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YEAS—Abernathy, Allison, Barnett, Blassingame, Brown, Bruce, Chambers, Cooke of San Seba, Crawford, Darnell, Davis of Brazos, DeMorse, Dillard, Dohoney, Douglas, Ferris, Fleming, Flournoy, Gaither, German, Graves, Haynes, Henry of Limestone, Holt, Johnson of Collin, Johnson of Franklin, Killgore, Killough, Lacy, Lynch, McCormick, McKinney of Walker, McLean, Moore, Martin of Navarro, Martin of Hunt, Norvell, Nugent, Nunn, Ramey, Reagan, Robertson of Bell, Robison of Fayette, Ross, Russell of Wood, Scott, Sessions, Smith, Spikes, Stewart, Whitehead—51.

NAYS—Abner, Ballinger, Brady, Cline, Cooley, Davis of Wharton, Flanagan, Lockett, Mills, Mitchell, Murphy, Pauli, Sansom, Stayton, Stockdale, Waelder, West, Whitfield—18.

On motion of Mr. Flournoy, the convention adjourned until 9 o'clock A. M. to-morrow.

FIFTY-FOURTH DAY.

HALL OF REPRESENTATIVES,
AUSTIN, TEXAS, September 13, 1875. }

Convention met pursuant to adjournment; roll called; quorum present. Prayer by the Rev. Dr. W. H. Dodge, of the Baptist Church of Austin. Journal of yesterday read and adopted.

On motion of Mr. Cook, of Gonzales, Mr. West was excused for to-day.

On motion of Mr. Stayton, Mr. Lynch was granted indefinite leave from Monday next.

Mr. Darnell offered the following resolution:

WHEREAS, The Texas and Pacific Railway Company, a corporation, chartered by the Congress of the United States, has received certain grants from this State, and has acquired by purchase from or through the Southern Pacific Railroad Company, and the Southern Trans-Continental Railway Company, certain grants, property, rights and franchises, subject to certain legislative limitations and restrictions, as to the commencement and prosecution of the work, and as to the time of its completion to certain points in the State; and,

WHEREAS, After completing 265 miles of new road, and grading, bridging and tying, ready for the iron rails, 118 additional miles of roadway, the financial panic of 1873, and the distrust and embarrassment that followed, paralyzing every industrial and commercial enterprise, has forced a temporary suspension of

the work of construction, thereby occasioning a heavy loss to the company from causes against which it was powerless to protect itself; therefor,

Resolved, That none of the legislative grants made to or acquired by said company, in respect to the commencement and prosecution of the work, or as to the date of completion of any portion of its lines in Texas, shall be held to have lapsed; and that the said company shall have eighteen months from the passage of this ordinance, in which to complete 120 miles of its lines between Eagle Ford and Fort Worth, and between Brookston and Texarkana; and seven addition years in which to complete 695 miles additional of its road, upon the route as heretofore designated by legislative authority to the Rio Grande, at or near El Paso; this extension to be in lieu of the restrictions and limitations of time, and manner of prosecuting the work, heretofore fixed by legislative authority.

Mr. Darnell moved to refer the resolution to a select committee of fifteen.

Mr. German moved to refer it to the Committee on Railroad Corporations. Lost, and the resolution referred to a select committee of fifteen.

Mr. Barnett offered the following resolution:

Resolved, That this Convention adjourn *sine die* at 12 o'clock, Monday, 22d instant.

Adopted.

Mr. Murphy moved to reconsider the vote adopting the resolution.

Mr. Ramey reported as follows:

COMMITTEE ROOM,
AUSTIN, TEXAS, November 5, 1875. }

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

SIR—Your Committee on Engrossed and Enrolled Ordinances would respectfully report to your honorable body that they have carefully examined and compared “Article —, Taxation and Revenue,” and find the same correctly engrossed.

Respectfully, WM. NEAL RAMEY, Chairman.

On motion of Mr. Fleming, two hundred copies of the article were ordered printed.

“Article —, Public Free Schools,” taken up and read third time.

Mr. German offered the following amendment:

Amend section 4 by striking out lines 17, 18 and 19, down to the word “law,” and insert “the lands herein set apart to the

public free school fund, which are located in any county now organized, and whenever any new county may be organized, shall be placed upon the market and sold under such regulations and on such terms as may be prescribed by law.

Mr. Russell, of Wood, proposed to amend the amendment as follows:

“ Provided said lands shall not be disposed of at a less price than one dollar per acre.

Adopted.

Amendment as amended lost by the following vote:

YEAS—Barnett, Blassingame, Brown, Bruce, Chambers, Cooke of San Saba, Flournoy, German, Henry of Limestone, Johnson of Collin, Johnson of Franklin, Lynch, Nugent, Russell of Wood, Spikes—15.

NAYS—Abernathy, Abner, Allison, Ballinger, Brady, Cline, Crawford, Darnell, Davis of Brazos, Davis of Wharton, DeMorse, Dillard, Dohoney, Douglas, Flanagan, Fleming, Ford, Gaither, Graves, Haynes, Holt, Kilgore, Killough, Lacy, Lockett, McCormick, McKiney of Denton, McKinney of Walker, McLean, Mills, Mitchell, Moore, Morris, Murphy, Martin of Hunt, Norvell, Nunn, Pauli, Ramey, Reagan, Renfro, Reynolds, Robertson of Bell, Robison of Fayette, Ross, Scott, Sessions, Smith, Stayton, Stewart, Stockdale, Wade, Waelder, Whitehead—55.

Mr. Haynes offered the following amendments:

In line 13, section 3, strike out the word “ more ” and insert “ less.”

In line 14 strike out the word “ one ” and insert “ two.”

Mr. Moore asked for a division of the question.

Mr. Scott moved to lay the first amendment on the table.

Carried by the following vote:

YEAS—Allison, Barnett, Blassingame, Brown, Bruce, Chambers, Cooke of San Saba, DeMorse, Dillard, Dohoney, Douglas, Ferris, Flournoy, Gaither, German, Graves, Henry of Limestone, Holt, Kilgore, Killough, Lacy, Lynch, McKinney of Denton, McLean, Moore, Murphy, Martin of Navarro, Norvell, Nugent, Ramey, Reagan, Robertson of Bell, Robison of Fayette, Russell of Wood, Sansom, Scott, Sessions, Spikes, Stayton, Stockdale, Whitehead—41.

NAYS—Abner, Ballinger, Brady, Cline, Cooley, Crawford, Darnell, Davis of Brazos, Davis of Wharton, Flanagan, Fleming, Ford, Haynes, Johnson of Franklin, Lockett, McCormick, McKinney of Walker, Mills, Mitchell, Morris, Martin of Hunt, Nunn, Pauli, Renfro, Reynolds, Ross, Smith, Stewart, Wade, Waelder, Whitfield—31.

The hour having arrived for considering the special order, the same was taken up, viz: "Section —, Granting Lands to Railroads," and "Article —, Public Lands and Land Office."

On motion of Mr. Darnell, the special order was postponed until the pending business is disposed of.

"Article —, Judiciary," was then taken up as the special order for this hour, and on motion of Mr. Dohoney was postponed to 10 o'clock, Monday.

The Convention resumed the consideration of the article on public free schools.

Mr. Kilgore offered the following amendment to Mr. Haynes' second amendment:

Amend the amendment by inserting before the word "two" the words "not to exceed."

Mr. Whitfield moved to lay both amendments on the table.

Carried by the following vote:

YEAS—Abernathy, Allison, Barnett, Blassingame, Brown, Bruce, Chambers, Cooley, Darnell, Ferris, Fleming, Flournoy, Gaither, German, Graves, Henry of Limestone, Holt, Johnson of Franklin, Killough, Lacy, Lynch, McCormick, McKinney of Denton, McLean, Murphy, Martin of Navarro, Nugent, Ramey, Reagan, Robertson of Bell, Robison of Fayette, Ross, Russell of Wood, Sansom, Scott, Sessions, Spikes, Stockdale, Whitehead, Whitfield—40.

NAYS—Abner, Ballinger, Brady, Cline, Cooke of San Saba, Crawford, Davis of Brazos, Davis of Wharton, DeMorse, Dohoney, Douglas, Flanagan, Ford, Havnes, Kilgore, Lockett, McKinney of Walker, Mills, Mitchell, Moore, Morris, Martin of Hunt, Norvell, Nunn, Pauli, Rentfro, Reynolds, Smith, Stayton, Stewart, Wade, Waelder—32.

Mr. Wade offered the following amendment:

"The Legislature shall have power to levy an *ad valorem* tax upon all property in this State of not less than one-tenth nor more than one-fourth of one per cent., and a poll tax of one dollar on all male citizens between the ages of twenty-one and sixty years."

Mr. Scott moved the previous question on the passage of the article.

On motion of Mr. Kilgore a call of the Convention was ordered.

Absent—Messrs. Blake, Johnson of Collin, and Weaver.

On motion of Mr. McKinney, of Denton, Mr. Johnson, of Collin, was excused.

On motion of Mr. Ramey, Mr. Blake was excused.

On motion of Mr. Haynes, Mr. Weaver was excused.

Mr. Scott, by leave, withdrew his motion for the previous question.

Mr. German offered the following amendment:

Amend section 4, line 18, by inserting the word "such" before the word "regulations."

Mr. Wade's amendment lost by the following vote:

YEAS—Ballinger, Brady, Cline, Cooley, Crawford, Davis of Wharton, Flanagan, Fleming, Ford, Haynes, Johnson of Franklin, Kilgore, Lockett, McCormick, McKinney of Walker, Mills, Mitchell, Morris, Martin of Hunt, Nunn, Pauli, Rentfro, Reynolds, Ross, Smith, Stewart, Wade, Whitfield—28.

NAYS—Abernathy, Allison, Barnett, Blassingame, Brown, Bruce, Chambers, Cooke, of San Saba, Darnell, Davis of Brazos, DeMorse, Dillard, Douglas, Ferris, Flournoy, Gaither, German, Graves, Henry of Limestone, Holt, Killough, Lacy, Lynch, McKinney of Denton, McLean, Moore, Murphy, Martin of Navarro, Norvell, Nugent, Ramey, Reagan, Robertson of Bell, Robison of Fayette, Russell of Wood, Sansom, Scott, Sessions, Spikes, Stayton, Stockdale, Whitehead—42.

Mr. German's amendment adopted.

Mr. McCormick offered the following amendment:

Amend by adding the following after the word "annually," in line 54, section 6: "And said bonds shall be deposited with the State Treasurer for safe keeping, subject only to the order of the proper authorities."

Lost.

Mr. Brown offered the following amendment:

Amend section 4, line 20, by inserting after the word "thereof" the words "*provided*, that actual settlers on said lands shall have the same prior right of purchase, as is provided in section 6 of this article in relation to actual settlers on county school lands."

[Mr. Reagan in the chair.]

The question on Mr. Brown's amendment was put, and adopted by the following vote:

YEAS—Abernathy, Allison, Barnett, Blassingame, Brown, Bruce, Chambers, Cooke of San Saba, Crawford, Darnell, Davis, of Brazos, DeMorse, Dillard, Douglas, Ferris, Fleming, Flournoy, Ford, Gaither, German, Graves, Haynes, Henry of Limestone, Holt, Kilgore, Killough, Lacy, Lynch, McCormick, McKinney of Denton, McLean, Moore, Morris, Murphy, Martin of Navarro, Martin of Hunt, Nugent, Reagan, Robertson of Bell, Robison of Fayette, Ross, Russell of Wood, Sansom, Scott, Sessions, Smith, Stewart, Stockdale, Whitfield—49.

NAYS—Ballinger, Brady, Cline, Cooley, Davis of Wharton, Dohoney, Flanagan, Lockett, McKinney of Walker, Mills, Mitchell, Norvell, Nunn, Pauli, Rentfro, Spikes, Stayton, Waelder, Whitehead—19.

Mr. Kilgore proposed to amend section 5, line 35, by inserting after the word "school" the following: "But the Legislature may provide for the instruction of the scholastic population in private schools not sectarian, where public schools can not be organized."

Lost by the following vote:

YEAS—Abernathy, Allison, Barnett, Blassingame, Brown, Bruce, Chambers, Cooke of San Saba, Darnell, Dillard, Dohoney, Douglas, Fleming, Flournoy, Gaither, German, Graves, Haynes, Henry of Limestone, Holt, Kilgore, Killough, Lacy, Lynch, McCormick, McKinney of Denton, McKinney of Walker, Murphy, Martin of Navarro, Martin of Hunt, Reagan, Robertson of Bell, Robison of Fayette, Ross, Russell of Wood, Sansom, Scott, Sessions, Spikes, Stewart, Stockdale, Whitehead, Whitfield—43.

NAYS—Ballinger, Brady, Cline, Cooley, Crawford, Davis of Brazos, Davis of Wharton, DeMorse, Ferris, Flanagan, Ford, Lockett, McLean, Mills, Mitchell, Moore, Morris, Norvell, Nugent, Nunn, Pauli, Ramey, Rentfro, Smith, Stayton, Wade, Waelder—27.

Mr. Martin, of Hunt, offered the following amendment:

Sec. 2. Amend by striking out in line 10 the words "one-half," and insert the word "all."

Mr. Stayton offered the following as a substitute for the amendment:

Amend section 2 by striking out the words "one-half of the public domain of the State," in line 10.

Mr. Kilgore moved to lay the amendment and substitute on the table.

A division on the question was ordered, when Mr. Stayton's substitute was tabled by the following vote:

YEAS—Abernathy, Abner, Allison, Ballinger, Barnett, Blassingame, Brown, Bruce, Chambers, Cline, Cooke of San Saba, Darnell, Davis of Brazos, Dohoney, Douglas, Ferris, Flournoy, Gaither, German, Graves, Henry of Limestone, Holt, Kilgore, Killough, Lacy, McCormick, McKinney of Denton, McKinney of Walker, McLean, Mills, Mitchell, Moore, Martin of Navarro, Martin of Hunt, Nugent, Nunn, Ramey, Rentfro, Reynolds, Robertson of Bell, Russell of Wood, Scott, Sessions, Spikes, Stewart, Wade, Whitfield—47.

NAYS—Brady, Cooley, Crawford, Davis of Wharton, DeMorse, Dillard, Flanagan, Fleming, Ford, Lockett, Lynch, Morris, Murphy, Norvell, Pauli, Reagan, Robison of Fayette, Stayton, Stockdale, Waelder, Whitehead—21.

The question then recurring upon laying Mr. Martin's (of Hunt,) amendment on the table, the same was put, and amendment tabled by the following vote:

YEAS—Abernathy, Abner, Allison, Ballinger, Barnett, Brady, Brown, Cline, Cooke of San Saba, Cooley, Darnell, Davis of Brazos, Davis of Wharton, DeMorse, Dillard, Dohoney, Douglas, Ferris, Flanagan, Fleming, Ford, Gaither, Graves, Haynes, Henry of Limestone, Holt, Kilgore, Killough, Lockett, Lynch, McCormick, McKinney of Walker, McLean, Mitchell, Morris, Murphy, Martin of Navarro, Norvell, Nunn, Pauli, Ramey, Reagan, Rentfro, Reynolds, Robertson of Bell, Robison of Fayette, Scott, Sessions, Smith, Spikes, Stayton, Stewart, Stockdale, Wade, Waelder, Whitehead, Whitfield—57.

NAYS—Blassingame, Crawford, German, Lacy, McKinney of Denton, Mills, Martin of Hunt, Russell of Wood—8.

Mr. Bruce stated that he was paired off with Mr. Nugent, but for which fact he would have voted against laying the amendment on the table.

Mr. Moore stated that he would vote "yea," but was paired off with Mr. Arnin.

Mr. Kilgore moved to adjourn to 2½ P. M.

Lost.

Mr. Kilgore offered the following amendment:

Amend section 5 by striking out the word "manner," line 38, and inserting the words "to the education of such population, in public or private schools, in such manner and under such regulations."

Mr. Dillard moved the previous question.

Mr. Flanagan moved a call of the Convention.

Call ordered.

Mr. Kilgore moved to adjourn till 2½ o'clock.

Lost.

Absentees—Messrs. Davis of Wharton, Johnson of Franklin, Sansom.

Mr. Stewart moved to excuse the absentees.

Mr. Stockdale made the point of order that no member could ask that another be excused without it being at the request of the absent member.

Point sustained.

Mr. Ballinger moved to adjourn to 2½ o'clock. Lost.

Mr. McCormick moved to suspend the call.

Lost.

Mr. Ferris moved to adjourn to 2½ o'clock P. M.

Ruled out of order.

The chair submitted to the Convention the question as to whether or not they would take up the special order for the hour.

The Convention refused to take up the special order.

Mr. Flourney moved to suspend the call.

Lost.

Mr. McCormick moved to excuse absent members.

The chair ruled the motion out of order; that delegates could not be excused without their request.

Mr. McLean appealed from the decision of the chair.

Mr. Flanagan moved a call of the Convention upon the appeal.

The chair ruled that the call upon the appeal was out of order.

The question upon Mr. McLean's appeal was then put, and the Convention sustained the chair by the following vote:

YEAS—Abernathy, Abner, Allison, Ballinger, Barnett, Bassingame, Brady, Brown, Bruce, Chambers, Cline, Cooke of San Saba, Cooley, Crawford, Darnell, Davis of Brazos, Davis of Wharton, DeMorse, Dohoney, Douglas, Ferris, Flanagan, Fleming, Flournoy, Ford, Gaither, Graves, Haynes, Henry of Limestone, Holt, Kilgore, Killough, Lacy, Lockett, Lynch, McCormick, McKinney of Denton, McKinney of Walker, Mills, Mitchell, Morris, Murphy, Martin of Hunt, Norvell, Nugent, Pauli, Ramey, Rentfro, Reynolds, Robertson of Bell, Robison of Fayette, Ross, Russell of Wood, Scott, Sessions, Smith, Spikes, Stayton, Stewart, Stockdale, Wade, Waelder, Whitehead, Whitfield—64

NAYS—Dillard, McLean, Moore, Nunn—4.

Mr. Stewart moved to suspend the call.

The Sergeant-at-arms reported that he had learned that Mr. Sansom had gone home.

On the question on Mr. Stewart's motion to suspend the call, the yeas and nays were called, and call suspended by the following vote:

YEAS—Allison, Ballinger, Barnett, Bassingame, Brown, Bruce, Chambers, Cooke of San Saba, Crawford, Darnell, Davis of Brazos, Dillard, Dohoney, Douglas, Ferris, Fleming, Flournoy, Ford, Gaither, German, Graves, Haynes, Henry of Limestone, Holt, Kilgore, Killough, Lacy, Lynch, McCormick, McKinney of Denton, McKinney of Walker, McLean, Moore, Morris, Murphy, Martin of Navarro, Martin of Hunt, Norvell, Nugent, Nunn, Ramey, Regan, Robertson of Bell, Ross, Russell of Wood, Scott,

Sessions, Smith, Spikes, Stewart, Wade, Waelder, Whitehead, Whitfield—54.

NAYS—Abner, Brady, Cline, Davis of Wharton, Flanagan, Lockett, Mills, Mitchell, Pauli, Rentfro, Reynolds, Stayton, Stockdale—13.

The previous question on the passage of the article was then ordered.

The question on Mr. Kilgore's pending amendment was then put, the yeas and yeas called, and amendment lost by the following vote:

YEAS—Abernathy, Allison, Barnett, Blassingame, Brown, Bruce, Chambers, Cooke of San Saba, Dohoney, Douglas, Flournoy, Gaither, German, Graves, Haynes, Henry of Limestone, Holt, Kilgore, Killough, Lacy, Lynch, McKinney of Denton, McKinney of Walker, Murphy, Martin of Navarro, Martin of Hunt, Nugent, Reagan, Robertson of Bell, Robison of Fayette, Russell of Wood, Scott, Sessions, Spikes, Stayton, Stockdale, Whitehead—37.

NAYS—Abner, Ballinger, Brady, Cline, Cooley, Crawford, Darnell, Davis of Brazos, Davis of Wharton, DeMorse, Dillard, Ferris, Flanagan, Fleming, Ford, Lockett, McCormick, McLean, Mills, Mitchell, Moore, Morris, Norvell, Nunn, Pauli, Ramey, Rentfro, Reynolds, Ross, Smith, Stewart, Wade, Waelder—33.

Mr. German's amendment—viz.: Amend section 2, line 10, by inserting after the word "whatsoever" "all lands forfeited to the State by railroad companies"—was then lost by the following vote:

YEAS—Ballinger, Barnett, Blassingame, Brady, Bruce, Chambers, Cline, Cooley, Davis of Brazos, Davis of Wharton, DeMorse, Dillard, Ferris, Fleming, Ford, German, Graves, Haynes, Kilgore, Lacy, Lockett, McKinney of Walker, Mills, Mitchell, Moore, Morris, Martin of Hunt, Nugent, Robertson of Bell, Robison of Fayette, Ross, Russell of Wood, Scott, Sessions, Smith, Spikes, Stewart, Waelder, Whitfield—39.

NAYS—Abernathy, Abner, Allison, Brown, Cooke of San Saba, Crawford, Darnell, Dohoney, Douglas, Flanagan, Flournoy, Gaither, Henry of Limestone, Holt, Killough, Lynch, McCormick, McKinney of Denton, McLean, Murphy, Martin of Navarro, Norvell, Nunn, Pauli, Ramey, Reagan, Rentfro, Reynolds, Stayton, Stockdale, Waelder, Whitefield—32.

The question then recurring upon the final passage of the article, the same was put and the article passed by the following vote:

YEAS—Abernathy, Allison, Ballinger, Barnett, Brown, Bruce,

Chambers, Cooke of San Saba, Crawford, Darnell, Davis of Brazos, Dillard, Dohoney, Douglas, Ferris, Fleming, Flournoy, Gaither, German, Graves, Haynes, Henry of Limestone, Killough, Lacy, McKinney of Denton, McLean, Moore, Martin of Navarro, Martin of Hunt, Norvell, Nugent, Nunn, Ramey, Reagan, Robertson of Bell, Robison of Fayette, Ross, Russell of Wood, Scott, Sessions, Spikes, Stewart, Waelder, Whitehead—44.

NAYS—Abner, Blassingame, Brady, Cline, Cooley, Davis of Wharton, DeMorse, Flanagan, Ford, Holt, Kilgore, Lockett, Lynch, McCormick, McKinney of Walker, Mills, Mitchell, Morris, Murphy, Pauli, Rentfro, Reynolds, Smith, Stayton, Stockdale, Wade, Whitfield—27.

Mr. Nugent moved to adjourn until 9 o'clock Monday morning.

Mr. Crawford submitted the following substitute for "Article —, Granting Lands to Railroads:"

"Section 1. No lands shall ever be granted, except in a manner prescribed by general law, and no law shall be passed granting to any citizen or class of citizens any of the public lands of the State, or privileges therein which, upon the same terms, shall not equally belong to all citizens.

"Sec. 2. The public domain of the State shall be appropriated as follows:

"First. For the use of the State proper, in such manner as the Legislature shall prescribe.

"Second. For homes for actual settlers.

"Third. For the creation of a perpetual fund for the education of the youth of the State.

"Fourth. For the encouragement of, and to aid in the construction of railroads.

"Sec. 3. There shall be two classes of railroads which shall be entitled to receive the State's aid, as follows:

"First. Broad guage roads of the first class shall receive sixteen sections of land, of 640 acres each, for every mile of road constructed and put into actual operation, to be issued upon completed sections of ten miles, and not otherwise.

"Second. Narrow guage roads, or roads of the second class, shall receive twelve sections of land, of 640 acres each, for every mile of road constructed and put into actual operation, to be issued upon completed sections of ten miles, and not otherwise.

"Sec. 4. All certificates issued to railway companies shall be located by the company to which they were issued, and in alter-

nate sections, one for the railway company and one for the State, for the use and benefit of the perpetual school fund.

"Sec. 5. All lands granted to railway companies and held by them shall be open to and may be occupied by actual settlers, in lots of their option, of not less than eighty acres and not more than three hundred and twenty acres, at a price not to exceed one dollar per acre, and the railway companies shall be compelled to alienate to such settlers in fee, without the reservation of any privilege in said land; and the Legislature shall enact such laws as may be needed to give full force and effect to this section.

"Sec. 6. All railway companies shall be compelled to alienate the lands received from the State, one-fourth in every five years, so that the whole shall be sold in good faith within twenty years; and said railway companies shall annually furnish to the Commissioner of the General Land Office, in a manner to be prescribed by law, an abstract of all sales of land made the previous year, showing to whom sold, his residence, quantity of land sold, terms of sale, and price received; and all lands granted by the State, and not sold in good faith within the prescribed time, shall revert to and become the property of the State, and shall be open to occupation and settlement, or other disposition, as in the first instance.

"Sec. 7. To secure a just and uniform system of internal improvements, and to promote the settlements of the State, we declare that no land shall be granted to any railway company heretofore chartered by the State, or to any foreign company having any demand upon the State, except upon an exact compliance with the conditions of their charter or other contract under which the lands are claimed from the State; and the Legislature shall never grant an extension of time to any railway company heretofore chartered; nor shall any charter be renewed in any wise inconsistent with this constitution. The Legislature shall provide for the speedy enforcement of all forfeitures against defaulting companies.

"Sec. 8. All railway companies now in existence may accept the provisions of this constitution, upon a renouncement of all the provisions of their charters inconsistent herewith; and upon a full and complete acceptance of the provisions herein contained, and all railway companies so renouncing and accepting shall be entitled to a speedy and equitable adjustment of all demands against the State upon completed roads affecting reservations, exemption and immunities granted by the State. All reservations opened and lands restored to the State by this

means, or by forfeitures, shall be disposed of as in the first instance.

“Sec. 9. No exclusive privileges shall ever be granted to any corporation organized for the purpose of constructing and running a railroad or railroads, or to any other association of individuals for any purpose whatever, that has heretofore been or may be hereafter created over any of the public domain, but the said domain shall be held equally open to location by all who may have a just claim against the same.

“Sec. 10. No foreign corporation or company (other than a commercial copartnership) shall ever acquire, hold or transmit lands in this State, except in such limited quantities as may be necessary for the conduct of a legitimate business in the State, conducted by permission of the State.

“Sec. 11. The lands reserved for the perpetual school fund may be sold in such manner and upon such conditions as the Legislature may prescribe.”

One hundred copies ordered printed.

The question on adjournment was then put, and the Convention adjourned by the following vote:

YEAS—Abner, Allison, Ballinger, Brady, Brown, Cline, Cooke of San Saba, Cooley, Crawford, Darnell, Davis of Brazos, Davis of Wharton, DeMorse, Ferris, Flanagan, Fleming, Ford, Gaither, Kilgore, Killough, Lockett, Lynch, McCormick, Mills, Mitchell, Moore, Martin of Hunt, Nugent, Nunn, Pauli, Reagan, Rentfro, Reynolds, Stavton, Stockdale—35.

NAYS—Abernathy, Barnett, Blassingame, Bruce, Chambers, Dillard, Dohoney, Douglas, Flournoy, German, Graves, Haynes, Henry of Limestone, Holt, Lacy, McKinney of Denton, McKinney of Walker, Morris, Murphy, Martin of Navarro, Norvell, Ramey, Robertson of Bell, Robison of Fayette, Ross, Scott, Sessions, Spikes, Stewart, Wade, Waelder, Whitehead, Whitfield—32.

FIFTY-FIFTH DAY.

HALL OF REPRESENTATIVES,
AUSTIN, TEXAS, November 8, 1875. }

Convention met pursuant to adjournment; roll called; quorum present. Prayer by the Rev. Dr. A. P. Smith, pastor of the Southern Presbyterian Church, at Dallas.

Journal of yesterday read and adopted.