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

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

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of the Convention, Mr. Armstrong, of Jasper, moved to lay the resolution as reported from committee on the table.

The yeas and nays were demanded and resulted thus :

Yeas—Messrs. Armstrong of Jasper, Boyd, Cole, Gaston, Kirk, Mills, Muckleroy, Mullins, Sorrell—9.

Nays—Messrs. President, Adams, Armstrong of Lamar, Bell, Bellinger, Bledsoe, Board, Brown, Bryant of Harris, Buffington, Burnett, Caldwell, Carter, Coleman, Constant, Curtis, Downing, Evans of McLennan, Evans of Titus, Fayle, Flanagan, W. Flanagan, Fleming, Foster, Goddin, Gray, Grigsby, Hamilton of Bastrop, Hamilton of Travis, Harris, Harne, Hunt, Johnson of Harrison, Johnson of Calhoun, Jordan, Kealy, Keigwin, Kendal, Kuechler, Leib, Lindsay, Lippard, Long, Mackey, McCormick, McWashington, Morse, Mundine, Munroe, Newcomb, Oaks, Patten, Pedigo, Phillips of San Augustine, Phillips of Wharton, Rogers, Ruby, Schuetze, Scott, Slaughter, Smith of Galveston, Smith of Marion, Stockbridge, Sumner, Talbot, Thomas, Varnell, Vaughan, Watrous, Whitmore, Williams, Wilson of Brazoria, Wilson of Milam, and Wright—74.

So the Convention refused to lay the resolution upon the table.

The question recurring upon the final passage of the resolution, the same was passed.

Mr. Patten moved that the Convention resolve itself into Committee of the Whole upon the report of the Committee on Federal Relations.

Carried.

Mr. Armstrong, of Lamar, in the Chair.

The Committee rose, reported progress, and asked leave to sit to-morrow morning, at ten o'clock.

Leave granted.

Mr. Hamilton, of Travis, moved that Mr. Kirk be indefinitely excused from the sittings of the Convention.

By consent of the House, Mr. Kirk was excused.

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

CAPITOL, AUSTIN, TEXAS,
JUNE 23, 1868.

Convention met pursuant to adjournment.

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

Mr. Hunt, of Comal, presented the following petitions, and asked

their reference to the Committee on Counties and County Boundaries.

TO THE HONORABLE CONVENTION

Of the State of Texas:

Your petitioners, resident citizens of the county of Guadalupe, respectfully represent to your Honorable Body that they suffer great inconvenience from being incorporated within the limits of the county of Guadalupe, because they live in the north-western part of said county, at a considerable distance from Seguin, the county seat thereof, but in close and immediate neighborhood of New Braunfels, the county seat of Comal county, along the present south-eastern line of said county. That their main business transactions are with New Braunfels, as the nearest and most convenient place therefor. That there is their postoffice, there the churches, there the mills and trading houses, they go to. And with the citizens thereof, they are connected by family, social and numerous other ties, and by their mutual interests. All of which render it desirable and necessary that the territory, upon which they reside, be annexed to the county of Comal.

Therefore, the premises considered, petitioners pray your Honorable Body to pass an ordinance establishing the south-east boundary line of Comal county, so as to embrace the territory upon which your petitioners reside.

And as in duty bound, they will ever pray, &c.

(Signed by) AUGUST WEGEL,

And sixty-nine others.

TO THE HONORABLE CONVENTION

Of the State of Texas:

Your petitioners, resident citizens of the county of Comal, respectfully represent unto your Honorable Body:

That, by the act creating the county of Blanco, a very large and valuable portion of about 550 square miles was cut off from the original county of Comal, for the purpose of creating the county of Blanco then, and that of Kendall afterwards;

That, in lieu thereof, by the said act, a small part of the territory of the county of Guadalupe was attached to said county of Comal, containing only about fifty square miles;

That the natural formation of the county is such, that of the present area thereof only narrow parts of the Guadalupe river valley and the small valley of Comal creek, on the south-eastern boundary line of the county, are fit for cultivation and settlement, while the greater portion of the county is mountainous and rocky;

That New Braunfels, the county seat, is situated on the south-

east boundary line of the county, and that the settlements, situated along, and immediately below and along said line, in Guadalupe county, on the Guadalupe and Santa Clara, are in fact an extension and part of the New Braunfels colony, and form a nucleus around said city as their centre of trade;

That the interests of the citizens residing in that part of Guadalupe county, are identified with those of Comal county, as well by their general business transactions and social relations, as by their national and family and religious connections: so that their mutual interests would be materially promoted, if they were embraced in the same county.

The premises considered, your petitioners respectfully pray that your Honorable Body may pass an ordinance establishing the southeastern boundary of Comal county, as delineated on the following plot by A. B. & C, which is herewith respectfully submitted to the consideration of your Honorable Body as a part of the petition.

And as in duty bound, they will ever pray, &c.

(Signed by) FRANK GOLDBECK,
Mayor of New Braunfels,
And Ninety-One Others.

Referred to the Committee on Counties and County Boundaries.

Mr. Fayle, from the Committee on Enrolled Provisions, made the following report:

AUSTIN, June 23rd, 1868.

TO THE HON. E. J. DAVIS,

President of the Convention:

SIR: The enrolling committee have examined the following declarations and resolutions, Nos. 1 to 7, and find them to be correctly enrolled.

No. 1. Declaration fixing the *per diem* pay of members and officers of the Convention.

No. 2. Resolution urging Congress to transfer certain powers from the Military Commander of the Fifth Military District to this Convention.

No. 3. Resolution, for the furnishing Paschal's Digest of the Laws of Texas to committees, and opening State Library to members of the Convention.

No. 4. Resolution, on printing two hundred copies of the Reconstruction Laws of Congress.

No. 5. Resolution, for the purchase of one hundred and fifty copies of Paschal's Annotated Constitution of the United States.

No. 6. Resolution, for special committee, to examine the administration and financial condition of the State Penitentiary.

No. 7. Resolution authorizing the Secretary to order two thousand copies of the Austin Daily Republican, five hundred copies of the tri-weekly Freie Presse, and four hundred copies of the San Antonio Daily Express, for the use of the members of this Convention.

Respectfully submitted,

WM. R. FAYLE,

Chairman Enrolling Committee.

Mr. McCormick, from Committee on Contingent Expenses, made the following report :

COMMITTEE ROOM,

June 20, 1868.

HON. E. J. DAVIS,

President of the Convention :

Sir : Your Committee on Contingent Expenses, to which was referred the resolution introduced by Mr. J. W. Flanagan, in reference to procuring a suitable frame for the portrait of Gen. Houston, have had the same under consideration, and have instructed me to report the same back to the Convention, with the recommendation that the blank between the words "of" and "dollars" in the second section of the resolution be filled with "two hundred", and that the following be added as a third section to the resolution :

SECTION 3. That the certificate of His Excellency, E. M. Pease, shall be a sufficient voucher to authorize the Comptroller to draw his warrant upon the Treasurer, for the amount of the cost of framing said portrait.

And that, with these amendments, said resolution be passed.

A. P. McCORMICK,

Chairman of Committee.

Mr. Pedigo offered the following resolution :

Resolved, That the President be requested to appoint a special committee consisting of seven members, whose duty it shall be to report to this Convention the names of such loyal citizens now laboring under political disabilities, as may be deemed worthy of relief, in order that this Convention may, by memorial or otherwise, ask the Congress of the United States to remove by law such disabilities.

Mr. Armstrong, of Lamar, moved that the rules be suspended to allow consideration of the resolution.

Rules suspended.

The question being upon the adoption of the resolution, it was adopted.

Mr. Goddin offered the following declaration and resolution, and asked that they be referred to the Committee on Judiciary.

Whereas, no adequate means exist in the State of Texas, for the punishment of petty crimes and offenders: Therefore,

Be it Ordained, by the Representatives of the People in Convention assembled, That the Legislature be, and hereby are, instructed and required to establish in each county of the State a County Workhouse, for the punishment and safe-keeping of such offenders, under such rules and regulations, as the Legislature may see fit to prescribe.

Referred to the Judiciary Committee.

Whereas, the practice of carrying deadly weapons, concealed or otherwise, about the person, is detrimental to the peace and pernicious to the well-being of society: Therefore,

Be it resolved by the Representatives of the people of Texas in Convention assembled, That any person found with a deadly weapon about their person, including a knife with a blade over three inches long, shall, on conviction thereof, be deemed guilty of a misdemeanor, and fined in a sum of not less than five hundred nor more than one thousand dollars, or confined in the county prison for a period of not less than six nor more than twelve months, or both, at the discretion of the jury, as may be prescribed by the Legislature.

Referred to the Committee on Judiciary.

Mr. Carter offered the following resolution:

WHEREAS, Certain lands lying on what is called the "Memphis and El Paso Railroad Reserve," are now and have been for years withheld from location and settlement, by virtue of a charter granted to the "Memphis and El Paso Railroad," (the terms of said charter not having been complied with) thereby materially retarding the settlement of said lands, and consequent protection of the few settlers therein, and said reservation of lands having proved disastrous to the best interests of the country; therefore

Be it resolved, That the even sections of land in said reserve be open to location, by pre-emption or otherwise, upon the same terms as are required in the location or pre-emption of lands belonging to the State outside of said reserve.

On motion, the resolution was referred to the Committee on Public Lands.

Mr. Degener offered the following preamble and resolution:

WHEREAS, A bill for the division of Texas into three separate States is now pending in the Congress of the United States,

Be it resolved, FIRST. That the public domain of Texas, its public buildings, cash and bonds on hand, and all the claims the State may have, are common property, belonging to the several States which may hereafter be framed.

SECOND. And that the outstanding liabilities are in like manner

a common debt, for which all the States which may hereafter be framed are respectively responsible.

On motion the preamble and resolution was referred to the Committee on the Division of the State.

Mr. Armstrong, of Lamar, moved that the unfinished business on the President's table be taken up and disposed of.

Carried.

The first business in order was the report of the special committee on Division of the State, requesting the President of the Convention to procure by telegraph from Washington a copy of the bill on Division of Texas, now before Congress.

Mr. Armstrong, of Lamar, moved that the report and resolution be laid on the table.

Carried.

The report of the Committee on Finance appropriating fifteen thousand dollars to pay civil officers appointed by Governor Hamilton was taken up.

The question recurring upon its engrossment, it was ordered to be engrossed.

Mr. Hamilton, of Bastrop, moved that the Convention resolve itself into Committee of the Whole upon the report of the Committee on Federal Relations.

Carried.

Mr. Armstrong, of Lamar, in the Chair.

Committee of the Whole rose, reported progress, and asked leave to sit to-morrow morning, at ten o'clock.

Leave granted.

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

CAPITOL, AUSTIN, TEXAS,
JUNE 24, 1868.

Convention met pursuant to adjournment.

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

The President announced the special committee called for under Mr. Pedigo's resolution, to take the names of loyal persons laboring under political disabilities, to be :

Messrs. Pedigo, Keuchler, Bell, Armstrong of Lamar, Evans of McLennan, Whitmore and Phillips of San Augustine.

Mr. Munroe, from the Committee on the Division of the State, made the following majority report :