

the meeting of the legislature; that then the offices of President, Vice-President, of the President's cabinet, foreign ministers, charges and agents, and others repugnant to this constitution, shall be superseded by the same, and that all others shall be holden and exercised until they expire by their own limitation, or be superseded by the authority of this constitution, or laws made in pursuance thereof.

Sec. 11. In case of any disability on the part of the President of the Republic of Texas to act as herein required, it shall be the duty of the secretary of state of the Republic of Texas, and in case of disability on the part of the secretary of state, then it shall be the duty of the attorney-general of the Republic of Texas, to perform the duties assigned to the President.

Sec. 12. The first general election for governor, lieutenant-governor, and members of the legislature, after the organization of the government, shall take place on the first Monday in November, one thousand eight hundred and forty-seven, and shall be held biennially thereafter on the first Monday in November until otherwise provided by the legislature, and the governor and lieutenant-governor elected in December next shall hold their offices until the installation in office of the governor and lieutenant-governor to be elected in the year one thousand eight hundred and forty-seven.

Sec. 13. The ordinance passed by the convention on the fourth day of July, assenting to the overtures for the annexation of Texas to the United States, shall be attached to this constitution and form a part of the same.

Done in convention by the deputies of the people of Texas, at the city of Austin, this twenty-seventh day of August, in the year of our Lord one thousand eight hundred and forty-five.

THOMAS J. BUSK, *President.*

#### ADMISSION OF TEXAS INTO THE UNION—1845 \* \*

[TWENTY-NINTH CONGRESS, FIRST SESSION.]

Joint Resolution for the admission of the State of Texas into the Union.

Whereas the Congress of the United States, by a joint resolution approved March the first, eighteen hundred and forty-five, did assent that the territory properly included within, and rightfully belonging to, the Republic of Texas might be erected into a State, to be called the State of Texas, with a republican form of government, to be adopted by the people of said republic by deputies in convention assembled, with the consent of the existing government, in order that the same might be admitted as one of the States of the Union, which consent of Congress was given upon certain conditions specified in the first and second sections of said joint resolution: and whereas the people of the said Republic of Texas, by deputies in convention assembled, with the consent of the existing government, do adopt a constitution and erect a new State with a republican form of government, and, in the name of the people of Texas and by their

\* Statutes at Large, IX, p. 169.

For other statutes relating to Texas see the act to extend the laws of the United States over an act of December 29, 1845; to establish a collection district in an act of December 31, 1845; to establish post-routes in February 5, 1846; to establish a part of entry in March 3, 1847; to extend eastern boundary July 5, 1848; to establish northern and western boundaries, September 9,

authority, did ordain and declare that they assented to and accepted the proposals, conditions, and guarantees contained in said first and second sections of said resolution; and whereas the said constitution, with the proper evidence of its adoption by the people of the Republic of Texas, has been transmitted to the President of the United States and laid before Congress, in conformity to the provisions of said joint resolution: Therefore

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the State of Texas shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatever.

~~SEC. 2. And be it further resolved,~~ That until the Representatives in Congress shall be apportioned according to an actual enumeration of the inhabitants of the United States, the State of Texas shall be entitled to choose two Representatives.

Approved, December 29, 1845.

#### TREATY OF GUADALUPE HIDALGO—1848

(See California, p. 377.)

#### CONSTITUTION OF TEXAS—1861

[A State "people's convention," which assembled at Austin January 21, 1861, passed an ordinance of secession February 1, 1861, which was submitted to the people and ratified by 34,794 votes against 11,235 votes. It also amended the constitution, but the amendments were not submitted to the people.]

#### CONSTITUTION OF TEXAS—1866 \* \*

We, the people of Texas, acknowledging with gratitude the grace and beneficence of God in permitting us to make a choice of our form of Government, do ordain and establish this constitution.

#### ARTICLE I

##### BILL OF RIGHTS

That the general, great, and essential principles of liberty and free government may be recognized and established, we declare that—

SECTION 1. All political power is inherent in the people, and all free governments are founded on their authority and instituted for

Verified by "The Constitution as Amended and Ordinances of the Convention of 1866. By authority. Austin: Printed at Gazette office, by Jo. Walker, State Printer. 1866."

This constitution was framed by a convention which assembled at Austin in March, 1866, and completed its labors April 2, 1866. It was submitted to the people June 25, 1866, and ratified by 34,794 votes against 11,235 votes. The convention also adopted twenty-nine ordinances, among which the more important were the following: Declaring the ordinance of secession null and void; declaring the war debt void, and for other purposes; assuming the direct tax levied on the State by the United States; consenting to a division of the State, and the formation of one or more new States within its limits; soliciting the Federal Government to construct certain railroads within their territory.