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of Navarro, Martin of Hunt, Pauli, Ramey, Reagan, Rentfro, Reynolds, Robertson of Bell, Robison of Fayette, Russell of Harrison, Russell of Wood, Scott, Spikes, Stayton, Stewart, Waelder, West, Whitehead, Wright—62.

Mr. Crawford's amendment was laid on the table.

Mr. Waelder's amendment was adopted.

Mr. Cline offered the following as a substitute for section 2 :

"Sec. 2. The Legislature may exempt from taxation property used for worship, education, burial, halls of Turners, Masons, Odd Fellows, and similar societies; hospitals, and all property used for purely public charity, and all public property used for public purposes; and no other property."

Lost.

On motion of Mr. McCormick, the Convention adjourned to 9 o'clock A. M. Monday.

FORTY-NINTH DAY.

HALL OF REPRESENTATIVES,
AUSTIN, TEXAS, November 1, 1875. }

Convention met pursuant to adjournment, roll called; quorum present. Prayer by the Rev. Dr. W. H. Dodge.

Journal of Saturday read and adopted.

On motion of Mr. Rentfro, Mr. Cline was excused for four days, commencing from to-day.

Mr. Ford presented the petition of the citizens of Hidalgo county on the subject of allowing one man to hold two offices in counties having less than two hundred and fifty voters.

Referred to Committee on General Provisions.

Mr. Fleming offered the following resolution:

Resolved. That the Committee on Public Lands and Land Office be requested to consider the propriety of setting apart five million acres of the public domain for the purpose of building a State Capitol, and to report by ordinance or otherwise.

Referred to Committee on Public Lands and Land Office.

Mr. Norvell moved to suspend the rules and take up "Article —, on Legislative Apportionment"

Lost

Unfinished business taken up, viz: "Article —, Revenue and Taxation."

Mr Allison moved to reconsider the vote taken Saturday on amending sections 1 and 2 of the article.

The first question, to reconsider the substitute of Mr. Stockdale to section 1, lost.

Second question, to reconsider Mr. Russell's (of Harrison) amendment, to strike out all after the word "dollars," in line 7, section 1, lost.

Third question, to reconsider Mr. Waelder's amendment exempting school houses and furniture from taxation, lost.

Mr. Martin, of Hunt, offered the following amendment to section 4:

"The power to tax all of the property, real and personal, of corporations shall never be surrendered or suspended by act of the Legislature, but the same shall always be taxed as other property."

[Mr. McLean in the chair]

On motion of Mr. Martin, of Navarro, the amendment was laid on the table.

Mr. Martin, of Navarro, moved to strike out section 4.

Mr. Crawford proposed to amend the section by striking out all after the word, "Legislature," in line 21, and insert "by any contract or grant to which the State shall be a party."

Adopted.

Mr. Martin, of Navarro, withdrew his motion to strike out section 4.

Mr. Blassingame offered the following as an additional section:

Sec. —. All property of railroad companies of whatever description, lying or being within the limits of any city or incorporated town within this State shall bear its proportionate share of municipal taxation; and if any such property shall not have been heretofore rendered, the authorities of the city or town within which it lies shall have power to require its rendition and collect the usual municipal tax thereon, as on other property lying within said municipality."

Adopted.

Mr. Allison offered the following amendment to section 3:

"The veterans of the revolution of 1836 shall be exempt from poll tax, and shall be allowed exemption from taxation on two thousand dollars worth of property, under such regulations as may be prescribed by law."

Withdrawn.

Mr. Wade offered the following amendment:

Section 4, line 20, after the word "corporations," insert "cities, counties, towns, and their."

The hour having arrived for considering the special order, viz:

“Granting Lands to Railroads, and Article —, Public Lands and Land Office,” the same was taken up.

On motion of Mr. Dohoney, the special order was postponed to Saturday next, 10 o'clock, and made special order for that hour.

On motion of Mr. Martin, of Navarro, Mr. Wade's amendment was laid on the table.

Mr. Brown offered the following amendment:

Add to section 5 the words “except by the first Legislature to assemble under this constitution, which may make the necessary appropriations to carry on the government until the assembling of the Sixteenth Legislature.”

Adopted.

Mr. McCormick offered the following substitute for section 6:

“Sec. 6. The Legislature shall pass no law borrowing, diverting, or seeking to divert, or change from its original purpose any money or thing of value that may, or ought to be, placed in the State Treasury to the credit of any special State fund; and shall pass such general laws as may be necessary to protect special county funds, raised for any purpose, from being diverted or changed from the purposes for which such funds were raised.”

Withdrawn by Mr. McCormick, and offered by Mr. Reagan, and lost.

Mr. Ferris proposed to strike out of section 6, lines 26 and 27, the words “borrow, or in any manner.”

Lost.

Mr. Ballinger proposed to amend section 7, line 34, by striking out all after the word “county.”

On motion of Mr. Dillard, debate was closed on the amendment, and the amendment lost by the following vote:

YEAS—Abner, Ballinger, Blake, Brady, Coolcy, Davis of Wharton, Erhard, Ferris, Kilgore, McCormick, McLean, Norvell, Reagan, Rentfro, Reynolds, Russell of Harrison, Sansom, Smith, Wade, Waelder, West—21.

NAYS—Abernathy, Allison, Arnim, Barnett, Blassingame, Brown, Bruce, Burleson, Cardis, Chambers, Cook of Gonzales, Cooke of San Saba, Crawford, Darnell, DeMorse, Dillard, Dohoney, Fleming, Flournoy, Ford, Gaither, German, Graves, Haynes, Henry of Limestone, Holt, Johnson of Collin, Killough, Lacy, Lockett, Lynch, McKinney of Denton, McKinney of Walker, Mitchell, Moore, Martin of Navarro, Martin of Hunt, Nugent, Nunn, Pauli, Robertson of Bell, Robison of Fayette, Ross, Russell of Wood, Scott, Spikes, Stayton, Stewart, Stockdale, Whitehead, Whitfield, Wright—52.

Mr. Dohoney moved to strike out section 7.

Lost by the following vote:

YEAS—Abner, Ballinger, Blake, Brady, Cooke of San Saba, Cooley, Dohoney, Erhard, Norvell, Reagan, Rentfro, Reynolds, Russell of Harrison, Sansom, Smith, Waelder, West, Whitehead—18.

NAYS—Abernathy, Allison, Arnim, Barnett, Blassingame, Brown, Bruce, Burleson, Cardis, Chambers, Cook of Gonzales, Crawford, Darnell, Davis of Brazos, Davis of Wharton, DeMorse, Dillard, Ferris, Fleming, Flournoy, Ford, Garther, German, Graves, Haynes, Henry of Limestone, Holt, Johnson of Collin, Kilgore, Killough, Lacv, Lockett, Lynch, McCormick, McKinney of Denton, McKinney of Walker, McLean, Mitchell, Moore, Murphy, Martin of Navarro, Martin of Hunt, Nugent, Nunn, Pauli, Robertson of Bell, Robison of Fayette, Ross, Russell of Wood, Scott, Spikes, Stayton, Stewart, Stockdale, Wade, Whitfield, Wright—57.

Mr. Stayton proposed to amend section 7, line 35, by inserting "county" between "and" and "tax."

Adopted.

Mr. Reagan offered the following amendment to section 7: Strike out the words "pro rata," and insert the words "in proportion to the distance such road may run through any such county."

Adopted.

Mr. Dohoney proposed to amend section 8, by adding "no higher rate of taxation shall ever be levied by the authorities of any county, town or city, than the rate of taxation for State purposes in force at the time, except as may be herein otherwise prescribed."

Mr. DeMorse offered the following substitute for section 8, and the amendment:

"Sec. 8. *Ad valorem* taxation for State uses shall never exceed fifty cents on the one hundred dollars value of property; nor shall general county taxation (except for the support of the indigent) exceed one-half of the general State tax; *provided*, that all counties shall have the right to levy tax for the payment of indebtedness already accrued, and for the establishment of county poor-farms, first availing themselves of all convict labor which may be provided by this constitution."

On motion of Mr. Martin, of Navarro, the substitute was laid on the table.

Mr. Dohoney's amendment was adopted.

On motion of Mr. Chambers, the Convention adjourned to 2½ o'clock P. M.

EVENING SESSION—2½ o'clock.

Convention met pursuant to adjournment; roll called; quorum present.

Pending question again resumed.

Mr. Martin, of Navarro, offered the following amendment to Mr. Dohoney's amendment:

Strike out all after the word "except," and insert "for the payment of debts already incurred, and for the erection of public buildings, or as in this constitution is otherwise provided."

Adopted.

Mr. Robertson, of Bell, offered the following as a substitute for the amendment:

Section 8, line 41, add at end of section the words "and no county shall levy more than one-half of all State tax, except to pay past indebtedness, and then not to exceed the amount of the State tax in any one year."

Adopted.

Mr. Murphy proposed to add in the amendment just adopted the words "city or town" after the word "county."

Adopted.

Mr. Ramey moved to reconsider the vote just taken

Mr. Ramey reported as follows:

COMMITTEE ROOM,
AUSTIN, November 1, 1875. }

To the Hon. E. B. Pickett, President of the Convention:

SIR—Your Committee on Engrossed and Enrolled Ordinances beg leave to report that they have examined and compared a provision on "Immigration," and find the same correctly engrossed.

Respectfully,

WM. NEAL RAMEY, Chairman.

Mr. Abernathy offered the following amendment to section 9:

Add to section 9: "Except in cases of great public calamity, may extend the time."

Lost

Mr. Brown offered the following amendment:

Add to section 9: "Unless in case of great public calamity in any such county, city or town, when such release may be made by a vote of two-thirds of each house of the Legislature; *provided*, that no tax shall be laid on lands and buildings owned and used for public purposes by counties, cities or towns, nor on school lands, nor on school lands held by such counties, cities or towns for public educational purposes."

Adopted.

On motion of Mr Crawford, the proviso of the amendment just adopted was stricken out.

Mr. Russell, of Harrison, moved to strike out section 9.

Lost.

Mr. Waelder offered the following amendment:

Strike out "or property," in line 43.

Adopted.

Mr. Stewart proposed to add in line 44, after State, the word "county."

Adopted.

Mr. Moore moved to reconsider the vote adopting Mr. Brown's amendment.

Mr. Kilgore offered the following amendment:

Amend section 10 by striking out the words "and the taxes paid," in line 46.

Mr. Russell, of Wood, moved to reject the amendment.

Carried by the following vote:

YEAS—Abernathy, Abner, Arnim, Barnett, Blassingame, Brady, Brown, Bruce, Burleson, Cardis, Cook of Gonzales, Cooke of San Saba, Crawford, Darnell, Davis of Wharton, Dillard, Dohoney, Ferris, Fleming, Flournoy, German, Graves, Haynes, Holt, Johnson of Collin, Lacy, Lynch, McKinney of Denton, McLean, Mitchell, Martin of Hunt, Nugent, Pauli, Reynolds, Ross, Russell of Harrison, Russell of Wood, Sansom, Scott, Spikes, Wade, Whitfield—42.

NAYS—Ballinger, Blake, Cooley, Davis of Brazos, DeMorse, Erhard, Ford, Gaither, Henry of Limestone, Kilgore, Killough, Lockett, McCormick, Moore, Murphy, Martin of Navarro, Norvell, Nunn, Ramey, Reagan, Robertson of Bell, Robison of Fayette, Smith, Stayton, Stewart, Stockdale, Waelder, West, Whitehead, Wright—30.

Upon calling the roll Mr Chambers stated that he was paired off with Mr. Cline, but for which fact he would vote "yea"; and Mr. McKinney, of Wharton, stated that he was paired off with Mr. Henry, of Smith, but for which fact he would vote "yea."

Mr. Rentfro stated that he was paired off with Mr. McCabe, but for which fact he would vote "nay."

Mr. Waelder offered the following amendment:

Add after the word "situated," in line 46, the following: "but non-residents of such counties may deposit the amount of taxes due from them with the Comptroller of the State, to the credit of the collector of the county to which such taxes are due."

Mr. Fleming moved to reject the amendment.

On motion of Mr. Graves, the debate was closed on the propo-

sition to reject, and the Convention brought to a direct vote, which resulted in rejecting the amendment by the following vote:

Mr. McKinney, of Walker, declined to vote for reasons above stated.

YEAS—Abernathy, Abner, Arnim, Barnett, Blassingame, Brown, Bruce, Burleson, Cooke of San Saba, Crawford, Darnell, Davis of Wharton, Dillard, Ferris, Fleming, Flournoy, German, Graves, Haynes, Holt, Johnson of Collin, Lacy, Lynch, McCormick, McKinney of Denton, McLean, Mitchell, Martin of Navarro, Martin of Hunt, Nugent, Pauli, Rentfro, Reynolds, Ross, Russell of Wood, Sansom, Scott, Spikes, Wade, Whitfield—40.

NAYS—Allison, Ballinger, Blake, Brady, Cook of Gonzales, Cooley, Davis of Brazos, DeMorse, Dohoney, Gaither, Henry of Limestone, Kilgore, Killough, Lockett, Moore, Murphy, Norvell, Nunn, Ramey, Reagan, Robertson of Bell, Robison, of Fayette, Russell of Harrison, Smith, Stayton, Stewart, Stockdale, Waelder, West, Whitehead, Wright—31.

Mr. Darnell offered the following amendment to come in after the word "situated," in section 10, line 46: "But the Legislature may by a two-thirds vote authorize the payment of taxes of non-residents to be made at the office of the Comptroller of Public Accounts."

On motion of Mr. Fleming, the Convention adjourned to 9 o'clock A. M. to-morrow.

FIFTIETH DAY.

HALL OF REPRESENTATIVES,
AUSTIN, TEXAS, November 2, 1875. }

Convention met pursuant to adjournment; roll called; quorum present. Prayer by the Rev. W. H. Dodge, of the Baptist Church, at Austin.

Journal of yesterday read and adopted.

On motion of Mr. Dohoney, Mr. Wright was excused indefinitely.

On motion of Mr. Mitchell, Mr. Reynolds was excused for three days from to-day.

On motion of Mr. Waelder, Mr. Cooley was added to the Committee on Judicial Apportionment, in place of Mr. King, excused.

On motion of Mr. Burleson, Mr. Haynes was excused for to-day on account of sickness.