

Texas. Laws, Statutes, etc

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Part 4

LAWS OF TEXAS

182½-1897

Austin's Colonization Law and Contract; Mexican Constitution of 1824; Federal Colonization Law; Colonization Laws of Coahuila and Texas; Colonization Law of State of Tamaulipas; Fredonian Declaration of Independence; Laws and Decrees, with Constitution of Coahuila and Texas; San Felipe Convention; Journals of the Consultation; Proceedings of the General Council; Goliad Declaration of Independence; Journals of the Convention at Washington; Ordinances and Decrees of the Consultation; Declaration of Independence; Constitution of the Republic; Laws, General and Special, of the Republic; Annexation Resolution of the United States; Ratification of the same by Texas; Constitution of the United States; Constitutions of the State of Texas, with all the Laws, General and Special, passed thereunder, including Ordinances, Decrees, and Resolutions, with the Constitution of the Confederate States and the Reconstruction Acts of Congress.

COMPILED AND ARRANGED BY

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WITH AN INTRODUCTION BY C. W. RAINES.

VOLUME VI.

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tin on the 8th day of February, 1870, and having ratified the Thirteenth, Fourteenth, and Fifteenth Amendments to the Constitution of the United States, and having elected Senators in the Congress of the United States, adjourned on the 24th of February, 1870.

An Act to admit the State of Texas to representation in the Congress of the United States.

Whereas, The people of Texas have framed and adopted a constitution of State government which is republican; and whereas the legislature of Texas, elected under said constitution, has ratified the fourteenth and fifteenth amendments to the Constitution of the United States; and whereas the performance of these several acts in good faith is a condition precedent to the representation of the State in Congress: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said State of Texas is entitled to representation in the Congress of the United States: Provided, That before any member of the Legislature of said State shall take or resume his seat, or any officer of said State shall enter upon the duties of his office, he shall take and subscribe, and file in the office of the Secretary of the State of Texas, for permanent preservation, an oath or affirmation in the form following: "I, ———, do solemnly swear (or affirm) that I have never taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, and afterwards engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof, so help me God;" or under the pains and penalties of perjury (as the case may be); or such person shall, in like manner, take, subscribe, and file the following oath or affirmation: "I, ———, do solemnly swear (or affirm) that I have, by an act of Congress of the United States, been relieved of the disabilities imposed upon me by the fourteenth amendment of the Constitution of the United States, so help me God;" or under the pains and penalties of perjury (as the case may be); which oaths or affirmations shall be taken before, and certified by, any officer lawfully authorized to administer oaths. And any person who shall knowingly swear or affirm falsely in taking either of such oaths or affirmations, shall be deemed guilty of perjury, and shall be punished therefor by imprisonment not less than one year, and not more than ten years, and shall be fined not less than one thousand dollars, and not more than ten thousand dollars. And in all trials for any violation of this act, the certificate of the taking of either of said oaths or affirmations, with proof of the signature of the party accused, shall be

taken and held as conclusive evidence that such oath or affirmation was regularly and lawfully administered by competent authority. And provided further, That every such person who shall neglect, for the period of thirty days next after the passage of this act, to take, subscribe, and file such oath or affirmation as aforesaid shall be deemed and taken, to all intents and purposes, to have vacated his office. And provided further, That the State of Texas is admitted to representation in Congress as one of the States of the Union, upon the following fundamental conditions: First, That the Constitution of Texas shall never be so amended or changed as to deprive any citizen or class of citizens of the United States of the right to vote, who are entitled to vote by the constitution herein recognized, except as a punishment for such crimes as are now felonies at common law, whereof they shall have been duly convicted under laws equally applicable to all the inhabitants of said State: Provided, That any alteration of said constitution, prospective in its effects, may be made in regard to the time and place of residence of voters.

Second, That it shall never be lawful for the said State to deprive any citizen of the United States, on account of his race, color, or previous condition of servitude, of the right to hold office under the constitution and laws of said State, or upon any such ground to require of him any other qualification for office than such as are required of all other citizens.

Third, That the constitution of Texas shall never be so amended or changed as to deprive any citizen or class of citizens of the United States of the school rights and privileges secured by the constitution of said State.

Approved, March 30, 1870.