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Newcomb, Schuetze, Slaughter, Thomas, Varnell, Vaughan, Yarborough—17.

So the substitute was adopted.

Mr. Armstrong of Jasper moved to adjourn until to-morrow morning, at nine o'clock.

Lost.

Mr. Mills moved to lay the substitute upon the table.

Mr. Sumner moved to adjourn till to-morrow morning, at nine o'clock.

Carried.

CAPITOL, AUSTIN, TEXAS,
AUGUST 8, 1868.

Convention met pursuant to adjournment.

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

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

Hon. E. J. DAVIS,

President of the Convention :

The Enrolling Committee have had the following resolutions (No. 31 to No. 37, inclusive,) under examination, and find them to be correctly enrolled.

No. 31. Resolution ordering one thousand copies of the Austin Daily Republican, at eight cents per number; and five hundred copies of the San Antonio Free Press, at seven cents per number, and discontinuing other papers.

No. 32. Resolution requesting the arrest of one C. C. Gillespie, editor of Houston Telegraph, for advising the assassination of Morgan C. Hamilton and C. C. Caldwell.

No. 33. Resolution providing for the appointment of a committee to proceed to Millican, for the purpose of investigating the recent disturbance, and appropriating \$500 for expenses of said committee.

No. 34. Resolution appropriating \$500 for the arrest of the attempted assassin of Judge Cooley.

No. 35. Resolution appropriating \$500 to pay telegrams.

No. 36. Resolution requesting the Congress of the United States to appoint a committee to inquire into the condition of the State.

No. 37. Resolution requesting Brevet Major-General J. J. Reynolds to appoint one or more commissioned officers to participate in the investigation of the Millican disturbance.

Respectfully,

WM. R. FAYLE,
Chairman of the Enrolling Committee.

Report adopted.

Mr. Pedigo, from Committee on Counties and County Boundaries, made the following report and declaration :

COMMITTEE ROOM,
Austin, August 6, 1868.

Hon. E. J. DAVIS,
President of the Convention :

Your Committee on Counties and County Boundaries, to whom was referred petitions from the citizens of the counties of Comal and Guadalupe, presented by Mr. Hunt of Comal, asking that the boundary line between these counties be so changed as to include a portion of the county of Guadalupe within the limits of said county of Comal, have had the same under consideration, and beg leave to report as follows :

First. We find that the southwest boundary line of the county of Comal passes through a German settlement who have a common interest in being associated under one municipal government or county organization, and that all their social and commercial relations are identical.

Second. We also find that New Braunfels, the county site of Comal county, is situated but little over one mile from the boundary line that separates said counties, and that the northern and western portion of Comal is mountainous and sparsely settled.

For these and other reasons your committee are of opinion that the public interest would be enhanced if the request of petitioners should be granted, and, to this effect, report to the Convention, through you, the accompanying declaration, and ask its passage.

H. C. PEDIGO,
Chairman.

DECLARATION

Changing the boundary lines of Comal county.

SECTION 1. *Be it declared by the people of Texas in Convention assembled*, That the portion of the county of Guadalupe contiguous to the county of Comal, and bounded by the following lines, to-wit:

Beginning at the south corner of the county of Comal, on the Cibolo river, thence following the meanders of said river down the same to the lower corner of the F. Rodriquez survey No. 84; thence north sixty degrees east eight miles to a post, thence in a straight line to the southeast corner of the county of Comal, shall be attached to the county of Comal and constitute a part thereof, and be known hereafter as a part of said county.

SEC. 2. That this declaration shall take effect from and after its passage.

Mr. Hunt, from the Committee on State Affairs, reported as follows:

COMMITTEE ROOM,
Austin, August 7, 1868.

Hon. E. J. DAVIS,
President of the Convention:

SIR: Your Committee on State Affairs, to whom was referred a declaration offered by Hon. Mr. Kealy, of Denton county, making it the duty of each county of the State to make suitable provision for the support of paupers, have had the same under consideration, and are in favor of the passage of such laws as will insure the accomplishment of this object.

To this end your committee report the accompanying substitute in lieu of the original declaration, and ask its adoption by the Convention:

H. C. HUNT,
Chairman.

DECLARATION.

For the support of paupers.

SECTION 1. It shall be the duty of the Legislature to pass laws requiring the police courts of each county in the State to provide

for the support of paupers, by the purchase of lands and erection of suitable buildings, or otherwise.

SEC. 2. The Legislature shall pass laws organizing and regulating the government of institutions for the support of paupers.

Mr. Flanagan offered the following petition and declaration, and asked its reference to the Committee on State Affairs.

PALESTINE, TEXAS,
July 28, 1868.

To the President and Representatives of the State Convention:

GENTLEMEN: We, the undersigned Commissioners of Anderson county would very respectfully request that your honorable body would confer the very great relief upon Anderson county, to relinquish the State tax that is due from Anderson county for the present year, for the purpose of aiding the said county in building the jail house. The county is unable to build a jail with the extent of the tax that the court would be justified in levying.

All of which is respectfully submitted, etc.

HENRY FIELDS,
E. ANDREWS,
W. T. SMITH,
T. C. HOOKER.

DECLARATION.

SECTION 1. *Be it declared*, That the State tax due from the county of Anderson, be remitted to said county, for the purpose of building a jail.

SEC. 2. And that this declaration take effect from and after its passage.

It was so referred.

Mr. Bryant, of Grayson, introduced the following resolution:

Resolved, That a committee of three be appointed to investigate the circumstances of the murder of Captain Martin D. Hart, of Hunt county, during the rebellion, and report the same to this Convention, with suitable resolutions.

Mr. Bryant asked suspension of rules to consider the resolution.

Rules suspended.

Resolution adopted.

The President announced the said committee to be, Bryant, of Grayson, Burnett, and Horne.

Mr. Burnett gave notice that, at an early day, he would move to reconsider the vote by which the report of the Judiciary upon Paschal's Digest was rejected.

The President announced the business in order to be the report of Committee on General Provisions, the question being, on laying upon the table the substitute offered by Mr. Lindsay to section four.

Mr. Buffington moved a call of the House.

Call sustained.

Mr. Mundine was excused on account of sickness.

Mr. Webster Flanagan was excused on account of sickness.

Absentees—Messrs. Glenn, Horne, Newcomb, Phillips of Wharton, and Slaughter.

Mr. Butler moved a suspension of the call.

Lost.

Reported—Phillips of Wharton.

Messrs. Horne, Newcomb, and Slaughter being absent twenty minutes after the call of the House, under the rules, their per diem of the day was deducted from the pay roll.

Mr. Ruby moved that the call of the House be suspended.

Call suspended.

The question being upon laying the substitute of Mr. Lindsay upon the table.

The yeas and nays were demanded and resulted thus :

Yeas—Messrs. Armstrong, of Jasper, Bledsoe, Board, Boyd, Bryant of Grayson, Carter, Cole, Evans of Titus, Fayle, Flanagan, Fleming, Gaston, Glenn, Harris, Harn, Johnson of Calhoun, Kealy, Keigwin, Mills, Morse, Muckleroy, Pedigo, Phillips of San Augustine, Thomas, Varnell, Vaughan—26.

Nays—Messrs. President, Armstrong, of Lamar, Bell, Bellinger, Bryant of Harris, Buffington, Butler, Burnett, Constant, Curtis, Degener, Downing, Evans of McLennan, Foster, Goddin, Grigsby, Hamilton of Travis, Horne, Johnson of Harrison, Jordan, Kendal, Kuechler, Leib, Lindsay, Lippard, Long, Mackey, McCormick, McWashington, Munroe, Newcomb, Oaks, Phillips of Wharton, Posey, Rogers, Ruby, Schuetze, Scott, Smith of Galveston, Smith of Marion, Stockbridge, Sumner, Talbot, Watrous, Whitmore, Williams, Wilson of Brazoria, Wilson of Milam, Wright, Yarborough—50.

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

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

The main question was ordered.

The question recurred, shall the substitute be adopted as section four of the report.

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

Yeas—Messrs. President, Armstrong, of Lamar, Bell, Bellinger, Bledsoe, Board, Bryant of Harris, Buffington, Butler, Burnett, Constant, Curtis, Degener, Downing, Evans, of McLennan, Fayle, Foster, Goddin, Grigsby, Hamilton of Travis, Hunt, Johnson of Harrison, Jordan, Kendal, Kuechler, Leib, Lindsay, Lippard, Long, Mackey, McCormick, McWashington, Munroe, Newcomb, Oaks, Pedigo, Phillips of Wharton, Posey, Rogers, Ruby, Schuetze, Scott, Smith of Galveston, Smith of Marion, Stockbridge, Sumner, Talbot, Watrous, Whitmore, Williams, Wilson of Brazoria, Wilson of Milam, Wright.—53.

Nays—Messrs. Armstrong, of Jasper, Boyd, Bryant of Grayson, Carter, Cole, Evans of Titus, Flanagan, Fleming, Gaston, Glenn, Harris, Harn, Johnson of Calhoun, Kealy, Keigwin, Morse, Muckleroy, Phillips of San Augustine, Thomas, Varnell, Vaughan, Yarborough—22.

So the substitute was adopted as section four.

Mr. Davis offered the following amendment to section five :

In place of word "inferior," in first line, insert "other."

Amendment adopted.

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

"And neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall ever exist in this State."

Mr. Constant moved to lay the section as amended upon the table.

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

Yeas—Messrs. Armstrong of Jasper, Boyd, Cole, Constant, Evans of Titus, Gaston, Glenn, Harris, Keigwin, Morse—10.

Nays—Messrs. President, Armstrong of Lamar, Bell, Bellinger, Bledsoe, Bryant of Grayson, Bryant of Harris, Buffington, Butler, Burnett, Carter, Curtis, Degener, Downing, Evans of McLennan, Fayle, Flanagan, W. Flanagan, Fleming, Foster, Goddin, Grigsby, Hamilton of Travis, Horne, Hunt, Johnson of Harrison, Johnson of Calhoun, Jordan, Kealy, Kendal, Keuchler, Leib, Lindsay, Long, McCormick, McWashington, Muckleroy, Munroe, Newcomb, Oaks, Pedigo, Phillips of San Augustine, Phillips of Wharton, Ruby, Schuetze, Scott, Smith of Galveston, Smith of Marion, Stockbridge, Sumner, Talbot, Thomas, Varnell, Vaughan,

Watrous, Whitmore, Williams, Wilson of Brazoria, Wilson of Milam, Wright, Yarborough—61.

So the Convention refused to lay the section as amended upon the table.

Mr. Butler moved to strike out the word "other."

Lost.

Mr. Sumner moved to substitute the word "any" instead of "other," in the first line of section five.

Lost.

Mr. Hamilton moved to strike out "other races of men," and insert "persons."

Carried.

The question recurred upon the adoption of section five as amended.

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

Yeas—Messrs. President, Armstrong of Lamar, Bell, Bellinger, Bledsoe, Bryant of Graysou, Bryant of Harris, Buffington, Butler, Burnett, Carter, Constant, Curtis, Degener, Downing, Fayle, Flanagan, W. Flanagan, Fleming, Foster, Goddin, Grigsby, Hamilton of Travis, Harn, Hunt, Johnson of Harrison, Johnson of Calhoun, Jordan, Kealy, Kendal, Kuechler, Leib, Lindsay, Lippard, Mackey, McCormick, McWashington, Mills, Munroe, Newcomb, Oaks, Pedigo, Phillips of San Augustine, Phillips of Wharton, Ruby, Schuetze, Scott, Smith of Galveston, Smith of Marion, Stockbridge, Sumner, Talbot, Thomas, Varnell, Vaughan, Watrous, Whitmore, Williams, Wilson of Brazoria, Wilson of Milam, Wright—61.

Nays—Messrs. Armstrong of Jasper, Board, Boyd, Cole, Evans of Titus, Gaston, Harris, Keigwin, Morse, Muckleroy—10.

So section five was adopted.

Mr. Sumner asked to be excused from attendance upon the House.

Leave granted.

On motion section six was stricken out.

Mr. Smith, of —, moved that all sections from section seven to section twelve, inclusive, be stricken out.

Carried.

Mr. Evans, of McLennan, moved a reconsideration of the vote adopting section sixteen of the substitute to section three, adopted yesterday.

Lost.

Mr. Schuetze offered the following amendment :

"And no law shall be passed which may forbid the sale of any article of merchandize on any day of the week."

Mr. Horne moved to lay the amendment upon the table.

Withdrawn.

On motion the Convention adjourned until Monday morning, at nine o'clock.

CAPITOL, AUSTIN, TEXAS,
August 10, 1868.

Convention met pursuant to adjournment.

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

Mr. Kuechler presented a petition from citizens of Fredericksburg asking the incorporation of that town as a city, and asked its reference to the Committee on State Affairs.

It was so referred.

Mr. Smith, of Galveston, moved a suspension of rules to allow him to present a protest against the minority report of the Committee on Lawlessness and Violence.

Lost.

Mr. Flanagan, from the Committee on Internal Improvements, made the following reports :

COMMITTEE ROOM,
Austin, August 10, 1868.

Hon. E. J. DAVIS,
President of the Convention :

SIR : Your Committee on Internal Improvements have had before them a declaration to incorporate the Houston City Railroad Company, presented by Mr. Fayle, and after a careful investigation, I am instructed to report back the same, and to recommend its adoption.

All of which is respectfully submitted,
J. W. FLANAGAN,
Chairman of the Committee on Internal Improvements.

COMMITTEE ROOM,
Austin, Texas, August 10, 1868.

Hon. E. J. DAVIS,
President of Convention :

SIR : Your committee have had before them a declaration for the incorporation of a railway company in the city of Houston, presented