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CAPITOL, AUSTIN, TEXAS,  
July 22, 1868.

Convention met pursuant to adjournment.

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

The President announced the committee called for by the resolution of Mr. Bledsoe, to inquire into the cause of families leaving homes in Northern Texas, to be Messrs. Bledsoe, Vaughan and Slaughter.

The President announced the reception of the following communication from his Excellency E. M. Pease, Governor of the State of Texas, with accompanying documents in response to a resolution offered by Mr. Coleman.

EXECUTIVE OFFICE,  
July 21, 1868.

Hon. E. J. DAVIS,

President of the Convention:

SIR: I have the honor to transmit herewith reports from the Comptroller of Public Accounts, State Treasurer and Commissioner of the General Land Office, giving the information desired by a resolution of the Convention, that was transmitted to me a few days since.

Very respectfully, your obedient servant,  
E. M. PEASE.

WHEREAS, Rumors and reports are in circulation to the effect that the various departments of the State government in Austin are filled with employes who were enemies of the United States, and in some instances are still hostile to the government thereof and to the reconstruction of the State under the laws of Congress; therefore, in order that such "rumors and reports" may not circulate to the detriment of the heads of the various departments and that misrepresentation and injustice may not prevail, be it

*Resolved by the people of the State of Texas in Convention assembled,* That his Excellency, E. M. Pease, Governor of Texas, be, and he is hereby respectfully requested to inform this Convention of the number of clerks and other employes in the General Land Office, Comptroller's and Treasurer's office; how many of them have taken the oath of July 2, 1862; how many of them served in the armies or departments of the so-called Confederacy; how many of them are honorably discharged soldiers or sailors of the United

States; and how many of them are in political unison with the government that pays them.

*Resolved, further,* It is the opinion of the Convention that the resolution of Congress and the executive order of the President declaring "it is eminently right and proper that honorably discharged soldiers and sailors in the war for the suppression of the rebellion shall have preference in employment in the various departments of the government," is just and proper, and that preference in employment in the departments of the government of Texas should be first given to the nation's defenders; and second, to those who remained loyal during four years of Confederate barbarity and rebel persecution; and the Convention is further of the opinion that the constantly loyal should be given preference for all places of "trust and profit" over those who sought in any manner to dismember the Union, or persecuted and ill treated the friends thereof.

COMPTROLLER'S OFFICE,  
Austin, Texas, July 20, 1868.

His Excellency E. M. PEASE,  
Governor of Texas :

SIR: I have the honor to acknowledge the receipt of your communication of the 20th inst., transmitting the following resolution of the Constitutional Convention, to wit :

WHEREAS, Rumors and reports are in circulation to the effect that the various departments of the State government in Austin, are filled with employes, who were enemies of the United States, and in some instances are still hostile to the government thereof, and to the reconstruction of the State under the laws of Congress; therefore, in order that said rumors and reports may not circulate to the detriment of the heads of the various departments, and that misrepresentation and injustice may not prevail,

*Be it resolved by the people of Texas in Convention assembled:* That his Excellency E. M. Pease, Governor of Texas, be, and he is hereby respectfully requested to inform this Convention of the number of clerks and other employes in the General Land Office, Comptroller's and Treasurer's Office, how many of them have taken the oath of July 2, 1862, how many of them served in the armies or departments of the so-called Confederacy, how many of them are honorably discharged soldiers or sailors of the United States, and how many of them are in political unison with the government that pays them.

And requesting that I will, as early as convenient, furnish the information desired by the resolution.

In reply I beg leave, most respectfully, to say, that the following named individuals have, at different times, been clerks in this office since 3d September, 1867, to wit: Max Maas, Swante Palm, J. D. Coupland, H. M. Taylor, Horatio C. Hunt, L. B. Collins, A. G. Luck, Charles Schuetze, J. L. Buaas, Herman Sjoberg, A. Schuetze.

The following oath has been administered to each clerk upon his entering upon the discharge of his duties, and is filed among the archives of this office, to wit:

THE STATE OF TEXAS, }  
COUNTY OF TRAVIS. }

I, ————, do solemnly swear that I will faithfully and impartially discharge and perform the duties incumbent on me as clerk in the Comptroller's office for the State of Texas, according to the best of my skill and ability, agreeably to the Constitution and laws of the United States and of this State; and I do further solemnly swear that since the adoption of the Constitution by the Congress of the United States, I, being a citizen of this State, have not fought a duel with deadly weapons within this State, nor out of it, nor have I sent or accepted a challenge to fight a duel with deadly weapons, nor have I acted as second in carrying a challenge, or aided, assisted or advised any person thus offending, so help me God. Furthermore, I do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof, that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever, under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States, hostile or inimical thereto; and I do further swear that, to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God.

Max Maas was an officer of the Confederate States Army.

A. G. Luck was Quartermaster Sergeant in frontier service during a portion of the time of the rebellion.

Adolph Schuetze and H. C. Hunt were in the Federal service

during the rebellion, and are honorably discharged soldiers of the United States, as I believe.

I acted as an officer of the so-called Confederate States Army, from August 1863, to near the close of the rebellion, without confirmation by the Senate, and was finally removed by the Secretary of War because of my supposed attachment to the Government of the United States. My oath is on file at the State Department, and of course is subject to inspection.

It is proper to remark, that no one connected with this office entered the so-called Confederate States service before he was conscribed.

I sincerely believe that there is not now, nor has there been, a single employe of this office, since it has been in charge of the present provisional Comptroller, who is not most heartily in sympathy with the Republican party of the country, and who is not most sincerely attached to the Government of the United States, and who does not promote by his influence and his vote the reconstruction laws of Congress.

I have the honor to be, your ob't serv't,  
 GEORGE C. RIVES,  
 Acting Comptroller.

STATE TREASURER'S OFFICE,  
 Austin, July 20, 1868.

To his Excellency,  
 Gov. E. M. PEASE,

SIR: In reply to your communication of this day, enclosing a copy of a resolution passed by the Convention now in session, I have the honor to state that this office employs a chief clerk and an assistant clerk, both of whom have on various occasions taken the oath of July 2, 1862; that both are in political unison with the government that pays them; that neither of them have ever served in the armies or departments of the so-called Confederacy; that one of them was a refugee from Texas during the rebellion, and the other is an honorably discharged soldier of the United States Army.

The other employes are a night watchman and a message boy or porter; the former is a Swede, and has not been a year in the United States and knows nothing of politics; the latter is a colored boy fifteen years old. All of which is respectfully submitted by

Your most obedient servant,  
 JOHN T. ALLAN,  
 Treasurer.

GENERAL LAND OFFICE,  
Austin, Texas, July 20, 1868.

His Excellency, E. M. PEASE,

Governor :

SIR : Your communication of this date, transmitting certain resolutions of the Convention, asking for information respecting the political status of the employes of this office, has just been handed to me. I have to state in response to said resolutions, that there are employed in this office one chief clerk, one receiving clerk, one translator, one examining clerk, one file and application clerk and five assistant clerks, seven draftsmen and one porter, making nineteen employes, all of whom, except the porter, have taken the oath to support the Constitution and laws of the United States and the Constitution of the State of Texas ; but have not been required to take the test oath prescribed by Congress for United States officers, approved July 2, 1862. None of them, as far as I know and believe, ever held any office under the Confederate States, but some of them had to accept employment in some of the departments to avoid conscription, and one or two of them were in the Confederate army, but they have all been throughout the war and since Union men, and are now loyal and in entire unison and accord with the Congressional plan of reconstruction.

Yours very respectfully,  
JOSEPH SPENCE.

Mr. Schuetze moved a suspension of rules to allow Mr. Degener to make a few remarks upon the attempted assassination of Judge Cooley.

Rules suspended.

Mr. Degener offered the following resolution :

*Resolved*, That the attention of the Governor be called to the gallant conduct of Frank Yung, Sheriff of Gillespie county, and his companion, Captain Alfred Hunter, who have succeeded in arresting the would be assassin of Hon. C. Cooley ; and the Governor is hereby respectfully requested to devote the sum of five hundred dollars out of the appropriation of twenty-five thousand dollars made for such purposes by this Convention, as a suitable recompense to the said Frank Yung and Alfred Hunter for their efficient services.

Mr. Schuetze moved the rules be suspended for further consideration of the resolution.

Rules suspended.

Resolution read second time and engrossed.

Mr. Degener moved a further suspension of rules, to put resolution on its passage.

Rules suspended.

The question recurring upon the passage of the resolution, the yeas and nays were demanded and resulted thus:

Yeas—Messrs. President, Adams, Armstrong of Lamar, Bell, Bledsoe, Brown, Bryant of Grayson, Bryant of Harris, Buffington, Butler, Burnett, Carter, Coleman, Constant, Curtis, Degener, Downing, Fayle, Fleming, Foster, Gray, Grigsby, Hamilton of Travis, Harris, Hunt, Johnson of Harrison, Jordan, Kealy, Kendal, Keuchler, Leib, Lindsay, Lippard, Long, Mackey, McWashington, Mills, Mundine, Munroe, Newcomb, Oaks, Pedigo, Phillips of Wharton, Posey, Rogers, Ruby, Schuetze, Scott, Slaughter, Smith of Galveston, Stockbridge, Sumner, Thomas, Vaughan, Watrous, Whitmore, Williams, Wilson of Milam, Wright—59.

Nays—Messrs. Armstrong, of Jasper, Board, Boyd, Cole, Evans of Titus, Flanagan, W. Flanagan, Gaston, Glenn, Goddin, Harn, Johnson of Calhoun, Keigwin, McCormick, Morse, Phillips, of San Augustine, Wilson of Brazoria—17.

So the resolution passed.

Mr. Ruby moved the suspension of the rules to take up the following resolution, offered by Mr. Curtis:

Rules suspended.

*Resolved by the people of Texas in Convention assembled:* That a committee of three be appointed by the President of this Convention, to proceed to the town of Millican, for the purpose of investigating the cause of the late disturbance at that place, and report the result thereof to this body; that said committee are invested with full power to summon such witnesses before them, and examine such papers as shall be necessary to elicit the desired information.

That any and every Sheriff in the State shall execute any and every process, of whatsoever character that may be issued by said committee.

That the sum of five hundred dollars, or so much thereof as shall be necessary, be and the same is hereby appropriated out of the contingent fund of this Convention, for the purpose of defraying the expenses of said committee.

That Brevet Major General J. J. Reynolds be and he is hereby respectfully requested to aid said committee in this investigation, by the protection of an adequate escort of cavalry or infantry, as he may direct.

Mr. Evans, of Titus, moved the resolution be referred to the Judiciary Committee.

Mr. Degener moved the previous question upon the passage of the resolution.

Previous question seconded.

The question recurred, "shall the main question be now put?"

Upon which the yeas and nays were demanded, and resulted thus:

Yeas—Messrs. President, Adams, Armstrong, of Lamar, Bell, Bledsoe, Board, Brown, Bryant, of Grayson, Bryant, of Harris, Buffington, Butler, Burnett, Carter, Coleman, Curtis, Degener, Downing, Fayle, Flanagan, W. Flanagan, Fleming, Foster, Goddin, Gray, Grigsby, Hamilton, of Travis, Hunt, Johnson, of Harrison, Jordan, Kealy, Kendal, Kuechler, Leib, Lindsay, Lippard, Long, Mackey, McCormick, McWashington, Mills, Mundine, Munroe, Newcomb, Oaks, Pedigo, Phillips, of San Augustine, Phillips, of Wharton, Posey, Rogers, Ruby, Schuetze, Scott, Slaughter, Smith of Galveston, Smith of Marion, Stockbridge, Sumner, Talbot, Thomas, Vaughan, Watrous, Whitmore, Williams, Wilson of Brazoria, Wilson, of Milam, Wright, Yarborough—67.

Nays—Messrs. Armstrong, of Jasper, Boyd, Evans, of Titus, Gaston, Glenn, Keigwin, Mullins—7.

So the main question was ordered.

The question recurred upon the second reading of the resolution.

Resolution read second time and ordered to be engrossed.

Mr. Sumner moved a suspension of rules to put resolution upon its passage.

Rules suspended.

Mr. Sumner offered the following amendment:

Amend by giving the chairman of said committee power to swear witnesses.

Mr. Degener moved the adoption of the amendment.

It was agreed to.

The question recurred upon the third reading of the resolution.

Upon which the yeas and nays were demanded, and resulted thus:

Yeas—Messrs. President, Adams, Armstrong of Lamar, Bell, Bledsoe, Board, Brown, Bryant of Grayson, Bryant of Harris, Buffington, Butler, Burnett, Coleman, Curtis, Degener, Downing, Fayle, Flanagan, W. Flanagan, Fleming, Foster, Goddin, Gray, Grigsby, Hamilton of Travis, Hunt, Johnson of Harrison, Jordan, Kealy, Kendal, Kuechler, Leib, Lindsay, Lippard, Long, Mackey, McCormick, McWashington, Mills, Mundine, Munroe, Newcomb, Oaks, Pedigo, Phillips of San Augustine, Phillips of Wharton, Posey, Rogers, Ruby, Schuetze, Scott, Slaughter, Smith of Galves-

ton, Smith of Marion, Stockbridge, Sumner, Talbot, Thomas, Vaughan, Watrous, Whitmore, Williams, Wilson of Brazoria, Wilson of Milam, Wright, Yarborough—66.

Nays—Armstrong of Jasper, Boyd, Carter, Evans of Titus, Gaston, Glenn, Keigwin, Mullins—8.

So the resolution was adopted.

Mr. Phillips, of Wharton, asked leave of absence for Mr. Johnson, of Calhoun.

Leave granted.

There being no objection, Mr. Hamilton, of Travis, introduced the following report from Judiciary Committee, and asked to have it printed:

### REPORT OF JUDICIARY COMMITTEE.

COMMITTEE ROOM,  
Austin, Texas, July 22, 1868.

To the Hon. E. J. DAVIS,

President of the Convention of the State of Texas :

SIR: The Committee on the Judiciary, after a careful consideration of the judicial department of the Constitution, have instructed me to report the accompanying article. It will be perceived that many grave changes of our judicial system are proposed in the article. It is believed that the reasons for most of those changes can be found in the experience of almost every lawyer and of every law-abiding citizen in the State. Thinking it unnecessary, if not improper to indulge in any extended argument in support of the various sections of the article, it is respectfully submitted as the result of the most careful examination and soundest judgment the Committee were capable of exercising on the subject.

Very respectfully

A. J. HAMILTON,  
Chairman.

### JUDICIAL DEPARTMENT.

#### ARTICLE IV.

SECTION 1. The judicial power of this State shall be vested in one Supreme Court, in District Courts, and in such inferior courts and magistrates as may be created by this Constitution, or by the Legislature under its authority. The Legislature may establish Criminal Courts in the principal cities within the State, with such criminal jurisdiction co-extensive with the limits of the county

wherein such city may be situated, and under such regulations as may be prescribed by law; and the judge thereof may preside over the courts of one or more cities, as the Legislature may direct.

SEC. 2. The Supreme Court shall consist of five judges, any three of whom shall constitute a quorum. They shall be appointed by the Governor, by and with the advice and consent of the Senate, for a term of fifteen years. But the judges first appointed under this Constitution shall be so classified by lot, that the term of one of them shall expire at the end of every three years. The judge whose term shall soonest expire shall be the presiding judge. All vacancies shall be filled for the unexpired term. If a vacancy shall occur, or a term shall expire when the Senate is not in session, the Governor shall fill the same by appointment, which shall be sent to the Senate within ten days after that body shall assemble, and if not confirmed the office shall immediately become vacant.

SEC. 3. The Supreme Court shall have appellate jurisdiction only, which in civil causes shall be co-extensive with the limits of the State. In criminal causes no appeal shall be allowed to the Supreme Court unless some judge thereof shall, upon inspecting a transcript of the record, believe that some error of law has been committed by the judge before whom the cause was tried; *Provided*, that said transcript of the record shall be presented for such inspection within thirty days from the date of the trial, under such rules and regulations as shall be prescribed by the Legislature. Appeals from interlocutory judgments may be allowed, with such exceptions and under such regulations as the Legislature may prescribe. The Supreme Court and the judges thereof shall have power to issue the writ of *habeas corpus*; and, under such regulations as may be prescribed by law, may issue the writ of mandamus and such other writs as may be necessary to enforce its own jurisdiction. The Supreme Court shall also have power to ascertain such matters of fact as may be necessary to the proper exercise of its jurisdiction.

SEC. 4. The Supreme Court shall hold its sessions annually at the Capitol of the State.

SEC. 5. The Supreme Court shall appoint its own clerks, who shall hold their offices for four years, unless sooner removed by the court for good cause entered of record on the minutes of the court. The said clerks shall give bond in such a manner as is now or may hereafter be required by law.

SEC. 6. The State shall be divided into convenient judicial districts, for each of which one judge shall be appointed by the Governor, by and with the advice and consent of the Senate, for a term of eight years, who shall, after their appointment, reside within the

district, and shall hold a court three times a year in each county thereof, at such time and place as may be prescribed by law.

SEC. 7. The district court shall have original jurisdiction of all criminal cases; of all in behalf of the State to recover penalties, forfeitures and escheats; and of all suits and cases in which the State may be interested; of all cases of divorce; of all suits to recover damages for slander or defamation of character; of all suits for the trial of title to land; of all suits for the enforcement of liens; and of all suits, complaints, and pleas whatever, without regard to any distinction between law and equity, when the matter in controversy shall be valued at or amount to one hundred dollars, exclusive of interest; and the said courts and judges thereof shall have power to issue all writs necessary to enforce their own jurisdiction, and to give them a general superintendence and control over inferior tribunals. The district court shall also have appellate jurisdiction in cases originating in inferior courts, with such exceptions, and under such regulations as the Legislature may prescribe. And the district court shall also have original and exclusive jurisdiction for the probate of wills, appointing guardians, granting letters testamentary and of administration, for settling the accounts of executors, administrators, and guardians, and for the transaction of all business appertaining to the estates of deceased persons, minors, idiots, lunatics, and persons of unsound mind, and the settlement, partition and distribution of such estates, under such rules and regulations as may be prescribed by law.

SEC. 8. In the trial of all criminal cases, the jury trying the same shall find and assess the amount of punishment to be inflicted, or fine to be imposed, except in cases where the punishment or fine shall be specifically imposed by law. *Provided*, That in all cases where by law it may be provided that capital punishment may be inflicted, the jury shall have the right in their discretion to substitute imprisonment to hard labor for life.

SEC. 9. A clerk of the district court for each county, shall be appointed by the judge thereof, who shall hold his office for four years, subject to removal by the Judge of said court for cause spread upon the minutes of the court; the said clerk shall exercise such powers and perform such duties appertaining to the estates of deceased persons, lunatics, idiots, minors, and persons of unsound mind in vacation as may be prescribed by law; *Provided*, That all contested issues of law or fact, shall be determined by the district court. And the clerk of the district court shall be recorder for the county of all deeds, bonds, and other instruments required by law to be recorded, and also ex-officio clerk of the police or county court, and by virtue of his office shall have control of the records, papers

and books of the district, and county or police court, and shall generally perform the duties heretofore required of county and district clerks.

SEC. 10. The judges of the Supreme and district courts shall be removed by the Governor on the address of two-thirds of the members elected to each House of the Legislature, for incompetency, neglect of duty, or other reasonable cause which shall not be sufficient ground for impeachment. *Provided*, however, that the cause or causes, for which such removal shall be required, shall be stated at length in such address, and entered on the journals of each House. *And provided further*, That the cause or causes shall be notified to the judge so intended to be removed; and he shall be admitted to a hearing in his own defense before any vote for such address shall pass. And in all such cases the vote shall be taken by yeas and nays and entered on the journals of each House respectively.

SEC. 11. No judge shall sit in any case wherein he may be interested, or where either of the parties may be connected with him by affinity or consanguinity within such degrees as may be prescribed by law, or where he shall have been of counsel in the case. When the Supreme court or any three of its members, shall thus be disqualified to hear and determine any case or cases in said court, or where no judgment can be rendered in any case or cases in said court, by reason of the equal division of opinion of said judges, the same shall be certified to the Governor of the State, who shall immediately commission the requisite number of persons learned in the law, for the trial and determination of said case or cases. When a judge of the district court is thus disqualified, the parties may, by consent, appoint a proper person to try the case, and upon their failing to do so, the case shall be transferred for trial to the county in the adjoining district, whose county seat is nearest to that of the county where the case is pending. District judges may exchange districts, or hold courts for each other, when they may deem it expedient, and shall do so, when required by law. The disqualification of judges of inferior tribunals shall be remedied as prescribed by law.

SEC. 12. The Governor shall nominate, and by and with the advice and consent of the Senate, appoint a District Attorney for each judicial district, who shall hold his office for four years; and the duties, salary, and perquisites of district attorney shall be prescribed by law.

SEC. 13. The judges of the Supreme court shall receive a salary not less than four thousand five hundred dollars annually, and the judges of the district court, a salary not less than three thousand

five hundred dollars annually. And the salary of the judges shall not be diminished during their continuance in office.

SEC. 14. When a vacancy shall occur in the office of judge of the district court; or district attorney, at a time when the Senate is not in session, the Governor shall fill the same by appointment, which shall be sent to the Senate within ten days after that body shall assemble, and if not confirmed, the office shall immediately become vacant.

SEC. 15. The judges of the Supreme and district courts, shall, by virtue of their offices be conservators of the peace throughout the State. The style of all writs and process shall be, "The State of Texas." All prosecutions shall be carried on in the name and by the authority of the "State of Texas," and conclude, "against the peace and dignity of the State."

SEC. 16. In all cases of law and equity, when the matter in controversy shall be valued at or exceed ten dollars, the right of trial by jury shall be preserved, unless the same shall be waived by the parties or their attorneys, except in cases where a defendant may fail to appear and answer within the time prescribed by law, and the cause of action is liquidated and proved by an instrument in writing.

SEC. 17. Every criminal offence that may by law be punished by death, or in the discretion of the jury by imprisonment to hard labor for life, and every offence that may by law be punished by imprisonment in the State Penitentiary, shall be deemed a felony, and shall only be tried on an indictment found by a grand jury. But all offences of a less grade than a felony, may be prosecuted upon complaint under oath by any peace officer or citizen before any justice of the peace or other inferior tribunal that may be established by law, and the party so prosecuted shall have the right of trial by a jury to be summoned in such a manner as may be prescribed by law.

SEC. 18. One sheriff for each county shall be appointed by the judge of the district court for the district, to which the counties respectively belong, who shall hold their offices for four years, subject to removal by the judge of said court for cause spread upon the minutes of said court. Process against the sheriff and all such writs as by reason of interest in the suit or connection with the parties or for other causes, the sheriff is incompetent to execute, shall issue to and be executed by any constable in the county.

SEC. 19. There shall be elected in each county by the qualified voters of the different precincts or county, as may be directed by law, five justices of the peace, one of whom shall reside after his election at the county seat, and not more than one of said justices shall be a resident of the same justices' precinct. They shall hold their

offices for two years, and should a vacancy occur in either of said offices, an election shall be held for the unexpired term.

SEC. 20. Justices of the peace shall have such civil and criminal jurisdiction as shall be provided for by law. And the justices of the peace in each county, or any three of them, shall constitute a court, having such jurisdiction similar to that heretofore exercised by county commissioners and police courts, as may be prescribed by law. And when sitting as such court the justice who resides at the county seat shall be the presiding justice. The times and manner of holding said courts shall be prescribed by law. Justices of the peace shall also be commissioned to act as notaries public. Justices of the peace shall also discharge all the duties of coroner, except such as by section 21 of this article, are devolved upon constables.

SEC. 21. Each county shall be divided into five justices' precincts. And the justices of the peace in each county sitting as a county court shall appoint one constable for each justices' precinct, who shall hold his office for two years, subject to removal by said court for cause spread upon the minutes of the court. And said constables, or either of them, in addition to the ordinary duties of their office, shall discharge the duties of sheriff in all such cases as heretofore devolved those duties upon the coroner.

SEC. 22. Sheriffs and justices of the peace shall be commissioned by the Governor.

SEC. 23. Sheriffs, district clerks, and justices of the peace, when acting as such, and when acting as a county court, shall receive such fees or other compensation as may be provided for by law.

On motion the Convention resolved itself into Committee of the Whole.

[Mr. Whitmore in the chair.]

Committee rose, reported progress and asked leave to sit again to-morrow at 10 o'clock.

Leave granted.

Mr. Fayle, by leave, introduced a minority report from Committee on Internal Improvements, and asked that it be printed.

So ordered.

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