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SATURDAY NIGHT'S DEED OF BLOOD.

This bloody work must end. The assassination of Barton, Saturday night, before the very face of the Legislature, approves a code as ruthless as the purpose of him who walks the streets day and night with weapons concealed upon his person that the first who questions his courage or worth may be put to death. He who bears murderous weapons about his person, if the laws were worthy the name and courts and juries and sheriffs executed them, is already a felon. He is a murderer in his heart or a coward fearing a murderer. But this is only true where the laws are enforced and individuals protected. When those addicted to lowest haunts of vice fall victims to violence, the effect at home is trifling; but when the telegraph tells it this morning, at every breakfast table in America, that there has been another murder perpetrated even at the capital of Texas, the State suffers in the eyes of decent, progressive civilization, and we are deemed worthy descendants of those terrible fellows who, in the olden time, left older States "between two days," to die booted and spurred upon the border. Among ignorant, imbruted, half-civilized people, this bloody work may be even tolerable. "The lie" among these justifies instant murder, but, among intelligent citizens, recognizing obligations to society, and to decency and good government, and confessing the value of the fair fame of Texas, no empty word approves the murderer's crime and no wrong done an individual by a slander however cruel, can palliate the wrong done society, law and order by vengeful murder. Men holding office will surely give the people proper illustrations in their personal conduct and relations to one another, of proper modes of life and action. The bravest placeholder, lifted conspicuously above his fellows, is he who dares to do right before God and man. In ordinary times duels and personal collisions are condoned; but now he alone will be justified in taking life who resists a robber or declared murderer and desperado. There are reasons for these suggestions in possible occurrences during protracted weary debates in the Capitol, and in sudden quarrels, even among gentlemen and among those who tamper with whisky, that reason and law may restrain violent resentment of real or fancied wrongs. It may be proper to say that until the laws are reformed and made operative and crime certainly and fiercely punished, the concealed weapons code is worse than a failure. Good and upright and honest citizens obey and villains evade and defy, and thus the best are at the mercy of the worst class, and in order that sudden quarrels may not result, because of concealed weapons in sudden murder, reform must cure the necessity for self defense. Assassins must be hanged and the class that habitually robs and murders and swills mean whisky must be taught by terrible lessons administered by the hangman and whipping post and branding iron, that the right to live is universal, and the right to *take life* forever and under *all* circumstances, annulled in Texas. The distinction between high-toned murder and brutal, vulgar assassination, like that done in this city Saturday night, can no longer be drawn by the courts of Texas, and bloodshed and crime, wherever and by whomsoever perpetrated, and whatever the pretext of "honor" (?) or vengeance, must be made disgraceful.

THE commerce and riches of the prosperous city of Baltimore, upheld by the wisely managed Baltimore and Ohio road, is based mainly upon a monopoly of the coffee trade of the United States. Baltimore owes the monopoly to the peculiar quality of wheat borne to the city by the Baltimore and Ohio road. This wheat is grown on the chocolate colored land of Virginia and Maryland, and to produce it the farmer must invest from $5 to $15 per annum per acre in phosphates. Within the confines of Texas there are millions of acres of this very chocolate colored land that enriches Virginia and aggrandizes Baltimore. The virgin soil of Texas requires no phosphates, and it is only needful that proper varieties of wheat be sowed, and that measures be adopted by Austin, Dallas and Houston to open direct communication with cities of South America now supplied with wheat in exchange for coffee by Baltimore. There is less moisture in Texas wheat, and it is more safely shipped across the equator than that of Virginia. The West Indies are at our doors, and Brazil and Paraguay nearer Houston than Baltimore, and very *certainly* the Central and International roads will find it profitable to transfer coffee to Kansas City and St. Louis from Houston, as cheaply as this is done from Baltimore by the Baltimore and Ohio road.

THE metropolitan papers have copied everywhere, in whole or in part, the eloquent inaugural address of Governor Hubbard. The New York *World*, referring to it, says: "The inaugural address of Lieutenant Governor Hubbard, of Texas, gives a glowing but truthful picture of the steady advance of that great commonwealth in prosperity. The Lone Star State, with its romantic history, its admirable climate, its natural advantages, and the hospitality of its people, is certainly destined to draw to itself tides of immigration which have hitherto set toward the far West. Twenty years ago Mr. Olmsted, a careful and impartial observer, prophesied the glorious results which, as Governor Hubbard shows, us are fast coming to fruition. The day is not distant when Texas will alone outweigh all New England in the scales of national power and importance."

THE *Express* is informed that surveyors and registration fees to the amount of perhaps $70,000 are due on certificates or deeds prepared in the Texas Land Office for the Texas and Pacific Railway Company. It is this little item that would make the State Treasury comfortable if Tom Scott could be induced to cash it. But if the reservation, almost as broad as Tennessee, carved out of Texas, be forfeited, it is very probable that the fees due the Land Office will never be paid.

THE school bill, now electing so much attention in the Senate, was originally compiled by Senator Ball, and then passed into the hands of Mr. S. G. Sneed, of this city, an able educator, and late chief clerk of the educational department. He carefully revised the bill, and finally, after it had been thoroughly amended by this experienced gentleman, had the assessment requirements and other legal features added [illegible] by Senator Terrell, and by him was [illegible]ted to the Senate.

WHEN Democrats have triumphed in New York the majority has been commonly ten thousand. Tilden swept the State by fifty thousand. Leading the Democratic party as the reformers' candidate for the presidency, he will carry the Empire State by twice or thrice this majority. The very recent exposure of canal frauds and conviction of one Lord, a mighty potentate among plunderers, gives fresh impetus to the Tilden movement, even as the designation of the good and easy Hayes for the task of cleansing Grant's Augean stables is deemed absurd. Tilden's nomination is *as fiat accompli*.

THE election of Henry Watterson, of the *Courier-Journal*, to the temporary chairmanship of the St. Louis Convention was an honor to the press and to a journalist who did honor to the position. The incident was, moreover, indicative of the strength of Tilden, who will probably receive four hundred votes on the first ballot. But all the weaker candidates have combined to defeat him and it may be done and then, we greatly fear, the election of Hayes is an accomplished fact.

THE Democrats have cut down the appropriation bills forty millions, and the placeholders that must suffer have swarmed about the Senate and stopped the progress of legislation, and if they do not suffer the bills to pass, the machinery of government itself will be brought to a dead lock on the first of July in Washington.

MRS. AARON V. BROWN, widow of the late Postmaster General, is Centennial Commissioner for the woman's department of the Philadelphia Exposition.

TOM SCOTT must pay $306,266, gold, on a judgment against him for iron furnished by Jessup & Co. to one of Scott's leased roads.

Texas—Facts and Fancies.

The *Free Press* is feasting on *aguaritas*.

Jere Galvan is to be postmaster at Brownsville.

Rev. Dr. Neely is conducting a successful revival in Dallas.

The Belton *Journal* constitutes, of itself, a capital grammar school.

They are going to have a New Braunfels woolen mill at San Antonio.

Enoch Breeding may have been sniped but is no goose of an editor.

The *Democrat* is the only paper now published in Tyler, and its a good one.

The New Braunfels woolen mills turn out 16,000 yards of cloth per month.

Thomas Pugh, who came to Texas in 1834, died last week in Oakville.

England is refortifying Malta and Gibral tar. Is war with Russia impending?

The Caddo *Star* says that Texas, judging from its newspapers, is about solid for Tilden.

Bootblacks and newsboys are deserting Galveston, and seek homes in Dallas and Austin.

Kansas or Illinois corn planted in Texas matures two or three weeks earlier than native corn.

Rev. Moody, Presbyterian of Jefferson, declines a "call" to Austin and another to Jefferson.

Dallas is exceedingly lively now under the influence of the inspiriting presence of Leader and Murray.

The Granbury *Vidette* says the crops of cotton and corn are unusually early and prematurely advanced.

People hold meetings at Kerrville and ask the Legislature to assure them protection against lawlessness.

H. J. J., whoever he may be, writes the best letters to the *Jimplecute* we have seen from a Texan at the Centennial.

They have anthropological society in Denison, which, being interpreted, signifies those fellows opposed to hippophagy.

Whisky Jack, of Belton, can put more under his shirt, and walk with it, than any other man never naturalized in Dallas.

The wife of the married man who devotes himself to billiards and base ball is commonly seen sawing wood in the back yard.

Street's Monthly for June is adorned with wood-cut likenesses of Sam Houston and Senator Coke with excellent biographical sketches.

B. M. Epperson, a private letter tells, has bought twenty miles of iron and a locomotive for the Jefferson East Line Railroad.

Cal Wright runs the best stage line in Texas, from Austin to Lampasas, and that's the reason people won't subscribe to the narrow gauge.

J. A. George, who has been writing letters to Texas papers from Western Turkey, has been captured by the Turks and, it is said, put to death.

The San Antonio *Express* says that all that story about Governor Hubbard's alleged improper conduct as attorney and Senator is the merest bosh.

The oldest editor of Texas is he of the Hearne *Enterprise*. He tells that Jabez Cain, son of Tubal, was his "old time friend and fellow-typo."

Ex-Attorney General George Clark has gone to St. Louis. He is for Tilden, we imagine, and for the reason that he always bets on the winning horse.

Two men from Slaughter creek, in this county, lost fifteen horses last week in Kerr county. Indians, or whites disguised as Indians, stampeded them.

Gen. Gonzales has gone towards the Potosi mountains, probably to join Diaz, and Gen. Toledo remains in command of the revolutionary forces in Tamaulipas.

The *Jimplecute* exclaims fiercely "Down with the two-thirds rule." It doesn't signify. Tilden will secure a two thirds vote on the second or third ballot.

The Oakville *Tribune* reports several cases of robbery and of terrible violence, and begs the Legislature to give the West some sort of security for life and property.

The Denison *News* corrects the error into which the colored people of that town have fallen, and tells them that it is not their duty to sell their votes to the highest bidders.

One mile of track has been finished with iron on the Trans Continental east of Paris Texarkana grows apace tumescent with hope of another railway and a good time coming.

Governor Throckmorton is mightily scared because somebody has told him that H. L. Ray, of the Radical persuasion, is to be candidate for Congress in the General's district.

The Belton *Journal* and Hearne *Enterprise* are perhaps the best looking papers of Texas. Their managers are surely masters of the art preservative—even as they are skilled editors.

The people at Will's Point, in public assembly, have put a veto on killing men in those parts. They are going to hang the first fellow that does it, and pocket pistols are for sale cheap.

The *Free Press* doesn't think that the branch penitentiary at San Marcos will ever have existence. Wishing prosperity to San Marcos, we hope the den of iniquity will never be constructed.

We were mistaken in saying that James Reed was killed by robbers who attacked him beyond San Antonio on the Pleasanton road. His arm was broken and he escaped with his life and pennies.

They have spiritual séances at Lampasas, and sulphurous smells, and the spirits say Lampasas is a convenient place for them to

They call Col. Crawford, of Jefferson, "the golden tongued." That's the way they have at Jefferson, we reckon, of distinguishing *hard money* Tilden Democrats.

Most Texan towns will celebrate the Fourth. Historical sketches of towns and counties will be read and deposited beneath cornerstones of public edifices to be dug up and re-read one hundred years hence.

A good brother complains to the *Christian Messenger* of costly baby carriages in which sisters haul their babies around these progressive times. When he was a baby they hauled them around by the hair of the head.

come to o' nights. They just boil up with the bilge water that people drink over there.

Crooks is to be Macaulay "straight" hereafter. He is preparing a history of Sherman and Denison to be launched upon the babbling stream reflecting in its bosom the outlines of other days on the Fourth of July.

The Sherman *Register* says that George Halfanalf has learned with delight that he has a bouncing boy. Would George be 'alf and 'alf so happy if the boy hadn't bounced when he struck to toddle on through life?

Major Fitzhugh's letter, published in the *Capital*, fills two columns. He claims that the letter to Maddox was intentionally absurd and ridiculous, and designed only to amuse Maddox. It was exceedingly funny, and no mistake.

Judge Killough, late member of the Constitutional Convention, a man of excellent sense, and a faultless citizen, died suddenly last week of congestion, at his residence in Robertson county, where he had been a citizen since 1837.

The Denison *News* deplores the defeat of Senator Terrell's stenographic reporter's bill. The editor of the *News* always had a stenographic crank in his head, and would himself make a good hand at airing vainglorious men.

Seven young gentlemen, so called, got drunk in Comanche and to remind decent people why the town was named Comanche, they went howling through the village firing pistols. The seven were captured and fined and Comanche proposes to change its name.

The Stephensville *Empire* denies that terrible statement of the Galveston *News*, made not long ago when all Texas, according to the *News*, was hanging people. On such event as the hanging of six men in one day ever occurred in the *Empire's* county.

Dallas wants to abolish perquisites, and thus stop stealing, and have salaries substituted for present modes of legalizing robberies. But the new Constitution accepts and approves the ruinous, corrupting and depraved system.

Dug Irwin, an excellent Dallas editor, lost $57 at the hands of a pickpocket. We wish it distinctly understood that a Dallas paper tells this incredible story; and isn't it strange that the paper forgot to tell where and how the editor got the money?

The old South Church of Boston, as many Texans educated down East will be grieved to learn, must be torn down, that a commercial structure may rise upon its ruins. Is there nothing sacred in the eyes of cupidity? Will Faneuil Hall be suffered to stand?

On King's ranche are the horses Nellie Grant with her beautiful bay colt six weeks old, Sartoris, a horse, Pat Murphy and Honest Kentucky John, both large fine blooded bays, and a perfect model of a horse, Young Lunatic, with a fine turf record.

The Oakville *Tribune* sneakingly suggests that Mr. Rust is a printer and is trying to get the Legislature to erect a monument over his own honored remains. The *Tribune* says Mr. Rust proposed to lift up a statue to an "honest printer" if one were discoverable.

Gen. J. B. Robertson, who represents Texas all the year round in St. Louis, has induced a woolen manufacturer and a cooper and cedar pail maker to go down to Austin to look up the wool crop and cedar brakes about the capital.

Mrs. Martha C. Faught went into a bathroom at Lampasas, and remaining longer than usual, her husband sought and found her dead—suffocated by the sulphurous vapor, it is thought. The water in the tub was less than a foot deep.

Lampasas is going to have a brass band and balloon on the glorious Fourth. It will thus be a windy day for Lampasas. Perhaps the balloon business is a joke of the *News*, having reference to the windiness of the "orator of the day."

King's ranche and stock farm, of Santa Gertrudes, is the largest in Texas, containing in one grand enclosure over 75,000 acres. It is forty-three miles around it, all seeded in the mesquit grass with many large pools of water, and many springs at the head of the Santa Gertrudes.

The San Marcos *Free Press* thinks the Fourth of July will only be remembered in those parts as one of the causes of the late war, freeing the negroes, instigating the fourteenth and fifteenth amendments, election of Grant, hard times, and a day altogether fraught with ill luck.

Gen. J. Waldo—of whose forefathers we read in D'Aubigne's account of the Waldenses—gives each member of the Texas or Mexican Veteran Association Centennial round trip tickets for one and one-fifth fare and the scalpers are instructing their customers in the art of whitening locks and using crutches.

The Gate City (Ark.) *News* says "eggs go begging there at ten cents," which is strange, since they told us at our hash house that if eggs made any "fuss" they were afeard of "feathers," and warn't worth a durn. It was "fuss and feathers" that "rotten-egged" old Scott off the track and beat him for the presidency.

The Hempstead *Messenger* wisely says: "Nothing short of severe, swift and inevitable punishment will deter evil-disposed persons from giving full vent to their propensities. Our legislators being incapable of devising means of suppressing crime, the people are forced to resume the powers delegated to their representatives."

The *National Index*, at Tyler, is still huzzaing because of Blaine's (!) nomination at Cincinnati. It went into hysteria when the announcement came by the grapevine line, and has been "cavorting" so violently (that it may control the postoffice at Tyler) that it has never been able to read or hear, and still has Blaine on the brain.

An eloquent preacher concludes a private letter: "To write to you brings up the past for we are growing older. Back on the hill slope, which we have ascended, are the graves of our friends; down the hill, just before us, are our own graves. Let us cling in perfect confidence to Him who is the resurrection and the life."

The fall in the San Antonio river, within three miles of its source, is 130 feet, and that no great mills line its banks smacks of the listless indolence of populations of these lazy latitudes. The most latitudinarian fellow of the old town is constructionist of the decrees of the recorder's court down there, and that's what's the matter with San Antonio.

The Freestone *Herald* would name the new county proposed to be created that a lot of good fellows may have good fat offices and nice "perquisites" under the Rutabaga scheme of government—the *Herald* would name it, in allusion to its being all hands, "Mexican Gourd" county. But won't the daddy of the scheme fancy that name an allusion to his head?

That graduating student of Waco University waked up a hornet's nest when he assaulted the circuit riders. They are riding him—a very ass in this behalf—till his body and limbs are sore. It is only amazing that these good "sprinklers" know how to "*wade* into" a fellow so effectively. Did they learn the trick from some perversion of the story of Philip and the eunuch?

It seems that a band of robbers stole a number of cattle from a Mexican named Gonzales, near Laredo, and were pursued by him and eight others. The robbers were overtaken and a fight ensued, lasting seven hours, in which Gonzales and four of his men were killed, and his party defeated. The rest escaping from the robbers, have returned crestfallen into Laredo.

A major and twenty-five cavalry, belonging to Gen. Revueltas, were sent out of Matamoros carrying three thousand dollars and provisions to Col. Ordonez, at San Fernando. The major and his men arrived at a ranche on the way where a dance was going on, stopped, danced, drank, were made drunk by pretty *senoritas* and robbed. The major has fled to the mountains.

The chairman of the Judiciary Committee of the House has scared Denison terribly by telling the people up there that there may be bitter opposition to the further concession of land to railroads in eastern counties. The West claims that that section of the State already has the lion's share of land donations, and that what is left of the public domain should be given to Western Texas enterprises.

The Guadalupe *Times* says, because Morgan doesn't run the Indianola and Cuero road that "he is experimenting. He is testing the nerves and pockets of the people, and seeing if the State will take hold of the matter. His lands should be at once forfeited to the State, or if alienated, he should be sued for their value. His charter should be forfeited. Or he should be compelled by mandamus or injunction to continue the road."

Hon. Jake Thompson went blowing around Washington, and Secretary Chandler, of the Interior, having several drinks ahead, flung a [illegible] dollar suit at Jake, accusing the latter of hiding this amount of Confederate finances. It is now stated that this little litigation will cause queer inquiries into the disposition made of cotton taken from farmers everywhere in the Eastern Gulf States, and shipped to Europe just before the collapse of the Confederacy.

The objection commonly urged against the enactment of a bloody code is the fact that juries will not enforce it, and thus it defeats its own purposes. But the spirit of the people moves, just now, in the opposite direction, and juries will hang every knave designated as such by proper testimony. Such is the present disposition of the people, and no murderous bully about Austin or any interior town dares, just now, to do any bloody deed. The criminal code must be adapted to the necessities of the hour and to the demands of those who would have crime punished and order perfected.

The Gatesville *Sun* says: "The STATESMAN would utilize convicts in building railways, and strongly urges this method of employing them. The State is to put them to work, control them and accept pay in first mortgage bonds. We see no earthly objection to such a system. The solution of the convict problem is one of the most difficult, and he who points out a way in which punishment can be inflicted and the expense of imprisonment lessened certainly deserves well of the State."

The second annual exhibition and reunion of the Texas State Horticultural and Pomological Association will take place in the city of Houston on the tenth day of August next. The various committees are at work making preparations, which will result in the grandest exhibition of its character ever given in the South. The various lines of railroad centering at Houston will issue excursion tickets, the express company will carry all packages for exhibition free, and the Hutchins House, Exchange Hotel and Dissen House will reduce their rates one-third for the occasion.

It is a terrible and progressive calamity that befalls Galveston in its conflict with Morgan's steamship line. Morgan, last year, only removed fifteen thousand and this year one hundred and fifteen thousand cotton bales through the canal. Not one of these paid one cent of tribute to the wharf company, and Galveston is staggered while the scepter departs from Judah. Morgan is making arrangements to transfer to New York every bushel of wheat gathered at Dallas, and not one single grain will touch the once gilded wharves of Galveston.

Wheeler must be deemed "soothing syrup" administered to Radicalism—a small bottle tied on the tail of the ticket. In any event where the word "Wheeler" was written on Friday "Winslow" appeared in Saturday morning's STATESMAN and where we wrote Colfax and Blaine "designated" him as a member of the railway thieving credit mobilier committee, it was printed Blaine was "disgusted" with him as chairman, etc. We are afraid that Wheeler will be infernally mad with us when he sees the STATESMAN of yesterday. He isn't any tin cup tied to the dog's tail of the Radical ticket, nor was Blaine "disgusted" with any of the foul practices of the railway committee.

The *Christian Messenger* says "the Baptist convention in Richmond filled fifty pulpits one Sunday". We've been bothered about this statement of the *Messenger*. It's indefinite—exceedingly indefinite. An ordinary pulpit holds about thirty-five bushels. It's as quare box, as described by Sut Lovingood, out of which the good man sticks his head and shoulders and lumbers. Tell us what sort of pulpits they have in Richmond, and we may derive some definite idea of the great gathering of preachers from the indefinite facts given by the *Messenger*. Moreover, the discussion of the shape and capacity of Richmond pulpits may lead to reform in their mode of construction in some places in Texas.

The Italians along the Avenue are all going to Philadelphia to see the statue of Christopher Columbus inaugurated. It was presented by Italy to the United States, and old Chris. is represented in the act of cracking a fresh egg. There's a chance for omelets and Dallas will go with a noggin to get the nog. This big show comes off on the fourth proximo. Columbus did not eggsactly discover America by cracking the egg. It was the good Spanish queen Isabella—who I followed with delight when the grand idea was "shelled" out; and Spaniards and Mexicans, too, should participate in the wonderful events of the coming celebration and perhaps we may thus have peace all along the Rio Grande on the coming glorious Fourth. The orator of Texas at Philadelphia may well enlarge on these swelling themes.

Committee Reports.

Hon. T. R. Bonner, Speaker of the House of Representatives:

Your Committee on Privileges and Elections, to whom was referred the contested election case of J. T. Coffee v. A. J. Northington, from the Sixty-seventh Representative District, composed of the counties of Williamson and Lampasas, have had the same under consideration and examination, and beg leave to report the following as the result of their investigation:

After the examination of a number of witnesses for both parties to the contest, your committee find that twenty-seven illegal ballots were cast in the election as between said parties to the contest, of which number fourteen were cast for J. T. Coffee, contestant, and thirteen were cast for A. J. Northington, contestee; that, upon a recount of the Georgetown and Lampasas town election boxes, your committee find that, at the Georgetown box, A. J. Northington received 129 votes and J. T. Coffee 241 votes. At Lampasas town box, A. J. Northington received 238 votes and J. T. Coffee 34 votes. Whereas, by the return of the officers of election at Georgetown, A. J. Northington received 127 votes and J. T. Coffee 241 votes; by the election returns at Lampasas town, A. J. Northington received 238 votes and J. T. Coffee 35 votes.

From the certificate of the returning officer, your committee find the aggregate number of votes cast for A. J. Northington to be 1049 votes, for J. T. Coffee to be 1046 votes, taking the result of the recount by the committee of the boxes at Georgetown and Lampasas, which leaves and makes 1051 as the aggregate number of votes actually and in fact cast for A. J. Northington, and 1045 votes for J. T. Ceffee, deducting from which 13, being the number of illegal votes cast for A. J. Northington, and 14, being the number of illegal votes found to have been cast for Coffee, leaves 1038 as the aggregate number of legal votes cast in said election for A. J. Northington, and 1031 as the aggregate number of legal votes cast for J. T. Coffee, making an actual majority for A. J. Northington of 7 votes.

Your committee recommend the adoption of the following resolution:

Resolved, That it is the sense of this House that the sitting member, A. J. Northington, the contestee, was duly elected at the late February election as Representative from the Sixty-seventh District, and is entitled to retain his seat upon the floor of this House as member from said district.

Report and resolution adopted.

CHESLEY, Chairman.

Senator Storey, from Judiciary Committee No. 1, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

I cannot agree with the report of the majority of Judiciary Committee No. 1, who recommend the passage of Senate bill No. 126, "An act to fix the time of holding the biennial sessions of the Legislature of the State of Texas," for the following reasons:

1. I believe this to be the only session contemplated by the Constitution for the Fifteenth Legislature, and any other session must be either an extraordinary session convened by the Governor, or an adjournment of this session to a future day, and when so adjourned it of course would be a part of this the regular session and not a new and distinct session of this Legislature and if this and the adjourned session together holds for more than ninety days, out *per diem* could be but two dollars per day for all over ninety days.

It will not be denied by any one that one of the principal if not the prime reason for calling the late Constitutional Convention was to secure an economical government, and one of the greatest evils complained of was frequent sessions of the Legislature, and so prominent was the idea in the minds of the members of the convention, we find that early in the session, as shown by the journals of the convention, a proposition was submitted by Mr. Martin of Hunt, now an honored Senator on this floor, in these words, viz.: "That after the adoption of this Constitution, the first two sessions of the Legislature shall be biennial, the first session limited to ninety days, and the second to sixty days; and thereafter the Legislature shall meet in regular session once only in every four years, except when the Legislature shall be convened in extra session by the Governor, which extra session shall be limited to thirty days; and when so called, the Legislature shall act upon no measure or measures, except such as may be recommended by the Governor."

A few days afterwards Mr. German presented the following:

"The members of the House of Representatives shall be chosen by the qualified electors, and their terms of office shall be two years from the date of general election, and the regular sessions of the Legislature shall be once only in every two years, and no more than sixty days' duration."

Both of these and several other similar resolutions were referred to the Committee on the Legislative Department, and in course of time the committee reported the following:

"The Legislature shall meet every two years, at such times as may be prescribed by law, and at other times when convened by the Governor. The first session under this Constitution shall convene on the — day of —, 1876."

This was amended by striking out all after the word "Governor," and thus section 5, article 3, of the Consitution was formed. Again, at a later day in the session, Judge Ferris, an eminent lawyer and able member of the Convention, submitted the following:

"Section —. No money shall be drawn from the Treasury but in pursuance of specific appropriation made by law, nor shall any appropriation of money be made for a longer time than two years."

Several days afterward, Mr. Brown of Dallas offered the following amendment: "Add to section 6 'except by the first Legislature to assemble under this Constitution, which may make the necessary appropriation to carry on the government until the assembling of the Sixteenth Legislature.'" This amendment was adopted, and thus section 6, article 8, of the Constitution, was formed.

I submit that these extracts are sufficient to show that the Convention recognized the demands of the people to do away with frequent sessions of the Legislature, and, in order that no harm should result from a longer vacation than two years, the Fifteenth Legislature is permitted to make an appropriation to carry on the government until the session of the Sixteenth Legislature, which cannot assemble, as we all agree, until after November, 1878, or two and a half years.

Again, I refer the Senate to section 24, article 3, of the Constitution, which in substance provides that at the first session of the Legislature held under this Constitution, the members may receive five dollars per day for ninety days, and two dollars per day for the remainder of the session, and for all subsequent sessions five dollars per day for sixty days, and two dollars per day for the remainder of the session.

But is contended by those who favor the views of the majority of the committee that this is an extraordinary session of the Legislature, and that at this session we must provide for the meeting of the regular biennial session of the Fifteenth Legislature, and that the biennial session of the Sixteenth Legislature must be exactly two years from that date—no more, nor no less. If this is true, when we once fix the time for the biennial sessions of the Legislature, it can never be changed except by an amendment to the Constitution. Such a thing was certainly never contemplated by the Convention.

And if we should be so fortunate as to complete all the necessary legislation at this session of the Legislature, this extreme, strict construction of the instrument will require us to go through the foolish, expensive and shameful formality of assembling here next April, with nothing to do but to draw our mileage and thus insult the good sense of our constituents, return home and congratulate ourselves that we

"Marched up the hill
And then march'd down again."

I am clearly of the opinion that the ordinance of the Constitution under which we assembled here must be construed to prefix, so to speak, to our terms, the time from the date of our election, on the fifteenth day of February last to the first Monday in November, 1876. So the Fifteenth Legislature was, like all county officials, in fact elected for nearly three years instead of two years and we are not on duty before our terms begin, as some seem to think; and because we were elected for a longer period than two years, and because it was contemplated by the Convention that we might have no other session until the Sixteenth Legislature assembled, we are permitted to draw full pay for ninety days to enable us to get through with all necessary legislation, and to make an appropriation for a longer period than two years.

I might rest my case here with perfect safety, but for fear some may think we are without a precedent to sustain the position taken, I beg to remind Senators that this is no new question in Texas. The Constitution of 1845, provided in section 5, article 3, "that the sessions of the Legislature shall be biennial, at such times as shall be prescribed by law." This very language was re-enacted in section 4, article 3, of the Constitution of 1866.

While the present Constitution retains the same idea in section 5, article 3, in this language: "The Legislature shall meet every two years, at such times as may be provided by law, and at other times when convened by the Governor," and as the last convention borrowed that clause from the Constitution of 1866; so they borrowed the following ordinance from the Constitution of 1866:

"Ordinance No. 3, section 2. *Be it further ordained*, That the officers elected under this ordinance shall hold their respective offices from the date of their installation to the first Monday in August, 1866, and thereafter for the full term prescribed by law, as if elected on said first Monday."

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"Section 3. *Be it further ordained*, That the Legislature of the State of Texas shall meet at the seat of the government thereof, and begin their session on the first Monday in August, A. D., 1866," and thus time was premixed to the terms of the officers elected under the Constitution of 1866; and when that Legislature assembled, Mr. Smith, of Harris, a member of the Judiciary Committee, submitted the following resolution:

WHEREAS, It is by law (O. & W. Dig., Art 1317), that the Legislature of the State of Texas shall meet at the seat of government and begin their next biennial session on the first Monday in November, 1849, and biennially thereafter on the same day until otherwise provided by law; and

Whereas, By the law then in force above recited, the next biennial session of the Legislature will commence on the first Monday in November, A. D., 1867; therefore be it

Resolved, That the Committee on Judiciary, be and they are instructed to inquire whether any action of the Legislature is needed to establish or alter the time for holding the regular biennial sessions of the Legislature, and to report by bill or otherwise." Upon which the committee reported as follows, viz:

* * * "The regular biennial sessions of the Legislature, as at present established by law, are required to begin on the first Monday of November, and biennially thereafter, until otherwise provided by law; consequently, the regular session now in force would take place, unless otherwise provided by law, in 1867, 1869 and 1871, and so on. The term of office of the Governor as prescribed in the Constitution of the State now in force, will expire in 1870, in 1874, and so on. The convenience, and indeed necessity of providing that the gubernatorial term should commence and expire in connection with sessions of the Legislature are obvious. As the gubernatorial terms are fixed in the Constitution and cannot be allowed by law, it only remains to make the legislative sessions harmonize with the gubernatorial term. Your committee, therefore, report the following bill and recommend its passage."

This bill became the law, and is found on page 111 of the laws of 1866. Under this law and the ordinance quoted, the members of the Legislature of 1866 held their offices from June, 1866, until August, 1868, and the next session of the Legislature did not convene until October, 1868, two years and two months after the Legislature of 1866 convened.

I submit, then, that both reason and precedent sustains our position that this is the only regular session the Fifteenth Legislature can ever have. And this view of the case leaves us with the plain duty of fixing the time for the regular biennial sessions of future legislatures. Ours was fixed by the Constitution and ordinances of the Constitutional Convention.

STOREY.

LEGISLATIVE DIRE TORY — REPRESENTATIVES.

TWENTY-THIRD DISTRICT.

County—Henderson.

REPRESENTATIVE A. F. CONE was born in Georgia; graduated at the United States Military Academy at West Point, and remained in the service of the United States, as a second lieutenant of First United States Infantry, until the State of Georgia seceded from the Union in 1861, serving during this time at various points on the Texas frontier; entered the Confederate service at the breaking out of the war, and served during its entire period; was first a lieutenant, and then promoted to the rank of lieutenant-colonel; was a staff officer with General Holmes, D. H. Hill and G. W. Smith, and for the last two years of the war filled the office of Assistant Quartermaster General.

He is now performing his first civil service; was nominated by the Democrats of his district and elected by 112 majority. He has resided in Texas fourteen years; lives at Brownsboro, Henderson county, and is engaged in teaching; is a single man and thirty-nine years of age.

TWENTY-FOURTH DISTRICT.

County—Anderson.

REPRESENTATIVE A. T. RAINEY is a native of Alabama, was educated in Greene county, in that State, and is now 53 years old; has resided in Texas 22 years; is a lawyer by profession and practice, and is also interested in farming.

He became a politician early in life; was a delegate to the National Democratic Convention at Baltimore in 1848; moved to Arkansas and became a member of the Legislature of that State in 1852-3; came to Texas, and three years after doing so became a member of the Texas Legislature, in 1857-8; was a member of the State Senate in 1859-60; was one of the State electors for President, on the Breckenridge ticket, in 1860; became a member of the Secession Convention in the early part of 1861, and next devoted himself to the service of the Confederate States. In July, 1861, he left Texas with a company of volunteers for the war, and went to Virginia; was the first captain of the First Texas Regiment, and then major of the same, under appointment by President Davis; became Lieutenant-Colonel of the First Texas, and afterward, upon the death of Col. Hugh McLeod, was promoted to the colonelcy of this regiment. His command was one of the most noted in the history of the war, and was composed of ten Texas companies, with two Irish companies attached; six of these volunteered for twelve months and six for the war, but when the twelve months expired, leaving the cause and their commanders, the first six again volunteered, this time for the war, stipulating, under an act of the Confederate Congress, that they should have the right to reelect their officers. After the battle of Eltham's Landing, Col. Rainey, under this act, was re-elected Colonel of the renowned First Texas Regiment; was dangerously wounded at the battle of Gaines's Farm, during the seven days' fight before Richmond, Virginia, and in consequence was confined to his bed, in agony, for four long months. Disabled by this wound for field service, he was transferred to the Trans-Mississippi Department, and placed, by General Magruder, in command of the military district of Beaumont, Liberty and Sabine Pass, and subsequently transferred to the command of the Island of Galveston and its fortification, on which duty he remained for one year. In 1872 Col. Rainey was appointed by the Democratic Convention, held at Corsicana, Elector for President. For many years he has remained in private life, most of the while in bad health. He was nominated and elected to the Fifteenth Legislature by the Democrats of his county, and true to every trust, ever confided to him, he represents them nobly.

Col. Rainey is a man of marked ability, a fine speaker, and yet of youthful countenance. He is a gentleman of family, and resides near Palestine, in Anderson county.

TWENTY-FIFTH DISTRICT.

County—Cherokee.

REPRESENTATIVE M. A. GASTON was born November, 1832, in Georgia; was educated in Greene county in that State; moved to Texas in 1855 and settled in Eastern Texas, where he has continued to reside. He is a doctor of medicine, and practices his profession at Alto, in Cherokee county, where he resides with his family.

Dr. Gaston had never held public position prior to his taking his seat in the Fifteenth Legislature. He was nominated by the Democrats of his district and elected by a fair majority.

TWENTY-SIXTH DISTRICT.

County—Leon.

REPRESENTATIVE D. C. CARRINGTON was born in North Carolina in 1818; was educated in the State of Tennessee and came to Texas in 1838. He is a man of family; resides at Leona, in Leon county, and is a merchant.

Mr. Carrington was in the border service for some years; was in Captain Greer's Ranger company in 1840-1, and was in Summerville's celebrated campaign in 1842. He was a soldier in the Confederate army; a captain in Baylor's Regiment, and participated in all the fights of Major's Brigade in Louisiana and was one of the forlorn hope at the storming of Brashear City. He was nominated by the Democrats of his district and elected a member of the Fifteenth Legislature by 675 majority.

TWENTY-SEVENTH DISTRICT.

County—Robertson.

REPRESENTATIVE PHILIP E. PEERS is a native of Missouri; was educated in Kentucky, and at Cambridge, in Massachusetts; is 40 years of age; moved to Texas in 1862; lives in Robertson county, and is engaged in planting, which he follows as a profession.

Mr. Peers was a captain in the Confederate service, and was Secretary of the Military Board of Texas, and was at one time sheriff of Robertson county. In politics he has been a Democrat; was an independent Democratic candidate in the late election, and by this means was elected to the Legislature by over 500 majority. He is a gentleman of refinement and ability; is possessed of many qualifications, giving confidence to him as a man. He is an unmarried man.

REPRESENTATIVE GEORGE G. MEAD is a native of New York; was educated in New York City, and came to Texas in 1868; settled in Robertson county, and is practicing his profession, that of doctor of medicine, at Calvert, the county seat of Robertson county. He is a single man, and is 46 years of age.

Dr. Mead is doing his first civil service, as a member of the Fifteenth Legislature. He is a Republican, and was elected on the Republican ticket by 49 majority; is a gentleman of fine personal appearance, agreeable manners, and, like most members of his profession, is possessed of an amiable and generous disposition.

TWENTY-EIGHTH DISTRICT.

County—Brazos.

REPRESENTATIVE HARDIN S. NEWLAND was born in Tennessee, and moved to Texas 23 years ago. He is 45 years old, a married man, and resides in Bryan, Texas, where he is actively engaged in the practice of law. He formerly lived in Eastern Texas, and from 1854 to 1857 was deputy clerk of the District Court of Nacogdoches county, and in 1858 and 1859 was deputy sheriff of of the same county. From 1859 to 1862 he was clerk of the District Court of Cherokee county, and in March of 1862 he entered the Confederate service as an officer upon the staff of Gen. Jos. L. Hogg; served in E. Kirby Smith's campaign in Tennessee and Kentucky, and in 1874 was quartermaster of Scott Anderson's and Border's regiments, and surrendered at Houston in 1865. Mr. Newland was an original Whig, but has affiliated with the Democratic party since the party was broken up in 1856. He founded the Rusk *Observer*, and worked vigorously in Democratic harness in the successful canvass of 1866. Nominated by the Democrats of his district as a candidate for position in the Lower House of the Fifteenth Legislature, he was elected by 319 majority out of 2400 votes.

TWENTY-NINTH DISTRICT.

County—Grimes.

REPRESENTATIVE C. H. BROOKS is a native of Alabama; was born in 1827; was educated in Tennessee, and moved to Texas in 1854. He is a married man, a minister of the gospel, and resides at B