mr. Whitfield offered the following as a substitute for the substitute reported by the committee, viz :

AN ORDINANCE,

To provide for the payment, by the State, of the Sums of Money due the Perpetual Public School Fund.

SECTION 1. The Legislature, at its first session, shall provide that the Governor shall cause to be issued the coupon bonds of the State, to an amount equal to the sum now due the perpetual Public School Fund, by the State ; said bonds to be placed to the credit of the School Fund. These bonds to draw interest at a rate of not less than six (6 per cent.) per centum per annum ; and also, to provide in like manner for the payment of the same due the University fund by the State. The bonds issued as above provided for shall bear interest from the date of their issuance.

Mr. Flanagan moved to lay the substitute on the table, and the Yeas and Nays being called for, stood thus :

Yeas—Messrs. Anderson, Bacon, Bradshaw, Camp of Upshur, Dalrymple, Davis of Webb, Drake, Flanagan, Gurley, Hancock, Hart, Hill, Latimer, Middleton, Murchison, Norton, Norris, Parker, Parsons, Perry, Phillips, Ranck, Randolph, Saunders, Shields, Shuford, Shaw, Slaughter, Smith of Lamar, Thomas of Cameron, Tyus, Walker, Waul and Woods—34.

Nays—Messrs. Armstrong, Ball, Gentry, Henderson, Johnson of Tarrant, Lindsey, Mabry, Record, Reeves, Taylor of Houston, Thompson, and Whitfield—12.

Substitute laid on the table.

Mr. Whitfield moved to lay the report and substitute of the Finance Committee on the table.

Carried.

Mr. Thompson filed the following protest :

I protest against the passage of the bill, because, in my judgment, it has been unjustly and illegally passed, and will work injuriously to the good of the whole people of Texas.

WELLS THOMPSON.

On motion, an ordinance touching the subject of mines, minerals, and salines taken up, read a third time and passed.

The engrossed ordinance touching relief for Blind Asylums taken up.

Mr. Ranck moved to amend as follows :

Sec. — *Be it further ordained*, That the Legislature be, and it is hereby required to appropriate, at the earliest practicable moment, out of any funds not otherwise appropriated, the sum of twenty-eight hundred dollars and twenty-eight cents, for the use and benefit of that denomination of Christians, in the city of Austin, commonly called Campbellites, for and in consideration of their beneficent kindness in providing homes and the necessary comforts of life for those unfortunate Blind who were turned out of the Blind Asylum by the Superintendent, W. A. Smith, several months before that reverend gentleman and family vacated that magnificent mansion, the home of the blind !

On motion, laid on the table

Mr. Bacon moved to indefinitely postpone the engrossed ordinance.

Carried.

Mr. Slaughter moved that a committee be appointed to inform the Provisional Governor that the hour had arrived for the adjournment of the Convention sine die.

The President appointed on said committee Messrs. Slaughter, Gentry, and Johnson of Tarrant.

Having performed duty, the committee reported that the Provisional Governor declared he had no further communication to submit to the Convention.

Mr. Randolph, chairman of committee on Enrolled and Engrossed Ordinances, reported as follows :

COMMITTEE ROOM, April 2d, 1866.

Hon. W. M. Taylor, President, pro tem., Convention :

The committee on Enrolled and Engrossed Ordinances have examined and found correctly enrolled and properly signed the following: an ordinance authorizing the appointment of a commissioner of statistics for the promotion of immigration; an ordinance securing the common school and university funds, and for other purposes; and an ordinance on the subject of mines, minerals, salines, and oil springs.

Read and adopted.

Mr. Norton introduced an ordinance appropriating \$5000 in addition to former appropriations, to defray the expenses of the Convention.

Read a first time.

Rule suspended, ordinance read a second time, and ordered to be engrossed.

Rule further suspended, ordinance read a third time, and passed.

By leave, Mr. Norton introduced the following resolution :

Rule suspended, and resolution taken up.

Resolved, That the thanks of the Convention are due to the Hon. J. W. Throckmorton, the President of the Convention, and also are hereby tendered to the Hon. David C. Dickson, and the Hon. William M. Taylor, for the able and impartial manner in which they have respectively discharged the duties of President pro tem. of the Convention.

Adopted.

Mr. Norton, one of the committee on Printing, reported as follows :

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

The committee on Printing and Contingent Expenses, to whom was referred a resolution offered by the delegate from Washington, Mr. Shepard, instructing this committee to inquire into the expediency of having the Debates of the Convention published, and if so to report a plan for the same, and giving the Reporter further time to write out the debates, instruct me to report,

That, in consequence of the cost of publishing the debates, and the length of time required by the Reporter to furnish the same, it is deemed inadvisable to report any plan for their publication. The committee have had before them the accompanying statements by the Reporter, (marked A and B,) which I am instructed to lay before the Convention for its information, and to report the following resolution :

Resolved, That the Reporter shall be entitled to receive the per diem pay of a member of this Convention, and that he retain for his own use the notes of debates and proceedings of the Convention ; but he shall not be authorized to publish the same, without first submitting to those members whose speeches he proposes to publish, on the principal subjects, the notes of such speeches, for revision and correction.

A. B. NORTON, for the Committee.

(A.)

To the Chairman of Committee on Printing and Cont. Expenses.

The Reporter would make the following propositions to your committee.

The per diem pay of Reporter, for previous or future services, shall be the per diem of two officers of the Convention, (\$16 ;) or, if objection is made to this, then it shall be \$10 in gold, or its equivalent, that being the pay which has been paid by the Legislature for such services.

The Reporter will write out, ready for publication, within six weeks after the adjournment of the Convention, the debates, amendments and votes on the Ordinance of Secession, if he be allowed per diem pay for one month for said service. Or

The Reporter will write out, ready for publication, within four months after the adjournment, if paid per diem pay for three of said months, the debates on the Ordinance of Secession, Public Debt, and Status of the Negro, as given in the formation of Article VIII. Or

The Reporter will write out, ready for publication, within seven months after the adjournment, if paid per diem pay for six of said months, the entire debates of the Convention, as full as he has them.

(B.)

To the Committee on Printing and Contingent Expenses.

The Reporter, ascertaining that the proposition made to you was not acceptable, and you would report against it, would make a second proposition.

1. Only the debates on the Ordinance of Secession, Ordinance on the Public Debt, and Ordinance fixing the Status of the Negro, shall be published.

2. The Reporter shall be given four months to prepare said debates, and receive for said service \$1000; and the Secretary shall give an order on the Treasury for the amount.

3. Messrs. Shepard and Smith of Colorado shall be appointed a committee to receive from the Reporter and revise said debates, and provide for the publication of the same number of copies as of the journals, to be distributed in the same manner; and the following Legislature shall be required to pay the amount of indebtedness incurred in said publication.

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

Resolved, By the Delegates of the People of Texas, in Convention assembled, that we approve of the efforts of President Johnson to restore the Union of the States, with all their rights unimpaired, and to secure to each its just and proper representation in the National Council : that we believe the same constitutional : and we hereby express our cordial approbation of his restoration policy, and tender to him the thanks of the entire people of Texas, for the noble and patriotic stand he has taken in behalf of Constitutional Liberty.

No action, for want of a quorum

The hour of 4 P. M., 2d April, 1866, having arrived, and being the hour set for the final adjournment of the Convention, the President rose and pronounced the Convention adjourned *sine die*.

J. W. THROCKMORTON, *Chairman*.

Attest. LEIGH CHALMERS, *Secretary*.

NAMES OF DELEGATES.

J. W. Spaight,	W. S. Thomas,
King Bryan,	Benton Randolph.
S. A. Wilson,	W. B. Middleton,
George W. Smyth.	B. G. Shields.
R. A. Slaughter,	B. R. Tyus,
J. O'B. Richardson.	J. L. Halbert.
Richard S. Walker.	A. J. Ball,
William Anderson,	Amzi Bradshaw.
Wm. M. Taylor,	M. T. Johnson,
J. M. Perry,	J. K. P. Record,
Reuben A. Reeves,	Alex. Harwood,
Jack Davis,	M. W. Allen.

George Bengé,	J. M. Lindsey,
J. H. Parsons,	Wells Thompson,
J. W. Flanagan,	Z. Hunt,
P. W. Clements,	G. W. Smith,
John Burke,	Hamilton Ledbetter,
C. A. Frazier,	D. C. Giddings,
O. M. Roberts,	James E. Shepard,
B. T. Selman,	J. Shaw,
W. P. Saufley,	George W. Jones,
J. F. Johnson,	John Hancock,
H. P. Mabry,	Wm. C. Dalrymple,
H. R. Runnels,	F. A. Hill,
W. P. Beall,	P. C. Woods,
J. L. Camp,	X. B. Saunders,
Alex. Smith,	E. J. Gurley,
A. H. Latimer,	J. M. Norris,
H. W. Nelson,	A. H. Phillips,
M. L. Armstrong,	Wm. M. Varnell,
A. P. Shuford,	J. W. Whitfield,
A. B. Norton,	T. N. Waul,
J. S. Porter,	John Ireland,
Hardin Hart,	D. Murchison,
R. H. Lane,	J. E. Ranck,
R. H. Taylor,	J. M. Young,
J. M. Hurt,	L. B. Camp,
J. K. Bumpass,	Orin Drake,
J. W. Throckmorton,	I. A. Paschal,
H. Stewart,	E. Degener,
A. P. McCormack,	Wm. E. Jones,
J. W. Henderson,	J. B. Thomas,
A. M. Gentry,	F. J. Parker,
D. C. Dickson,	E. J. Davis,
	W. P. Bacon.