

TEXAS LAW | Tarlton Law Library Jamail Center for Legal Research

Citation: *Journal of the Reconstruction Convention: which met at Austin, Texas. Texas.*

Constitutional Convention (1868-1869). Austin, TX: Tracy, Siemering & Co., printers, 1870.

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.

If you are uncertain whether you need permission to use these materials, please contact us at rarebooks@law.utexas.edu.

On motion of Mr. Degener, the Declaration was referred to the Committee on Internal Improvements.

Mr. Buffington introduced the following declaration :

We, the People of Texas, in Convention assembled, do declare,

1st, That it shall be the duty of the Legislature to provide for the more certain and speedy collection of the fees of the officers of the Courts.

2nd, That the Legislature of the State shall make it a sufficient cause to strike from the docket any cause where the costs of the officers of the court are not paid on, or before, the first day of each term of the court; except the parties shall swear that they are not able to pay such costs.

3rd, That in all cases where indictments are not sustained, the costs shall become a tax on the State.

Mr. Buffington moved it be referred to the Judiciary Committee. It was so referred.

Mr Buffington offered the following declaration :

We, the people of Texas, in Convention assembled, do declare,

1st, That it shall be the duty of the Legislature to provide by law and enforce the collection of any back taxes that may be due and owing to the State.

2nd, That it shall be the duty of the Legislature to repeal all laws, and parts of laws, giving time to redeem land sold for taxes. The legislature shall by law make the sale of land by assessors and collectors absolute.

Mr. Buffington moved it be referred to the Judiciary Committee. It was so referred.

The President announced the business in order was the unfinished business of yesterday, upon the motion of Mr. Evans, of McLennan, to adopt the majority report of the Judiciary Committee, respecting suspending sales by sheriffs.

Mr. Evans, of McLennan, in the chair.

Mr. Hamilton, of Bastrop, moved the report of the majority of the Judiciary Committee be re-referred to said committee and printed.

Motion not seconded.

On motion, the Convention adjourned until 9 o'clock to-morrow morning.

CAPITOL, AUSTIN, TEXAS,
JUNE 13, 1868.

Convention met pursuant to adjournment. Roll called. Quorum present. Prayer by the chaplain. Journal of yesterday read and adopted.

The President announced a communication from his Excellency Governor E. M. Pease, transmitting the following report from the Commissioner of the General Land Office, in answer to the resolution offered by Mr. Talbot on the 8th inst. :

GENERAL LAND OFFICE,
Austin, Texas, June 11, 1868.

To His Excellency Governor E. M. PEASE:

SIR: In response to the resolution of the Convention, received with your note of yesterday, I have the honor to submit the following report :

The area of the State, as estimated from the latest data, is 169,969,920 acres.

Of this there have been granted, and claims have been issued against it as follows :

	ACRES.
Granted by the governments of Spain and Mexico	22,492,057
Headright certificates issued under the laws of the Republic and State	31,153,409
Bounty and Donation Warrants issued by the Republic and State	5,723,983
Land certificates issued under Special Acts of the Republic and State	1,746,258
Scrip certificates under the various laws of the Republic and State	2,914,936
Grants under Colony contracts by the Republic and State	4,990,760
Grants confirmed by acts of the Legislature, approved February 10, 1852	3,741,241
Grants West of the Nueces, confirmed by the District Courts	78,219
University Lands, 50 leagues	221,400
County School Lands, 156 counties, four Leagues each	2,763,072
Grants to Seminaries of Learning under special acts	123,984
Pre-emption and settler's claims under laws prior to Nov. 12, 1866	1,346,281
Central National Road	27,116
Railroad grants and certificates	5,296,960
Lavaca Navigation Company	30,720
Galveston and Brazos Navigation Company	60,160
Texas Powder Company	3,840

Surveys returned under Donation Act of November 12, 1866....	56,160	82,770,556
		<hr/>
Making a total of 82,770,556 acres, as li- abilities against the Public Domain of the State.....		87,198,364

Deduct this from the estimated area above mentioned, and there remain 87,199,364 acres, against which there is no outstanding claim. This includes the Islands, alternate Railroad sections, and all other reserved lands as well as the vacant lands proper now open to location.

The above number will most probably be increased by abandoned locations and forfeited claims, so as to make the unencumbered area, say in round numbers, 87,500,000 acres. The greater portion of this is not included within the limits of the organized counties.

Of the liabilities against the Public Domain as above stated, there remain unpatented of Headright Certifi- cates of the 1st, 2d and 3d classes.....	ACRES.	4,014,298
Bounty and Donation Warrants		872,326
Scrip Certificates.....		1,214,515
Railroad Certificates		4,147,485
Galveston and Brazos Navigation Company.....		41,600
Texas Powder Company.....		3,840
Surveys under act of November 12, 1866.....		56,160

The several Railroads have received lands and land certificates amounting to 5,296,960 acres, of which 1,168,035 have been patented. A tabular statement marked A, is transmitted herewith, shewing the amount of land certificates issued to each company, with the amount patented by virtue of the same. The attention of the Convention is respectfully called to this statement, and especially to Memphis, El Paso and Pacific Railroad Company.

By act of the Legislature, each county in the State is entitled to four leagues of land for school purposes. From a tabular statement hereto appended and marked B, it will be seen that but few counties have received the amount of land to which they are entitled, and that many have received none at all. This statement shows the actual condition of the lands that have been surveyed for the counties named therein.

Fifty leagues have been set apart for the purpose of supporting a University.

Statement C, shows how much of the same has been surveyed,

when located, and the quantity *patented*. The entire amount of University land sold can be ascertained only from the State Treasurer.

One hundred thousand (100,000) acres each were set apart by act of 30th of August, 1856, for the Lunatic, Blind, Orphan and Deaf and Dumb Asylums. Statement C will also show how much has been surveyed for each of these Institutions, and where the lands are situated. None of these lands have been sold.

Of scrip issued during the rebellion for Confederate money and State Treasury Warrants, 6,400 acres was issued under the act of February 11, 1858; 117,920 acres under the act of January 1, 1862; and 21,280 acres under the act of March 11, 1863, together amounting to 145,600 acres, for which there was received \$113,816. Of this Scrip, 48,438 acres have been patented; 37,322 acres have been located and field notes returned to this office, and are on file unpatented, leaving 59,840 acres outstanding, and so far as the records of the office show, unlocated.

A statement of said Scrip is herewith transmitted, marked D, also embracing the certificates issued under Special Relief Acts, passed during the rebellion.

These amount to 83,019 acres, nearly all of which have been patented. It is proper to remark that none of the class of Scrip mentioned in this statement, has been patented since I have had charge of the office.

Under the Act approved December 20, 1861, "To incorporate the Texas Powder Company," six certificates of six hundred and forty acres each were issued on the 27th January, 1862, amounting to 3,840 acres. Only one of these certificates appears to have been located and returned to this office. The act of incorporation provides that "said certificates shall be forfeited to the State if said manufactory shall not be in successful operation in six months after the passage of this Act." Inasmuch as there is no evidence on file that said Act has ever been complied with, it is presumed that the said six certificates are forfeited to the State, and the land located by virtue of the one returned to this office, is vacant and subject to location by genuine land claims.

Under the Act of December 15, 1863, "To encourage the erection of certain machinery by donations of land and otherwise," Mr. Charles Bussy, of Anderson county, the Cherokee Furnace Company of Cherokee county, and the Waco Manufacturing Company of McLennan county, appear to have taken the necessary steps to have surveys made for their benefit, but hitherto none have been returned by either of them. The office is not advised whether any surveys or locations have been made by either of these parties,

but it would save the office some embarrassment if the Convention would say whether locations and surveys under this law shall be respected.

The Act of November 12, 1866, donates 160 acres of land to actual *white* settlers. Under this law there have been surveyed 56,160 acres; but as the law provides for a residence of three years upon the land before the settler shall be entitled to a patent, none have yet issued to this class of settlers. Inasmuch as there is a discrimination in favor of the white citizen to the prejudice of the colored, parties who have returned field notes of surveys, have been informed that their locations would be respected, but that no patents could issue to them until there was further legislation on the subject.

This course suggested itself in view of the Civil Rights Bill passed by Congress on the 9th of April, 1866, which provides in substance that the colored citizen shall have the same rights in all the States and Territories of the Union as are granted to the white citizen. The subject is respectfully submitted to the Convention.

A statement of the amount of land reserved by law from location, together with the counties in which they are situated, is hereto appended, marked E. These lands amount to 2,554,108 acres, and together with the reserve of eight miles on each side of the Memphis, El Paso and Pacific Railroad line, are believed to embrace some of the choicest lands of the State.

It will be seen by an examination of this statement, that but a small portion of these lands have been sold and patented as contemplated by law, whereas, if they were thrown open for location and settlement, under a liberal Pre-emption Homestead law, there can be but little doubt that they would be rapidly taken up and become a source of revenue to the State.

Very respectfully submitted,

JOSEPH SPENCE

A.—*The following list shows the number of Certificates, with amount of Land issued to each Railroad, and other Companies respectively.*

NAME OF COMPANY.	AMOUNT OF CERTIFI- CATES ISSUED.	AMOUNT OF LAND PATENTED.	AMOUNT OF LAND TO BE PATENTED.
Buffalo, Bayou, Brazos and Colorado R. R. co.....	688.640	560,730	127,910
Eastern Texas R. R. co.....	286.720		286.720
Galveston and Brazos Navi- gation co.....	60.160	18.560	41.600
Houston & Texas Cen. R. R. co.	896.000	151.680	744.320
Houston Tap and Brazoria R. R. co.....	512.000	69.120	442.880
Lavaca Navigation co.....	30.720	30.720	
Mem., El Paso & Pac. R. R. co.	262.400	59.145	203.255
San Antonio and Mexican Gulf R. R. co.....	277.120	50,560	226.560
Southern Pacific R. R. co....	160.000	14.720	145.280
Texas & New Orleans R. R. co.	1,228,800	13.440	1,215.360
Washington County R. R. co.	243.200		243.200
Galveston, Houston and Hen- derson R. R. co... ..	512.000		512.000
	5,157.760	968.675	4,189.085
Southern Pacific R. R. co. under Act, January 30th, 1854	230.080	230.080	
Total	\$5,387.840	\$1,198.755	\$4,189.085

B.—*Abstract of School Lands.*

COUNTY.	QUANTITY.	WHERE SITUATED.	REMARKS.
Anderson	13,627 Acres	Anderson	Patented
	2268 "	"	Not Patented
Austin	4 Leagues	Lampasas	Patented
Angelina	4 "	Clay	Not Patented
Archer	.....	.....	No Survey returned June, 1868.
Atascosa	.....	.....	No Survey returned 1868.
Bandera	2 Leagues	Kenney	Patented
	2 "	"	Not Patented
Bastrop	4 "	Bexar	Patented
Baylor	.....	.....	No Survey returned 1868.
Bell	3 Leagues	Cook & Wise	Patented
	1 "	Archer	Patented
Bexar	2 "	Kinney	Not Patented
	2 "	Mason and Kimble	Not Patented
Blanco	.....	.....	No Survey returned June, 1868.
Bosque	4 Leagues	Clay	Not Patented
Bowie	20,625,916 Sq. vrs.	Bowie	Patented
	3,522,480 " "	"	Correct on map 1867
	30,291,070 " "	"	and not Patented
Brazoria	1 League	Coleman	Patented
	3 "	Uvalde and Medina	Patented
Bee	85,892,443 Sq. vrs.	San Patricio	Not Patented
	11,356,023 " "	Goliad	Not Patented
Brazos	4 Leagues	Cook	Patented
Brown	4 "	Brown	Not Patented
Burleson	4 "	Palo Pinto	Patented
Burnet	2 Leagues	Coleman	Patented
	2 "	Runnels	Patented
Caldwell	3 "	Brown	Patented
	9,865,819 Sq. vrs.	Brown and Coleman	Patented
	2,636,390 " "	"	Not Patented

B.—Abstract of School Lands.—Continued.

COUNTY.	QUANTITY.	WHERE SITUATED.	REMARKS.
Calhoun	3 Leagues 1 "	Cook & Clay Montague	Patented Contains only 23,- 641,326 Sq. vrs. Not Patented
Callahan	.....	.....	No Survey returned June, 1868.
Cameron	1½ Leagues	McMullen	Patented
Chambers	.....	.....	No Survey returned June, 1868.
Cherokee	4 Leagues	Archer, Clay & Wichita	Conflicts with other lands and not Pat- ented
Clay	.....	.....	No Survey returned June, 1868.
Coleman	.....	.....	No Survey returned June, 1868.
Collin	98,954,635 Sq. vrs.	Collin	Patented
Colorado	4 Leagues	Baylor and Throckmor- ton	Patented
Comal	3½ Leagues	Coleman and Callahan	Patented
Comanche	2214 Acres	Comal	Patented
	2 Leagues	Comanche	Patented
	10,096,045 Sq. vrs.	Brown	Patented
	7,909,604 " "	Comanche	Patented
Concho	7,011,299 " "	Hamilton	Patented
	.....	.....	No Survey returned June, 1868.
Cook	2 Leagues	Wise	Patented
	2 "	Cook	Not Patented
Coryell	4 "	Haskill	Patented
Dallas	1 "	Wise & Ar- cher	Patented

Davis	1 League	Davis	Patented
	49,768,167 Sq. vrs.	"	Patented
	8,762,714 " "	"	Not Patented
	20,284,603 " "	Hill	Not Patented

B.—*Abstract of School Lands.*—Continued.

COUNTY.	QUANTITY.	WHERE SITUATED.	REMARKS.
DeWitt	.....	.....	No Survey returned June, 1868.
Demmitt	.....	.....	No Survey returned June, 1868.
Duval	.....	.....	No Survey returned June, 1868.
Ellis	53,873,490 Sq. vrs.	Ellis	Patented.
	17,117,367 " "	Hill	"
	3,613,440 " "	Johnson	"
	9,883,075 " "	Hill	Not Patented.
El Paso	4 Leagues	Bexar	Patented.
Encinal	.....	.....	No Survey returned June, 1868.
Erath	4 Leagues	Erath	Patented.
Falls	2 Leagues	Wise	"
	10,200,370 Sq. vrs.	"	"
	39,799,630 " "	Archer	"
Fannin	75,000,000 Sq. vrs.	Cook	Not Patented.
Fayette	23,677,276 " "	Baylor	Patented.
	13,920,799 " "	Fayette	"
	11,065 Acres	"	"
Fort Bend	3 Leagues	Coleman	"
	1 "	Dawson and Uvalde	"
Freestone	4 "	Cook & Clay	"
Frio	.....	.....	No Survey returned June, 1868.
Galveston	4 Leagues	Hood	Patented.
Gillespie	4 "	Young	"
Goliad	3 "	Jones	"
	1 "	Taylor	"
Gonzales	1 "	Gonzales	Not Patented.
	17,664,384 Sq. vrs.	"	"
Grayson	2 Leagues	Clay	Patented.
	1 "	Wise	"
	1 "	Archer	"
Grimes	1 "	Jones	Patented.
	1 "	"	Not ret'd in time
	2 "	Taylor	"

B.—*Abstract of School Lands*—Continued.

COUNTY.	QUANTITY.	WHERE SITUATED.	REMARKS.
Guadalupe	4 Leagues	Bexar	Not Patented.
Hamilton	57,139,673 Sq. vrs.	Hamilton	Patented.
	42,861,327 " "	"	Not Patented.
Hardeman	.....	.....	No Survey returned June, 1868.
Hardin	31,263,242 Sq. vrs.	Hardin	Not Patented.
Harris	4 Leagues	Harris	"
Harrison	25,947,000 Sq. vrs.	Harrison	Patented.
	20,88½ Acres	"	"
	Half League	Runnels	"
	2 "	Jones	"
Haskell	.....	.....	No Survey returned June, 1868.
Hays	3½ Leagues	Brown	Patented.
Henderson	.....	.....	No Survey returned June, 1868.
Hidalgo	.....	.....	No Survey returned June, 1868.
Hill	4 Leagues	Montague	Patented.
Houston	100,000,000 Sq. vrs.	Trinity	"
Hood	.....	.....	No Survey returned June, 1868.
Hopkins	10,008,475 Sq. vrs.	Hopkins	Patented.
	1 League	Cook	"
Hunt	4 "	Wise & Montague	"
Jack	4 "	Clay & Montague	"
Jackson	.....	.....	No Survey returned June, 1868.
Jasper	1 League	Hopkins	Patented.
	1 "	"	"
	1217 Acres	"	Not Patented.
	13,284 "	.....	"
Jefferson	4 Leagues	Archer	Patented.
Johnson	1 "	Johnson	"
	75,000,000 Sq. vrs.	"	"

B.—*Abstract of School Lands.*—Continued.

COUNTY.	QUANTITY.	WHERE SITUATED.	REMARKS.
Jones	.....	.....	No Survey returned June, 1868.
Karnes	1 league	Karnes	Patented.
Kaufman	4 leagues	Cook	Patented.
Kendall	.....	.....	No Survey returned June, 1868.
Kerr	2 leagues 46,994,050 sq. vrs.	Brown “	Patented. “
Kimball	.....	.....	No Survey returned June, 1868.
Kinney	.....	.....	No Survey returned June, 1868.
Knox	.....	.....	No Survey returned June, 1868.
Lamar	12,055,716 sq. vrs. 87,447,386 sq. vrs.	Lamar do.	Patented. Not Patented.
Lampasas	72,200,000 sq. vrs. 27,651,299 sq. vrs.	Comanche “	Patented. Not Patented.
La Salle	.....	.....	No Survey returned
Lavaca	30,612,835 sq. vrs. 28,824,200 “ 8,333,333 “ 7,223,080 “ 1 league	Hood Erath Callahan Eastland DeWitt and Gonzales	Patented. [June '68 “ “ “ “ “
Leon	51,218,250 sq. vrs. 43,359,360 “ 5,419,561 “	Hill Parker Denton	“ “ “
Liberty	19,919,067 sq. vrs. 10,210,533 “ 2,240 acres 1 league 1,280 acres 1 league	Polk “ “ Tyler “ Hardin	“ Not Patented. Patented. “ “ “
Limestone	4 leagues	Cook & Montague.	“
Live Oak	.....	.....	No Survey returned June, 1868.

B.—*Abstract of School Lands.*—Continued.

COUNTY.	QUANTITY.	WHERE SITUATED.	REMARKS.
Llano	4 leagues	Bexar	Patented.
McCulloch	.....	.....	No Survey returned June, 1868.
McLennan	4 leagues	Eastland	Patented.
McMullen	.....	.....	No Survey returned June, 1868.
Madison	4 leagues	Clay and Archer	Patented.
Marion	4 leagues	Clay	"
Mason	.....	.....	No Survey returned June, 1868.
Matagorda	100,000,000 sq. vrs	Denton & Wise	Patented.
Maverick	.....	.....	No Survey returned June, 1868.
Medina	2 leagues	Medina & Uvalde	Patented.
	26 labors	Bexar	"
	24 labors	Uvalde	Not Patented.
Menard	.....	.....	No Survey returned June, 1868.
Milam	2 leagues	Johnson	Patented.
	2 leagues	Hood	"
Montague	4 leagues	Clay	"
Montgomery	62,922,074 sq. vrs.	Montgomery	"
	19 labors	"	Not Patented.
Nacogdoches	43,362,934 sq. vrs.	Van Zandt	Patented.
	12,866,745 "	Upshur	"
	13,000,000 "	Henderson	"
	640 acres	"	"
	27,156,377 sq. vrs.	Trinity	"
Navarro	1½ leagues	Navarro	"
	57,795,698 sq. vrs.	do. & Hill	"
	8,870,056 "	Jack	"
Newton	4 leagues	Clay & Archer	"
Nueces	51,393,000 sq. vrs.	Live Oak	"
	48,607,000 "	Nueces	Not Patented.

B.—*Abstract of School Lands.*—Continued.

COUNTY.	QUANTITY.	WHERE SITUATED.	REMARKS.
Orange	4 leagues	Clay	Patented.
Palo Pinto	4 "	Archer	"
Panola	4 "	Wise & Montague	"
Parker	4 leagues	Clay	"
Polk	24,997,195 sq. vrs.	Polk	"
	3 leagues	Throckmorton	"
Presidio	.....	.....	No Survey returned June, 1868.
Red River	4 leagues	.....	Not Patented.
Refugio	39,160,160 sq. vrs.	Live Oak	.....
	14,349,808 "	"	Patented.
	10,650,192 "	"	"
Refugio	1 league	Live Oak.	
	10,839,840 sq. vrs.	Bee & San Patricio	Patented.
Robertson	23,107,000 sq. vrs.	Baylor	"
	1 league	Navarro	"
Runnels	.....	.....	No Survey returned June, 1868.
Rusk	2,540,250 sq. vrs.	Hunt	Patented.
	15,969,705 "	"	
	46,913,635 "	Shelby	Patented.
	31,173,750 "	"	
Sabine	.....	.....	No Survey returned June, 1868.
San Augustine	.....	.....	No Survey returned June, 1868.
San Patricio	4 leagues	San Patricio	Patented.
San Saba	4 leagues	Bexar	"
Shackelford	.....	.....	No Survey returned June, 1868.
Shelby	2 leagues	Tarrant	Patented.
	2 leagues	Hunt	Not Patented.

B.—*Abstract of School Lands.*—Continued.

COUNTY.	QUANTITY.	WHERE SITUATED.	REMARKS.
Smith	28,204,047 sq. vrs.	Denton and Wise	Patented.
	71,795,953 "		Not Patented.
Starr	.....	.....	No Survey returned June, 1868.
Stephens	.....	.....	No Survey returned June, 1868.
Tarrant	100,000,000 sq. vrs.	Wichita	Patented.
Taylor	.....	.....	No Survey returned June, 1868.
Throckmor- ton	.....	.....	No Survey returned June, 1868.
Titus	3 leagues	Montague	Patented.
	10,917,430 sq. vrs.	Titus	"
Travis	4 leagues	Baylor and Throckmor- ton	Patented.
Trinity	18 labors	Trinity	"
	82 labors	"	Not Patented.
Tyler	100,000,000 sq. vrs.	Hill	"
Upshur	4 leagues	Baylor and Throckmor- ton	Patented.
Uvalde	23 labors	Zavalle and Uvalde	
Van Zandt	4 leagues	Wise	Patented.
Victoria	2 $\frac{1}{2}$ leagues	Callahan	"
	8,333,326 sq. vrs.	Callahan and Coleman	Patented.
Walker	4 leagues	Montgomery	
Washington	4 leagues	Bexar	Patented.
Webb	.....	.....	No Survey returned June, 1868.
Wharton	2 leagues	Runnels	Patented.
	12 $\frac{1}{2}$ labors	"	"

B.—*Abstract of School Lands*—Concluded.

COUNTY.	QUANTITY.	WHERE SITUATED.	REMARKS.
Wichita.	.....	.....	No Survey returned June, 1868.
Willbarger	.....	.....	No Survey returned June, 1868.
Williamson	3582 acres	Burnet	Patented.
	640 acres	Lampasas	"
	$\frac{1}{2}$ league	Burnet	"
Wilson	.....	.....	No Survey returned June, 1868.
Wise	4 leagues	Haskell	Patented.
Wood	4 leagues	Clay & Jack	Not Patented.
Young	2 leagues	Young	Patented.
Zapata	.....	.....	No Survey returned June, 1868.
Zavalla	.....	.....	No Survey returned June, 1868.

GENERAL LAND OFFICE,
Austin, Texas, June 11th, 1868.

C.—Statement showing the amount of University land surveyed, where located, and the amount patented. Also, the amount of land surveyed for the several asylums, and where located.

UNIVERSITY LAND.

WHERE LOCATED.	AMOUNT SURVEYED.	AMOUNT PATENTED.
	Acres.	Acres.
Buchanan county.....	480	.....
Coke.....	22,623	320
Cullin.....	1,887	.....
Callahan.....	160	.....
Fannin.....	35,571	16,229
Grayson.....	80,437	14,119
Hunt.....	7,513	.....
McLennan.....	41,194	2,109
Shackelford.....	21,663	.....
	210,528	32,777

LUNATIC ASYLUM.

Buchanan county.....	16,909 acres.
Callahan county.....	13,395 acres.
Taylor and Callahan counties.....	2,859 acres.
Shackelford county.....	35,151 acres.
Taylor county.....	32,386 acres.
	100,700 acres.

C.—*Statement Showing the amount of University land surveyed, where located, and the amount patented. Also, the amount of land surveyed for the several asylums, and where located—*
Continued.

BLIND ASYLUM.

Buchanan county.....	18,168 acres.
Buchanan and Shackelford counties.....	7,174 acres.
Jones county.....	4,800 acres.
Jones and Shackelford counties.....	8,120 acres.
Shackelford.....	31,441 acres.
Taylor county.....	11,457 acres.
Taylor and Callahan counties.....	15,360 acres.
	<hr/>
	96,520 acres.

DEAF AND DUMB ASYLUM.

Callahan county - - - - -	29,660 acres.
Comanche county - - - - -	19,382 acres.
Eastland county - - - - -	8,160 acres.
Eastland and Comanche counties - - - - -	8,160 acres.
Jones county - - - - -	32,939 acres.
	<hr/>
	98,301 acres.

ORPHAN ASYLUM.

Buchanan county - - - - -	7,388 acres.
Buchanan and Shackelford counties - - - - -	14,059 acres.
Callahan county - - - - -	27,188 acres.
Jones county - - - - -	35,353 acres.
Shackelford county - - - - -	12,780 acres.
	<hr/>
	96,768 acres.

C.— *Statement showing the amount of University land surveyed, where located, and the amount patented. Also, the amount of land surveyed for the several asylums, and where located—*
 Concluded.

 RECAPITULATION.

	AMOUNT SURVEYED.	AMOUNT PATENTED.
	Acres.	Acres.
University - - - - -	210,528	32,777
Lunatic Asylum - - - - -	100,700	
Blind Asylum - - - - -	96,520	
Deaf and Dumb Asylum - - - - -	98,301	
Orphan Asylum - - - - -	96,768	

GENERAL LAND OFFICE,
 Austin, Texas, June 11, 1868.

D.—*Statement of Land Scrip issued during the Rebellion, showing number of acres, amount for which they were sold, quantity of land patented, quantity surveyed and unpatented, and amount outstanding. Also, the amount of Certificates issued under special acts passed by the Legislature from March 1, 1861, to November 13, 1866.*

NO. OF ACRES.	PRICE RECEIVED.	LAND SCRIP.		AMOUNT OUT-STAN'G.	UNDER WHAT ACTS.
		AMOUNT PATENT'D	AM'T SURVEYED & UNPAT'D.		
6400	6400 00	6400			Feb. 11, 1858.
117920	64856 00	37878	25323	54720	Jan. 1, 1862.
21280	42560 00	4160	12000	5120	Mar. 11, 1863.
145,600	113,816 00	48438	37323	59840	

RECAPITULATION.

AMOUNT OF SCRIP ISSUED.....	145600	ACRES.
do. do. PATENTED.....	48438	do.
do. do. SURVEYED AND NOT PAT'D	37323	do.
do. do. OUTSTANDING.....	59840	do.

SPECIAL ACTS CERTIFICATES,

ISSUED UNDER LAWS PASSED FROM MARCH 1861 TO NOV. 1866.

NO. OF ACRES.

83019. All of which has been Patented.

General Land Office,
Austin, Texas, June 11, 1868.

E.—Statement of Alternate Sections of Different Railroads and other Companies.

WHAT ROAD.	WHERE LOCATED.	NUMBER OF SECTIONS.	NUMBER OF ACRES.
Eastern Texas R. R. co.	Angelina	25 Sec.	16,000
Southern P. R. R. co.	Archer	40 Sec.	25,600
Houston & T. C. R. R. co.	Austin	114 Sec.	72,960
Houston & T. C. R. R. co.	Baylor	49 Sec.	31,360
Southern P. R. R. co.	Bexar Ter'y	297 Sec.	
Lavaca Navigation co.	" "	28 Sec.	
H. & T. C. R. R. co.	" "	66 Sec.	250,240
M. & El P. R. R. reserve.	Bowie		22,340
	Sold by the State		640
	Balance remaining		21,700
Houston & T. C. R. R. co.	Brazoria	61 Sec.	
Lavaca Navigation co.	"	2 Sec.	40,320
Buffalo B. B. & C. R. R. co.	Brown	12 Sec.	7,680
Buffalo B. B. & C. R. R. co.	Callahan	76 Sec.	48,640
Houston & T. C. R. R. co.	Chambers	31 Sec.	19,840
Buffalo B. B. & C. R. R. co.	Clay	16 Sec.	
M. El P. R. R. co.	"	14 Sec.	
Texas & N. O. R. R. co.	"	12 Sec.	
H. & T. C. R. R. co.	"	6 Sec.	
S. A. & M. G. R. R. co.	"	1 Sec.	31,360
M. & El P. R. R. reserve.	Collin	.....	1,066
Houston & T. C. R. R. co.	Colorado	4 Sec.	
Buffalo B. B. & C. R. R. co.	"	1 Sec.	3,200
Houston & T. C. R. R. co.	Comanche	43 Sec.	27,520
Southern Pacific R. R. co.	Concho	29 Sec.	
Fisher's & Miller's Colony.	"	201 Sec.	147,200
Buffalo B. B. & C. R. R. co.	Cooke	4 Sec.	
S. P. R. R. Co.	"	20 Sec.	15,360
Buffalo B. B. & C. R. R. co.	Davis	1 Sec.	640
Buffalo B. B. & C. R. R. co.	Denton	8 Sec.	
H. & T. C. R. R. co.	"	4 Sec.	
M. El Paso R. R. reserve.	"	18,451 A'srs.	26,141
Southern P. R. R. co.	Eastland	26 Sec.	
B. B. B. & C. R. R. co.	"	8 Sec.	21,760

E.—Statement of Alternate Sections of Different Railroads and other Companies.—Continued.

WHAT ROAD.	WHERE LOCATED.	NUMBER OF SECTIONS.	NUMBER OF ACRES.
Memphis & El P. R. R. co.	Fannin	.....	4,349
Houston & T. C. R. R. co.	Fort Bend	64 Sec.	40,960
Washington County R. R. co.	Galveston	16 Sec.	10,240
H. & T. C. R. R. co.	Grimes	2 Sec.	
H. T. & B. R. R. co.	"	2 Sec.	2,560
Houston & T. C. R. R. co.	Hardin	12 Sec.	
Houston T. & B. R. R. co.	"	6 Sec.	
T. & N. O. R. R. co.	"	2 Sec.	
G. & B. Navigation co.	"	3 Sec.	14,720
	Sold by the State		640
	Balance remaining		14,080
Houston & T. C. R. R. co.	Hardeman	32 Sec.	20,430
Washington Co. R. R. co.	Harris	52 Sec.	
H. & T. C. R. R. co.	"	44 Sec.	
H. T. & B. R. R. co.	"	25 Sec.	77,440
S. P. R. R. co.	Harrison	1 Sec.	640
Buffalo B. B. & C. R. R. co.	Haskell	40 Sec.	
H. & T. C. R. R. co.	"	31 Sec.	45,440
H. & T. C. R. R. co.	Hill	3 Sec.	
H. T. & B. R. R.	"	2 Sec.	3200
S. P. R. R. co.	Jack	5 Sec.	3200
H. & T. C. R. R. co.	Jasper	34 Sec.	21,460
Texas & N. O. R. R. co.	Jefferson	36 Sec.	
H. T. & B. R. R. co.	"	10 Sec.	29,440
H. & T. C. R. R. co.	Johnson	14 Sec.	
S. P. R. R. co.	"	2 Sec.	10,240
Buffalo B. B. & C. R. R. co.	Jones	76 Sec.	
H. & T. C. R. R. co.	"	11 Sec.	55,680
Fisher's & Miller's Colony.	Kimble	26 Sec.	16,640
H. & T. C. R. R. co.	Knox	50 Sec.	
H. T. & B. R. R. co.	"	3 Sec.	33,920
Memphis & El Paso R. R. reserve.	Lamar	.....	15,507

E.—Statement of Alternate Sections of Different Railroads and other Companies.—Continued.

WHAT ROAD.	WHERE LOCATED.	NUMBER OF SECTIONS.	NUMBER OF ACRES.
	Sold by the State		4,409
	Balance remaining		11,098
Houston & T. C. R. R. co.	Liberty	41 Sec.	
Texas & N. O. R. R. co.	"	21 Sec.	
Washington county R. R. co.	"	11 Sec.	46,720
Fisher's & Miller's Colony.	Llano	85 Sec.	54,400
" " "	McCulloch	445 Sec.	292,800
" " "	Mason	156 Sec.	99,840
" " "	Menad	163 Sec.	104,320
Eastern T. R. R. co.	Montague	24 Sec.	
H. & T. C. R. R. co.	"	15 Sec.	
B. B. B. & C. R. R. co.	"	3 Sec.	
S. A. & M. G. R. R. co.	"	1 Sec.	27,520
Texas & N. O. R. R. co.	Montgomery	9 Sec.	
Washington county R. R. co.	"	5 Sec.	
H. T. & B. R. R. co.	"	1 Sec.	9,600
H. & T. C. R. R. co.	Newton	15 Sec.	9,600
Memphis & El Paso R. R. reserve.	Palo Pinto	28 Sec.	
S. P. R. R. co.	" "	2 Sec.	19,200
Memphis & El Paso R. R. reserve.	Parker	252 Sec.	
H. Tap & B. R. R. co.	"	18 Sec.	172,800
Washington county R. R. co.	Polk	18 Sec.	11,520
Buffalo B. B. & C. R. R. co.	Red River	3 Sec.	
Memphis & El Paso R. R. reserve.	" "	Bal. of Sec.	26,007
	Sold by the State		841
	Balance remaining		25,166
Houston & T. C. R. R. co.	Robertson	2 Sec.	1,280
Fisher's & Miller's Colony.	Runnels	44 Sec.	28,160
Houston & T. C. R. R. co.	Sabine	4 Sec.	2,560

E.—*Statement of Alternate Sections of Different Railroads and other Companies.*—Concluded.

WHAT ROAD.	WHERE LOCATED.	NUMBER OF SECTIONS.	NUMBER OF ACRES.
Fisher's & Miller's Colony.	San Saba	200 Sec.	128,000
Southern P. R. R. co.	Stephens	30 Sec.	19,200
Memphis & El Paso R. R. co.	Tarrant	8 Sec.	5,120
Buffalo B. B. & C. R. R. co.	Throckmorton	135 Sec.	86,400
Buffalo B. B. & C. R. R. co.	Titus	4 Sec.	2,560
Galveston & B. Nav. co.	Tyler	43 Sec.	
Washington county R. R. co.	"	2 Sec.	28,800
Houston & T. C. R. R. co.	Wilbarger	205 Sec.	131,200
Houston & T. C. R. R. co.	Wichita	20 Sec.	12,800
Buffalo B. B. & C. R. R. co.	Wise	2 Sec.	
Memphis & El Paso R. R. co.	"		19,058
	Sold by the State		140
	Balance remaining		18,918

RECAPITULATION.

Total Amount in Acres.....	2,554,108
Amount Sold by the State.....	6,030
Balance Remaining.....	2,548,070

Mr. Talbot moved it be referred to Committee on Education. It was so referred.

Mr. Armstrong introduced the following declaration and petition :

A Declaration establishing new Counties.

Be it declared by the People, in Convention assembled, That the Legislature may establish new counties for the convenience of the inhabitants of this State ; *provided* no new county shall be established which shall reduce the county or counties, or either of them from which said new county shall be taken, to a less area than nine hundred square miles (except the counties of Bowie and Marion). But the county of Delta is hereby established out of portions of the counties of Lamar, Fannin, Hunt and Hopkins, the same bounded as follows, to-wit : beginning at a point where the east line of Hopkins county crosses the Sulphur fork of Red river, thence south with the south fork of Sulphur to a point at the confluence of south and middle Sulphur, thence with Middle Sulphur to the ninety-sixth degree of longitude ; thence with said line north to a point where said line crosses North Sulphur ; thence down said North Sulphur with its meanders to the place of beginning, and that the county of Delta proceed to organize the same in accordance with the laws. Every new county, as to the right of suffrage and representation, shall be considered a part of the county or counties from which it was taken, until entitled by numbers to the right of separate representation.

Mr. Armstrong moved its reference to the Committee on General Provisions.

It was so referred.

To the honorable Delegates of the State of Texas, in Convention assembled :

The undersigned resident citizens of the counties of Lamar, Fannin, Hunt and Hopkins, would respectfully show unto your honorable body that in consequence of the central locations of the different county seats in the four counties above named, and natural barriers presented by such streams as the Sulphur and the Bois d'Arc, and going to and from the towns of Paris, Bonham, Greenville and Tarrant, public justice, the business affairs, and convenience generally of the undersigned, people who reside in the annexed boundary, is greatly disturbed at all seasons of the year by high waters, bad roads, and various other causes, wherefore they refer to Cordova's map of Texas, and ask that a new county be made within the following boundaries, to-wit : Beginning in the county of Hopkins, at a point the confluence of the north and south frongs of Sulphur ;

thence south with the south fork of Sulphur to a point, the confluence of South and Middle Sulphur; thence with Middle Sulphur to the ninety-sixth degree of longitude; thence with said line north to the point where said line crosses said North Sulphur; and from said point back with the meanders of the North Sulphur to the place of beginning. Your petitioners would further most earnestly submit that they believe that the creation of this new county, to be called by such name as your honorable body may adopt, would not only be of interest to them, but of incalculable advantage to the people of the respective counties from which the territory is taken, and the entire State at large. Wherefore we pray as before.

N. B. We would offer for your consideration the word "Delta."
Signed by C. E. Kingston and 401 others.

Mr. Munroe, from the Committee on Engrossed Provisions, made the following report:

COMMITTEE ROOM,
June 12, 1868.

To the Hon. E. J. DAVIS,

President of the Convention:

The Committee on Engrossed Provisions instruct me to report the following resolutions and report as correctly engrossed:

First, resolution "That the Committee on Printing be instructed to contract with the Austin Republican to publish a synopsis of the debates of this House, in the two thousand copies already subscribed to, provided that they charge not more than seven cents per copy."

Second, resolution tendering the thanks of this Convention to F. Flake, Esq., of Flake's Bulletin, for his proposal to furnish copies of his newspaper gratis to the members of this Convention.

Third, resolution dispensing with the reading of the report of the Superintendent of Education, and ordering five hundred copies to be printed for the use of this body.

Fourth, resolution granting privilege of the floor of the Convention to the Commanding General of this district, Governor of the State, and Judges of the Supreme and District courts, and allowing members to invite friends within the bar of the hall.

Fifth, report of Chairman on State Affairs, defining powers and duties of the Convention.

Respectfully submitted,

A. T. MUNROE,
Chairman.

Report adopted.

Mr. Degener, from the Special Committee on the Division of the State, made the following report:

COMMITTEE ROOM,
June 12, 1868.

HON. E. J. DAVIS,

President of the Convention.

SIR: The Special Committee on Division of the State has instructed me to report the following resolution:

“The President of the Convention is respectfully requested to telegraph at once to the Speaker of the House of Representatives in Washington, for a full copy of the bill offered by the Reconstruction Committee for the division of Texas into three States, to be sent by telegraph. And is hereby authorized to draw the amount of expenses from the funds set apart for the Convention.”

All of which is respectfully submitted.

E. DEGENER,

In behalf of Committee on Division of the State.

Mr. Degener moved the suspension of the rules for the consideration of the resolution.

Lost.

Mr. Evans, of McLennan, introduced the following resolution:

Be it resolved, That the Commanding General of the Fifth Military District be, and he is hereby requested to approve the action of this Convention, by his order appropriating the sum of \$125,000, or so much thereof as may be necessary, from the treasury of the State of Texas, to defray the expenses of this Convention.

Mr. McCormick moved its reference to the Committee on Contingent Expenses.

It was so referred.

Mr. Smith, of Galveston, offered the following resolution:

Resolved, That the President be and is hereby authorized to appoint a folder or page to put up the documents furnished the members for circulation, whose per diem pay shall be the same as that allowed other pages or messengers.

Mr. Smith moved a suspension of rules for the consideration of the resolution.

Lost.

Mr. Smith moved its reference to Committee on Contingent Expenses.

It was so referred.

Mr. Butler moved suspension of rules to take up resolution respecting Penitentiary.

Rules suspended.

Mr. Hamilton, of Travis, offered the following amendment:

Amend by inserting after the word “committee,” “or any one or

more of them"; and by striking out the word "directed," and inserting the word "authorized."

Mr. Butler offered the following amendment to the amendment: "And that they be authorized to employ an accountant."

Amendment accepted by Mr. Hamilton.

Mr. Hamilton, of Travis, offered the following substitute for the whole:

Resolved, That the Committee to examine the Penitentiary of the State, or any one or more of them, at their discretion, be and they are hereby authorized to proceed to Huntsville, to carry into effect the order of this Convention, and that they be authorized to employ an accountant to aid them in their investigations, at a price not to exceed ——— dollars per diem.

Substitute adopted.

Mr. Butler moved that the blank be filled by "eight" dollars.

Adopted.

The resolution was then ordered to be engrossed.

Mr. Caldwell offered the following declaration:

A Declaration in relation to Railroads.

WHEREAS, There is pending before Congress a bill to aid in the construction of the International Pacific Railroad, from Cairo, in Illinois, to the Rio Grande river, to authorize the consolidation of certain railroad companies, and to provide homesteads for the laborers on said roads, which bill contemplates aid by the United States in the rapid construction of a continuous line of railroad and telegraph from Cairo, in Illinois, through the southeastern portion of Missouri and central districts of Arkansas, Texas and Mexico, to San Blas, on the Pacific Ocean, and which enterprize, in the opinion of this Convention, ought to be encouraged;

Be it therefore ordained by this Convention, That Brazos Branch Railroad Company and the Henderson, Marshall and Jefferson Railroad Company are hereby consolidated into one company, to be known as a corporation with perpetual succession, to be styled the International Pacific Railroad Company, which shall have all the powers and franchises granted by the laws creating said first named railroad companies, and, also, the exclusive right to construct and operate a telegraph line along said railroad.

Second, Said International Railroad Company shall have the power to build, equip and maintain a railroad with a single or double track, commencing at a point on the eastern boundary of the State of Texas, connecting with the International Pacific Railroad from Cairo. Thence running in a southwesterly direction across the State of

Texas, to a suitable point on the Rio Grande river, below Eagle Pass, in the direction of San Blas, on the Pacific Ocean; and, also, the exclusive right to construct and operate a telegraph line along said railroad.

Third, Said International Pacific Railroad shall be entitled to all the donations of land contemplated by the laws of Texas, granting lands to aid in the construction of railroads, and to all such aid as shall be granted to other great railroad enterprises in Texas, and shall be authorized to vary the gauge so as to correspond to the gauge from Cairo to the Texas line, without impairing any right under the Texas laws. And said company shall have the exclusive right, for three years from the time of locating their line to locate the lands granted by the State; and they shall hold and have the right to dispose of said lands under the laws now in force granting lands to aid in the construction of railroads.

Mr. Caldwell moved it be referred to Committee on Internal Improvement.

It was so referred.

Mr. Lippard introduced the following preamble and resolution:

WHEREAS, Lawlessness and crime exists to such an alarming extent in portions of this State, it is deemed proper to do all in the power of this Convention to protect life and property, and for the suppression of crime.

Resolved, That this Convention tender to Brevet Major-General J. J. Reynolds a sufficient number of loyal men in each county of this State as in his opinion may be necessary to aid and assist the said Commander in the suppression of crime, and the protection of life and property and the enforcement of the laws, and that the Commanding General take such steps as in his opinion may be necessary for the organization of any men so called to his aid into companies or squads.

Mr. Lippard moved it be referred to Committee on Lawlessness and Violence.

It was so referred.

Mr. Sumner offered the following resolution:

Resolved, That the Committee on Contingent Expenses be instructed to inquire whether there are more pages, messengers and porters now employed by this Convention than are required to perform the work; and, also, to report what number of each is necessary.

Referred to Committee on Contingent Expenses.

Mr. Caldwell offered the following resolution:

Resolved, That the Special Committee on Lawlessness and Crime

be authorized to employ a clerk, and that he receive the same compensation allowed the members.

Mr. Evans, of McLennan, offered the following amendment:

“And that said clerk be authorized to swear witnesses.”

Amendment accepted by Mr. Caldwell.

The question recurring upon the engrossment of the resolution, it was ordered to be engrossed.

Mr. Burnett moved a suspension of rules to put resolution on its third reading.

Rules suspended; resolution read a third time, and passed.

Mr. Ruby offered the following resolution:

WHEREAS, A correct idea of the geography of the State should be had by the several members of this Convention, on all questions relative to counties and county boundaries, the division of the State, etc.; therefore, be it

Resolved, That ninety copies of ——— Map of Texas be authorized to be furnished for the use of Convention.

On motion of Mr. Ruby, it was referred to Committee on Printing.

The President announced the order of business to be upon the motion of Mr. Evans, of McLennan, to adopt the majority report of the Judiciary Committee, respecting forced sales by sheriffs.

Mr. Ruby moved the previous question.

Motion, after being seconded, was withdrawn by consent of the House.

On motion of Mr. Smith, of Galveston, the Convention adjourned until Monday morning, at nine o'clock, Mr. Flanagan, of Rusk, having the floor.

CAPITOL, AUSTIN, TEXAS,
JUNE 15, 1868.

Convention met pursuant to adjournment.

Roll called. Quorum present. Prayer by the Chaplain. Journal of yesterday read and adopted.

Mr. Carter, Chairman of the Committee on Style, reported as follows:

Hon. E. J. DAVIS,

President of the Convention:

SIR: The Committee on Style, to whom was referred the engrossed bills Nos. 1 to 7, inclusive, have examined the same and find them correct, with a few immaterial changes in verbiage, which changes have been made.

Adopted.