

# LAWS AND DECREES

OF THE

## STATE OF COAHUILA AND TEXAS

TO WHICH IS ADDED THE

### CONSTITUTION OF SAID STATE

ALSO

THE COLONIZATION LAW OF THE STATE OF TAMAULIPAS  
AND NATURALIZATION LAW OF THE  
GENERAL CONGRESS.

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BY ORDER OF THE SECRETARY OF STATE.

TRANSLATED BY J. P. KIMBALL, M. D.

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HOUSTON.

1839



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LAWS AND DECREES

OF THE

STATE OF COAHUILA AND TEXAS

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## DECREE No. 1.

*The constituent Congress of the State of Coahuila and Texas has thought proper to decree as follows:*

1st. Said Congress is solemnly and legally installed in conformity to the decrees relative to its institution, and qualified to exercise its functions agreeably to the constitutive act of the Mexican Confederation, and other federal laws, that have been, or may be hereafter enacted by the general congress.

2d. The State of Coahuila and Texas is an integral part of the federation, equal to the other States of which the same is composed, and is free, sovereign and independent in whatever exclusively relates to the internal administration and government thereof, agreeably to the constitutive act, and to the constitution of the United Mexican States, which shall be promulgated by the general Congress.

3d. The territory of the State shall be that recognized as both provinces until the present time.

4th. The State of Coahuila and Texas solemnly pledges itself to obey and to sustain at all hazards the supreme federal powers, and its own federal union with the rest of the States, and the constitutional independence of all and each one of the same.

5th. The Deputies shall be inviolable as regards their opinions, and at no time, in no case, and by no authority shall they be called to account for the same, and with respect to the causes or demands against them, the same shall be observed as provided for the Deputies of the general Congress.

6th. As the form of its government is representative, popular, and federal, and, in order to its exercise ought to be divided into the three powers, legislative, executive and judicial, the first is vested in Congress.

7th. The executive power shall be provisionally deposited in one sole person, who shall be styled the Governor of the State, and shall be appointed by Congress.

8th. For the better discharge of his functions Congress shall appoint him a council, composed of a Vice Governor and four other persons, the former supplying any default of the Governor in case of vacancy, or should he be rendered unable to discharge his office by moral or physical impediment. The Governor shall consult with this council on all occasions he shall deem proper, and it shall be his duty to do so in all cases, and in the manner the laws do now or shall hereafter provide.

9th. The ordinary powers granted the Executive of the Union by the constitutive act shall constitute his powers in the State, with the exception of such as are exclusively reserved to the federation in the same act.

10th. The judicial power shall for the present be vested in the authorities, by which it is now exercised in the State, and in the administration of justice they shall be governed by the laws in use, so far as they are not opposed to the form of government adopted.

11th. All officers, authorities, and corporations, both civil and military, belonging to the State are hereby for the present confirmed, and in the exercise of their functions they shall be governed by the same laws, and in the same terms as specified in the foregoing article.

12th. It is established according to settled and universal principle that the inhabitants of the State, of whatever class or rank they may be, can only be burthened in the same proportion as those of the other States of the Union.

The Governor *ad interim* of the State, for the fulfillment thereof, shall cause the same to be published and circulated.

Given at Saltillo on the 15th of August, 1824.

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### DECREE No. 2.

*The constitvent Congress of the State of Coahuila and Texas has thought proper to decree as follows:*

1st. All the authorities, corporations, and officers of the State, of whatever class or rank they may be, shall take the oath to acknowledge and to obey the constituent Congress of the State.

2d. All the towns, the clergy both secular and regular, and all the military corps of the State shall take the same oath.

3d. The said oath shall be administered in the following form, viz: In whatever relates to the internal government thereof, do you recognize the sovereignty and independence of the free State of Coahuila and Texas, represented by its constituent Congress, elected according to the constitutive act, and other decrees relative to the institution thereof?—Yes, I do acknowledge. You solemnly swear to obey and to observe the laws and decrees that shall issue therefrom? Yes, I do swear.—So help you God, and should it not be thus you shall be responsible to the State, according to the laws. In the oath that shall be taken by the authorities, after the word "*observe*" shall be added "*and cause to be observed.*"

4th. The Vice Governor and other members of the council (when appointed) shall take the oath of recognition and obedience to the Congress in the hall of its sessions on the day the said Congress shall appoint. The former shall take the oath after the special form, approved for the effect for himself and the Governor, who has already taken the same.

5th. The Ayuntamiento, the superior officers attached to apartments for public business, and the prelate of the religious order of San Francisco of this capital, shall take the oath before the Governor of the State; those without the capital before the first constitutional Alcalde, or the person acting in his place, and their subordinates before their respective superiors.

6th. The venerable secular clergy of the State shall take the oath of recognition and obedience to Congress in the form that the Governor of the Mitre of Nuevo Leon, and the Rev'd. Bishop of Durango shall determine.

7th. The people shall take said oath before their respective ayuntamientos in the manner, and on the day, the latter shall agree; and the same shall also administer the oath to the first Alcaldes previous to taking it themselves.

8th. The chiefs, officers and privates of the militia of the state shall take the oath, with their colors placed in front.

9th. Corresponding attested copies of all these acts shall be forwarded to the governor of the State, who shall transmit the same to congress for its intelligence, and for the purpose of having them entered in the archives, reserving due evidence in his secretary office, in order to exact those that are wanting.

For the fulfilment thereof, the governor of the state shall cause the same to be published and circulated.

Given at Saltillo the 16th of August, 1824.

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### DECREE No. 3.

The constituent Congress of the State of Coahuila and Texas has thought proper to decree as follows:

That for the present, and until the constitution of the state shall be published for issuing and publishing the decrees of congress, the following forms shall be used:

‘The constituent congress of the free, independent and sovereign state of Coahuila and Texas has thought proper to decree as follows:

For the fulfilment thereof the governor *ad interim* of the state shall cause the same to be published and circulated.’

For publishing decrees, ‘The governor *ad interim*, appointed by the sovereign congress of this state, to all unto whom these presents shall come, know ye: that congress has decreed as follows:’ [The decree to be here inserted.] ‘I, therefore, command all the authorities of the state, civil, military and ecclesiastical, to observe, and cause to be observed, to fulfill and to execute the present decree in all its parts.’

For the fulfilment thereof, the governor *ad interim* of the state shall cause the same to be published and circulated.

Given at Saltillo on the 17th of August, 1824.

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### DECREE No. 4.

The Congress of the State of Coahuila and Texas has thought proper to decree as follows:

The happy instalation of the congress of the state having already been celebrated with joy in this capital, the same shall be observed in the rest of the towns, chanting a solemn *Te Deum* in all the Parish churches, attended by the authorities, as an act of gratitude to the Supreme Being for so memorable an event; and public prayer shall be offered for three days in all the churches of the state, imploring divine aid to guide the deliberations of congress.

The governor, for its fulfilment, shall cause the same to be published and circulated.

Given at Saltillo the 20th of August, 1824.

DECREE No. 5.

The Congress of the State of Coahuila and Texas has thought proper to decree as follows:

1st. The style of address of Congress, both verbally and in writing, shall be impersonal, and it shall have the title of Honorable.

2d. The style of address of the President shall be that of Excellency; and of the Secretaries, that of Lordship, in official correspondence only.

3d. The Governor's style of address shall be that of Excellency, in official correspondence.

4th. The Lieutenant Governor, when acting as Governor, shall have the same style of address.

The governor of the state *ad interim* shall cause the same to be published and circulated for its fulfilment.

Given at Saltillo the 21st of August, 1824.

DECREE No. 6.

The Congress of the State of Coahuila and Texas has thought proper to decree as follows:

Corporations without the capital, that have to congratulate congress, shall do so in writing, and not through the intervention of a third person.

The Governor of the State *ad interim* shall cause the same to be published and circulated for its fulfilment.

Given in Saltillo the 24th of August, 1824.

DECREE No. 7.

The constituent Congress of the State of Coahuila and Texas, in exercise of the powers granted the same by decree of the general Congress of the 13th of July last, and in compliance with the other provisions therein, relative to the elections of deputies to the future constitutional congress, in order that the election of those corresponding to the State may be made, has thought proper to decree as follows:

ARTICLE 1. For the chamber of representatives of the general Congress, the State of Coahuila and Texas shall appoint one deputy *proprietor*, and one supletory.

ART. 2. Said deputies shall possess the qualifications specified in the articles of the constitution, comprised in the decree of the 13th of June of the current year.

ART. 3. The deputies of the constituent Congress of the State cannot be appointed either primary or secondary electors.

ART. 4. Primary, secondary and State juntas shall be holden for the election of deputy *proprietor* and supletory.

ART. 5. The primary meetings shall be holden on the third, and the secondary on the fourth Sunday of September next, and those of the State shall be holden in this capital on the third Sunday of October.

ART. 6. The primary meetings shall be presided over by the first Alcalde, or the person acting in his place, in the respective municipality; the secondary, by the first Alcalde, or the person acting in his stead, in the chief town of the district, and the third junta by the Governor of the State.

ART. 7. In all other respects, the meetings shall be holden according to the provision of the convocation law of the 17th of June, 1823, relative to the election of deputies to the general Congress.

ART. 8. The provision of the decree of the 4th instant shall be borne in mind, and observed in the State juntas.

For its fulfilment, the governor of the State *ad interim* shall cause it to be published and circulated.

Saltillo, August 28th, 1824.

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#### DECREE No. 8.

The constituent Congress of the State of Coahuila and Texas has thought proper to decree as follows:

1st. The constituent Congress of the State having been installed agreeably to the constitutive act, the political chief, and the deputation of Texas, have ceased in their functions, as has already taken place with respect to the authorities of the same class in Coahuila.

2d. Said authorities, on retiring, shall provide that their respective archives be delivered by a formal inventory, those of the political chief to the Governor of the State, and those of the deputation to the secretaries of Congress.

For the fulfilment thereof, the Governor of the State shall order it to be published and circulated.

Saltillo, August 28th, 1824.

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#### DECREE No. 9.

The Congress of the State of Coahuila and Texas, exercising the powers granted the same by articles 8 and 9 of the decree of the general Congress of the 4th instant, in compliance therewith, also with the 12th regulation, which the supreme executive transmits annexed to the same, has thought proper to decree as follows:

1st. A public session shall be holden on Sunday, the 24th instant, at which the constitution of this Republic shall be read entire, also the decree of the general Congress relative to the oath of observance thereof.

2d. On conclusion of the reading, the President of Congress, after taking the oath administered by one of the secretaries, shall administer the same to the deputies, and it shall be taken by all after the form of article eleven of the decree aforesaid.

3d. The Governor of the State shall then present himself in the hall of sessions, and take the same oath; and on conclusion of this act, the officers shall proceed to the parish church, where a solemn mass shall be said as an act of gratitude, and the authorities shall be present.



4th. These, and the other corporations, and officers of the State, of whatever class or rank, shall swear to observe the federal constitution of the Mexican Republic after the form aforesaid, and in the following terms:

5th. The Ayuntamiento, ecclesiastical authority, superiors attached to establishments for public business, and the prelate of the religious order of San Francisco of this capital, shall take the oath before the Governor of the State. Those elsewhere before the president of the constitutional Ayuntamiento, and their subordinates, before their respective superiors. Ecclesiastics present, in the capital, shall take the oath before the curate, and those of the religious order before their prelate.

6th. Presidents of Ayuntamientos, in other parts of the State, shall take the oath before said corporations, which, as also that of the capital, shall administer it to the people after the customary form.

7th. The chiefs, officers and privates of the militia of the State shall take the oath with their colors placed in front.

8th. The attested copies and certificates provided in the 13th article of the decree of the general Congress, and ordered by the 12th article of regulations of the supreme executive to be forwarded by duplicate to the department of relations, shall be transmitted by triplicate to the Governor, that due evidence may remain in his archives, whereof he shall give notice to Congress.

For its fulfilment, the Governor of the State *ad interim* shall cause it to be published and circulated.

Given at Saltillo, October 21st, 1824.

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#### DECREE No. 10.

The constituent Congress of the State of Coahuila and Texas has thought proper to decree as follows:

1st. That at the church festival on the morrow, and others which the Governor of the State shall attend from etiquette; he shall be received with the solemnities prescribed by the Roman Ritual and laws of the Indies for receiving patrons.

2d. That the attendance of the Governor in the parish church on the morrow, being the first entrance therein from ceremony, the solemnities provided for these occasions by the ritual and said laws, shall be observed in his reception.

For its fulfilment, the Governor *ad interim* of the State shall cause it to be published and circulated.

Given in Saltillo on the 23d of October, 1824.

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#### DECREE No. 11.

The Congress of the State of Coahuila and Texas has thought proper to decree the following:

1st. The Governor shall estimate, as nearly as practicable, the quantity of stamped paper of the different kinds required for the consumption of the state for the rest of the year, and for the whole of 1825,

and agreeably to the order of the national executive, issued by the Treasury Department, bearing date the 2d of November, he shall demand it of the officers where it is on hand, and where, by previous direction of the said executive, it was ordered to be retained.

2d. The same shall be received with the proper specified account, and agreeably to the requisition prescribed in the aforesaid order of the 2d of November.

3d. In pursuance thereof, that the same be legalized by the State, the Governor shall order a seal engraved, bearing the following inscription: *Legalized by the State of Coahuila and Texas for the two years term of 1824 and 1825.*

4th. For the sake of economy, and that all the towns of the State may be more readily supplied with the article, the agents of the tobacco establishments of this capital, and the city of Monclova, shall transact this business for the present; said agents, and others of the same class, remaining in charge of the direction and issue thereof, under the immediate inspection of Government; in all other respects, the law of the 6th of October, 1823, relative to stamped paper, shall be observed so far as it is applicable to the State.

5th. The revenue arising from stamped paper being one of the rents corresponding to the State, the Governor shall, from the 1st instant, apprise the agents employed in the offices to which the quantity on hand is remitted, that from the date aforesaid until its issue, legalized by the State, the proceeds of the sale thereof belong to the State; at the same time they shall keep an exact account of the value of the same, to shew what this branch produces to the State revenue.

6th. Notwithstanding there is known to be no official paper of the 4th stamp among the various kinds in this capital, for such use as the abovementioned law on the subject provides for that of this description, the Governor shall direct another stamp to be made, bearing the rubric *official*, to be impressed upon paper of the 4th stamp, on the part required.

7th. It being the duty of the Governor to attend to collecting the seals on completing the legalization of the paper, should there happen to be a deficiency in any of the different kinds, during the two years term of the issue thereof, the agents entrusted, with the concurrence of the first Alcalde, or the person officiating in his place in the town, shall legalize the quantity required, and they shall solicit the same for this object: the agent of Monclova shall give notice of the quantity he shall have legalized to supply any deficiency, until he can be furnished therewith.

8th. Until a new seal shall be engraved for drafts and receipts with the inscription and requisites provided in the 1st section of the aforesaid law of the general Congress, which the executive shall order to be executed as soon as possible, the latter shall demand of the agency of Monclova the quantity of that description required for supplying this capital and Parras.

For its fulfilment, the Governor of the State *ad interim* shall cause the same to be printed and circulated.

Given in Saltillo the 2d of October, 1824.

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DECREE No. 12.

The Congress of the State of Coahuila and Texas, in view of the official communication from the executive, wherein is copied the question proposed by the President of the Ayuntamiento of Monclova, relative to the change of offices on the ensuing election, has thought proper to decree as follows:

1st. As it is proper and beneficial to the towns of the State that, between the government and the inhabitants thereof, there should be such proportionality as is compatible with good order, and a more successful administration, the Ayuntamientos, as regards the number of their REGIDORES and SINDICOS, shall conform to art. 4, of the law of the 23d of May, 1812, and the provision of the article following of said law, shall be without effect—and in respect to the manner and form of their renewal, the same shall be effected according to the practice observed agreeably to the constitution and Spanish laws prior to the decree of the general Congress of the 27th of November, of the year last past, with the exception of Monclova and Bexar, where, on account of their having been capital towns, so many individuals, of those who have been longest in office, shall retire as to reduce the number left to one half of that which is to compose the Ayuntamiento ensuing.

2d. This decree shall be immediately circulated by the executive to all the towns of the State, in order that those which shall not have done so at the time of receiving it, shall conform to the same at the ensuing election.

For the fulfilment thereof, the Governor of the State *ad interim* shall cause it to be published and circulated.

Given in Saltillo on the 14th of December, 1824.

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DECREE No. 13.

The Congress of the State of Coahuila and Texas has thought proper to decree as follows:

ARTICLE 1. In that part of this State formerly known as the Province of Texas, a political authority shall be provisionally established, styled "Chief of Department of Texas."

ART. 2. The political government of the department shall be vested in the said chief, who shall be under proper subordination to the Governor of the State; pursuant thereto, it shall belong to his trust to watch over the public tranquility, good order, the security of the persons and property of the inhabitants thereof, to see to the execution of the laws and orders of the government, and generally to attend carefully to all that pertains to the public order and prosperity of the department. As he shall be responsible for abuse of his authority, so shall he be by all persons promptly respected and obeyed. He shall

not only have power to inflict, in his administrative capacity, the penalties imposed by the police laws and edicts for good government, but he shall also be authorized to impose and to exact fines of from one to one hundred dollars on those who do not obey and respect him, and of those who disturb the public order and tranquility.

ART. 3. In the cases aforesaid, he shall also have power to impose a correctional penalty of fifteen days in public works, or one month's arrest, according to circumstances, on persons incapable of meeting the fine.

ART. 4. In cases where the public good and safety of the department require the arrest of any person, he shall have power to issue orders to that effect, but upon the express terms, that within forty-eight hours he shall place the said person at the disposal of a competent tribunal or judge.

ART. 5. The local militia of the department shall be subject to his orders, and he shall attend to the organization and regulation thereof in conformity to the laws.

ART. 6. He can require of the military commandant such aid as he shall need, to preserve and to restore the tranquillity of the towns, and safety upon the roads.

ART. 7. He shall be careful to examine and to issue, either of himself or by his subordinates, according to the laws, the passports of all persons coming to or going from the department, including those arriving from or going to a foreign country.

ART. 8. He shall attend actively and efficiently to every thing that shall contribute to the safety of the coast, and give prompt notice to the government of whatever shall occur in that section deserving its attention, without failing to take provisionally, either of himself or by his subordinates, such precautions as he shall think necessary for its safety.

ART. 9. He shall take care, that in his department no individual shall appropriate to himself any land; and, with respect to those who have done so, he shall give circumstantial information thereof to government, that the same may take such measures as it shall deem necessary.

ART. 10. He shall form the census and a statistical account of his department, at as early a period as possible, and forward the same to the government.

ART. 11. The ordinary residence of the chief of the department shall be at the city of Bexar, unless imperious circumstances shall require his presence in other parts of the district under his command.

ART. 12. Said chief shall preside over the popular juntas, which, agreeably to the laws, require the attendance of the superior political authority. He shall also preside over the Ayuntamiento of the place where he resides; and when, from any cause, he shall be in another town of the Department, he shall have power to preside at the Ayuntamiento thereof, should he judge proper, but without having a vote in either, except the casting vote in case of a tie.

ART. 13. He shall preside at all the public festivals which the law requires him to attend, and officially only: the style of his address shall be that of Lordship.

ART. 14. He shall see that all the Ayuntamientos in the department discharge the obligations and trusts imposed upon them by the laws that are now, or shall be hereafter in force.

ART. 15. He shall be the sole channel of communication between the Ayuntamientos and the government, except in cases of complaint against himself, on the part of the Ayuntamientos, which can be made directly to the government. Moreover, he shall take care to circulate in all the departments the laws and decrees communicated to him by the executive, causing the same to be strictly observed.

ART. 16. Should any one, or more, of the members of the Ayuntamientos of his department fail to comply with their official or administrative duties, on having a justifiable cause, he shall have power to suspend the same, giving immediate notice thereof to the executive, with the respective record.

ART. 17. It shall be the duty of the chief of the department to take cognizance in applications and doubts that occur, with regard to determining upon official letters of the Ayuntamientos, which he shall decide executively, in an instructive manner, without a judicial contest or debate, according to the existing arrangements.

ART. 18. All administrative records, relative to complaints, doubts, or remonstrances, of the towns and individuals, shall be issued gratis in the department.

ART. 19. He shall inform the executive of the abuses he may observe in the administration of justice, and in that of the public rents of that department.

ART. 20. He shall also, through the medium of the Governor of the State, give notice to Congress, with the data to support the charge, of the infringements of the constitution he may observe in his department.

ART. 21. He shall not interfere in any subject of litigation, nor officiate as conciliator.

ART. 22. Said chief shall have a secretary, appointed by himself, and approved by the Governor, on whose proposal Congress shall determine the salary the said officer shall receive, and also the expense of the secretary's office.

ART. 23. The Governor of the State, with the knowledge of Congress, shall appoint the chief of department, and shall propose the salary that ought to be assigned the same.

ART. 24. The aforesaid chief, for the better discharge of his attributes, shall have power to employ his subordinates, and should he moreover think it necessary to have the assistance of another person, on account of the extent of his department, and the various places requiring his attention, he shall inform the Governor of his views on the subject, who shall communicate the same to Congress, that the latter may provide as shall be proper.

ART. 25. In case of sudden impossibility, or temporary inability on the part of the chief of department, the ex-Alcalde of the principal town shall officiate in his place until the executive provides as shall be expedient.

For the fulfilment thereof, the Governor *ad interim* of the state shall cause the same to be published and circulated.

Given at Saltillo the 1st of February, 1825.

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#### DECREE No. 14.

The Congress of the State of Coahuila and Texas, exercising the powers granted the States by the general Congress, in the decree of the 22d of December last, has thought proper to decree as follows:

A three per cent. duty of consumption shall, for the present, be established in the custom house of this capital, and the receiver's office of Parras only, upon foreign effects, upon the invoices made in the maritime custom houses at the time of the introduction thereof.

The Governor *ad interim* of the State, for the fulfilment thereof, shall cause the same to be published and circulated.

Given at Saltillo on the 15th of February, 1824.

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#### DECREE No. 15.

The Congress of the State of Coahuila and Texas has thought proper to decree as follows:

ARTICLE 1. In the different places to which it belongs, and where the same have not yet had their due and entire effect, the executive shall order the immediate fulfilment of the decree of the general Congress of the 9th of February, of the year last past, the provisions of the supreme executive of the 12th of the same month, and the regulations of the 8th of December last, relative to the new project and arrangement of the tobacco income.

ART. 2. Should there be no judges in this capital capable of duly attesting and classifying the various kinds of tobacco, the value of which has to be paid to the holders thereof, according to its class, the executive shall order that of the tobacco, which, on examination thereof for this sole object in the places where it is found to exist, shall prove to be profitable and fit for consumption, both crude and manufactured, the necessary quantity shall be forwarded to the manufactory of Mexico, that the same may be duly attested and classified, taking measures to prevent the transportation thereof being attended with unnecessary expense.

ART. 3. The executive, after being informed of the classification of the different kinds of tobacco, shall take care that the value thereof be punctually paid within such prudential term as he shall compute to be consistent with the different attentions of that branch of the revenue.

ART. 4. After the publication of this law in the chief towns of the districts, the sale and consumption of tobacco, crude and manufactured, shall be prohibited; in pursuance thereof the State alone can

hereafter expend and provide for the consumption thereof in the towns of the same; for which purpose a cigar manufactory shall be established in this capital, as soon as possible, for paper cigars and other kinds, with such offices as are absolutely necessary. The executive shall propose the number and class of the same, their salaries, shall frame suitable regulations; all of which he shall give notice to Congress for approval.

ART. 5. To put the manufactory in operation, and to give life and activity to the income, the executive shall contract a loan of the amount he shall deem necessary, on the most suitable basis and conditions; making to the contractor such proposals as are just, and capable of being punctually fulfilled, likewise admitting proposals of the same kind; for all which he shall have sufficient power.

ART. 6. During the interval, until the regulations specified in art. 4 are approved, he shall be likewise duly authorized to protect the financial concerns, and faithful management of the manufactory, taking all such measures as he shall deem seasonable and prudent, to have the purchasers of paper made at the most reasonable prices; but as this article is very dear at present, to compensate for the high price thereof, two cigars shall be deducted from each bunch, and in the places where the cigars are sold, it shall be expressly prohibited to exact any other tax from any cause, and on any pretense whatever.

ART. 7. As regards the organization of this rent, proper provision shall shortly be made in the plan for the provisional regulation of all the State rents, to be decreed by another law.

For the fulfillment thereof, the governor of the state *ad interim* shall cause the same to be published and circulated.

Given in Saltillo on the 19th of February, 1825.

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### DECREE No. 16.

The constituted Congress of the State of Coahuila and Texas, desiring by every means to augment the settlement of its territory, to advance the raising and increase of stock, and the progress of the arts and commerce, in conformity with the constitutive act, the constitution of the Republic, and the basis established by decree No. 72, of the general Congress, has thought proper to decree the following,

### COLONIZATION LAW:

ARTICLE 1. All foreigners who, in virtue of the general law of the 18th of August, 1824, which guarantees the security of their persons and property in this Republic, shall wish to emigrate to any of the settlements of the State of Coahuila and Texas, are permitted to do so; and the said State invites and calls them.

ART. 2. Those who shall thus emigrate, far from being molested, shall be admitted by the local authorities of said settlements, and permitted by the same freely to engage in any honest pursuit, provided

they respect the general laws of the Republic, and the laws of the State.

ART. 3. Any foreigner, already arrived in the State of Coahuila and Texas, who shall resolve to establish himself, and become domiciliated therein, shall make a declaration to that effect before the Ayuntamiento of the place he shall select as his residence, by which, in that case, he shall be sworn to obey the Federal and State Constitution, and to observe the religion prescribed in the former; and his name, and those of his family, if he have any, shall be registered in a book to be kept for the purpose, specifying the place he is from, his age, occupation; whether he is married, and that he has taken the oath prescribed, considering him henceforth, and not before, as domiciliated.

ART. 4. Any foreigner, from the time he is domiciliated agreeably to the foregoing article, shall be permitted to specify any vacant land, and it shall be the duty of the respective political authority to forward the instrument that shall be drawn to the executive for his approval, should he consider the applicant the same as the natives of the country, conforming to the existing laws on the subject.

ART. 5. Foreigners of any nation whatever, and natives of this republic, can project the formation of new towns upon lands entirely vacant; and, in the case of article 35, even upon those privately appropriated; but the new settlers, who present themselves to be admitted, shall prove, by certificate from the authorities of the place from which they came, their christianity and good moral character.

ART. 6. Foreigners, who shall arrive at a time when the general Congress shall have prohibited their entrance for the purpose of colonizing, as after the year 1840, the same will have power to do, or sooner with respect to those of some nations, shall then not be admitted; and those who shall apply within the proper time, shall always submit to such precautionary measures for the safety of the federation, with regard to themselves, as the supreme executive, without prejudicing the object of this law, shall adopt.

ART. 7. The executive shall take care that within twenty frontier leagues bordering on the United States line, and ten littoral leagues upon the coast of the Gulf of Mexico, within the limits of the State, no other settlements shall be made than such as shall meet the approbation of the executive of the Union, to whom all future petitions on the subject, accompanied by a corresponding report, shall be transmitted.

ART. 8. Projects for new settlements, wherein one or more persons shall offer to bring, at their own expense, one hundred families or more, shall be presented to the executive; who, on finding them in conformity to this law, shall admit the same, and immediately designate to the contractors the land whereon they shall establish themselves, and the term of six years, within which they shall present the number of families for which they contracted, under the penalty of losing the rights and privileges offered in their favor, in proportion to the number of families they shall fail to introduce, and of the contract becom-



ing absolutely null, should they not present one hundred families at the least.

ART. 9. Contracts made by the contractors or *empresarios* with the families which come at their expense, shall be guaranteed by this law, so far as they are in conformity with the provisions thereof.

ART. 10. In the distribution of lands, a preference shall be given to the military, in consideration of the patents issued them by the supreme executive entitling them to land, and to Mexican citizens not military, between whom no other distinction shall be made than such as is founded in their special merit and services rendered the country, or in equal circumstances, a residence in the place where the land is situated. The quantity, whereby the lands are to be distributed, shall be designated in the following articles:

ART. 11. A square of land measuring one league, consisting of five thousand varas on each side, or what is the same thing, a superficies containing twenty-five million varas, shall be called a sitio, and this shall be the unit for enumerating one, two or more sitios, in the same manner as one million square varas, or one thousand square varas on each side, which shall constitute a labor, shall be the unit for counting one, two or more labores. The vara for this measure shall consist of three geometrical feet.

ART. 12. Adopting the aforesaid unit as a standard, and observing the distinction to be made on distributing lands, between grazing lands or those suitable for stock raising, and irrigable tillage land, and that which is not irrigable, this law shall grant to the contractor or contractors for forming new settlements, five sitios of grazing land, and five labores, of which at least one half shall be land not irrigable, for every hundred families they shall introduce and establish in the State; but they shall receive this premium only for eight hundred families, although they should introduce more; and no fraction whatever, not completing one hundred, shall entitle them to a premium, not even proportionally.

ART. 13. Should any contractor or contractors, on account of the families they shall have introduced, be entitled, according to the foregoing article, to more than eleven square leagues of land, it shall be granted them, but they shall be obligated to alienate the excess within twelve years; and should they not, it shall be done by the respective political authority at public sale, delivering the proceeds to the owners thereof, after deducting the costs of sale.

ART. 14. One labor shall be granted to each family included in the contract, whose only occupation is the cultivation of the soil; and should the same also raise stock, grazing land shall be added to complete a sitio; and should the raising of stock be the exclusive occupation, the family shall receive a superficies of twenty-four million square varas, (being a sitio lacking one labor.)

ART. 15. Unmarried men shall receive the same quantity on marrying, and foreigners, who marry natives of the country, shall receive

one-fourth more; those who are entirely single, or who do not compose a part of any family, contenting themselves rather with the fourth part of the quantity aforesaid, which shall be computed to them on the assignment of their land.

ART. 16. Families and single men who, having emigrated separately and at their own expense, shall wish to annex themselves to any of the new settlements, can do so at all times, and the same quantity of land shall be respectively assigned them, as specified in the two foregoing articles; but should they do so within the first six years from the establishment of the settlement, one labor more shall be granted to families; and single men, instead of one-fourth, as specified in article 15, shall receive one-third.

ART. 17. It shall belong to the executive to increase the portions specified in articles 14, 15 and 16 in proportion to the family, industry and activity of the colonists, according to the separate reports upon the subject that shall be rendered by the Ayuntamientos and commissioners; always bearing in mind the provision of article 12th, of the decree of the general Congress on the subject.

ART. 18. Families that shall arrive conformably to the 16th article, shall present themselves forthwith to the political authority of the settlement they shall have selected; who, recognizing on their part the necessary conditions required by this law, shall admit the same, put them in possession of the lands to which they are entitled, and give notice immediately to the executive, that the same of himself, or through persons he shall commission for that purpose, may issue them their titles.

ART. 19. The Indians of all nations bordering on the State, as well as the wandering tribes within the same, shall be admitted in market exempt from all duties in their traffic in the effects of the country; and should any of the same, being attracted in this manner, and by the mildness and confidence with which they shall otherwise be treated, wish to establish themselves in any of the settlements, after declaring themselves in favor of our institutions and religion, they shall be admitted, and share the same quantity of land as the settlers specified in articles 14 and 15, always preferring native to foreign Indians.

ART. 20. That no vacancies be left between the tracts, which shall be carefully avoided in the distribution of lands; it shall be laid off in squares or other forms, although irregular, should the locality so require; and to prevent litigation and dispute in making the distribution aforesaid, as well as in the designation of sites, whereon new towns are to be founded, the adjoining proprietors, should there be any, shall be previously notified.

ART. 21. Should any appropriated land be taken possession of through error in concession, on proof thereof an equal quantity of land entirely vacant shall be granted to the person who obtained the same; and, moreover, he shall be indemnified by the owner of the land aforesaid, agreeably to a just estimate made by competent judges, and ac-

according to the laws, for the expense he has incurred in the improvements that shall appear thereon.

ART. 22. The new settlers shall pay to the State, as an acknowledgment for each sitio of grazing land, thirty dollars; for each labor, not irrigable, two and a half; and for each that is irrigable, three and a half; and so on, proportionally, according to the class and quantity of land distributed to them; but the payment thereof need not be completed under six years from settlement, and in three instalments: the first in four, the second in five, and the third in six years, under a penalty of forfeiting the land for a failure in any of the said payments; the contractors and the military mentioned in article 10, shall be exempt from this payment; the former, as regards the lands granted them as a premium, and the latter, for that which they obtain agreeably to their patents.

ART. 23. The Ayuntamiento, each in its own limits, shall collect the aforesaid funds gratis, by a committee appointed from within, or without, their own body; and shall remit the same, as fast as collected, to the depositary or treasurer of their funds and means, who shall give the corresponding receipt, for no other compensation than two and a half per cent, which is all that shall be allowed him, and who shall hold the said funds at the disposal of the Executive, giving an account monthly of the amounts received and remitted, and of any remissness or fraud he shall observe in their collection. The treasurers and committees shall be held responsible with their property for their management, and moreover the individuals of the Ayuntamiento that shall appoint them; and, that this responsibility may at all times be effectual, the said appointments shall be made viva voce, and information thereof shall be immediately given to the executive.

ART. 24. The government shall sell to Mexicans, and to them only, the lands they shall wish to purchase, but shall take care that there shall not be united in the same hands more than eleven leagues, and subject to the condition, that the purchaser shall cultivate those he shall acquire by this title within six years from the acquisition, under the penalty of forfeiting the same. Allowing the aforesaid condition, the price of each sitio shall be one hundred dollars for grazing land; one hundred and fifty for tillage land not irrigable, and two hundred and fifty for irrigable tillage land.

ART. 25. Until the expiration of six years from the publication of this law, the legislature of the State can not alter the same in the provisions thereof, relative to the acknowledgement and the price that shall be paid for the lands, and the quantity and class, whereby the same shall be distributed to the new settlers, and sold to Mexicans.

ART. 26. It shall be understood that the new settlers who shall not, within six years from the date of their possession, have cultivated or occupied, agreeably to their class, the lands that shall be granted

them, have renounced the same; and the respective political authority shall immediately proceed to take back from them the lands and titles.

ART. 27. The contractors and the military, already mentioned in their turn, and those who have acquired lands by purchase can alienate the same at any time, provided the successor obligates himself to cultivate the same within the same term as was obligatory on the part of the original proprietor, likewise reckoning the term from the date of the primitive titles. The other settlers shall be authorized to alienate their land, when they shall have completed the cultivation thereof, and not before.

ART. 28. Every new settler, from the time of his settlement, shall be permitted to dispose of his land, although it shall not be cultivated, by testament made in conformity to the laws that are now, or shall hereafter be in force; and should he die intestate, his lawful heir or heirs, shall succeed him in the enjoyment of his rights and property, assuming in both cases the obligations and conditions incumbent on the respective grantee.

ART. 29. The lands acquired by virtue of this law shall not be held in mortmain by any title whatever.

ART. 30. New settlers, who shall resolve to leave the State, to establish themselves in a foreign country, shall be at liberty to do so with all their property, but after thus leaving, they shall no longer hold their land; and should they not have previously disposed of the same, or should not the alienation be in conformity to art. 27, it shall become entirely vacant.

ART. 31. Foreigners who shall have obtained land according to this law, and established themselves in the new settlements, shall, from that time, be considered naturalized in the country; and by marrying natives of the Republic, they shall possess a special merit for obtaining letters of citizenship of the State, saving what the constitution of the State, on either subject, shall provide.

ART. 32. During the first ten years from the time the new settlements are founded, the same shall be free from all taxes of whatever denomination, except such as shall be generally imposed to prevent or repel foreign invasion, neither shall the products and effects of agriculture and industry pay excise, or other kinds of impost, in any part of the State, except only the duties to which the following article refers; after the expiration of the aforesaid term, the new settlements shall be liable to the same burthens as the old, and the colonists the same as the other inhabitants of the State.

ART. 33. The new settlers, from the time of their establishment, shall be free to promote any kind of industry; they shall also be permitted to work mines of every description, agreeing with the national executive with respect to those that pertain to the national revenue, and subjecting themselves in working the others to the ordinances and duties that are now, or shall hereafter be established, with regard to the business of mining.

ART. 34. Towns shall be founded on such sites as the executive, or the person commissioned by him for that purpose, shall judge most appropriate; and four square leagues shall be designated for each, whose area may be regular or irregular as the locality shall require.

ART. 35. Should any of the sites aforesaid have been privately appropriated, and the establishment of the new towns thereon be of notorious general utility, they may be appropriated to this purpose notwithstanding, after such indemnification as in the opinion of the appraisers shall be just.

ART. 36. Building lots in the new towns shall be given gratis to the contractors thereof, and to all kinds of mechanics those they shall need for their workshops, and to other settlers they shall be sold after valuation thereof—they shall be sold at public auction, and the purchasers shall be obligated to pay the price of the same in three instalments, the first in six, the second in twelve, and the third in eighteen months. All the owners of lots, the contractors included, shall pay one dollar per annum for each lot, which, together with the proceeds of the sales aforesaid, shall be collected by the Ayuntamientos, and applied to the building of churches in the said towns.

ART. 37. The towns shall consist, as nearly as possible, of natives and foreigners; and in laying off the same, care shall be taken to have the streets well laid out and straight, running parallel north and south, and east and west, as nearly as the land shall permit.

ART. 38. For the better situation, and the regular formation of the new towns, and the exact division of lands and lots, the executive, pursuant to his admission of any project and agreement with the contractor or contractors who shall have presented the same, shall commission a person of intelligence and probity, giving him such instructions on the subject as he shall deem necessary and proper, and authorizing him, upon his own responsibility, to appoint one or more surveyors to execute the survey agreeably to the science, and perform such other agency as may offer.

ART. 39. The executive shall assign the commissioner his daily salary agreeably to the last fee bill for notaries of the ancient court of Over and Terminer of Mexico; and the latter, with the concurrence of the colonists, shall fix the surveyors fees; but the expense, in both cases, shall be paid by the colonists, and in the manner the parties shall agree.

ART. 40. As soon as forty families at least shall be collected, they shall proceed to the formal establishment of the new town, and shall all be sworn by the commissioner to support the Federal and State constitutions; they shall then, for this first occasion, the commissioner presiding, proceed to the election of their municipality.

ART. 41. A new town, containing two hundred inhabitants or more, shall elect an Ayuntamiento, should there be no other already established within eight leagues, in which case it shall be annexed to the latter. The number of individuals of which the Ayuntamiento shall consist, shall be regulated by the existing laws.

ART. 42. Foreigners shall be qualified to elect, and to be elected, members of their municipal juntas, reserving the provision that shall be made by the constitution of the State.

ART. 43. The municipal expenses, and all such as are deemed necessary, or for the public good in the new towns, shall be proposed to the executive by the respective Ayuntamiento through the channel of the political chief, accompanied by a plan of means which the said Ayuntamiento shall conceive to be just and proper for covering the said expenses; and should the plan proposed be approved by the executive, he shall order the same to be executed, subject, however, to the resolution of Congress, to whom it shall be immediately transmitted, with the report of the executive and that of the political chief thereon, who shall always state what occurs on the subject.

ART. 44. The executive shall send to the chief of department of Texas the individuals who shall be sentenced to fortresses as vagrants, and for other crimes, in the other parts of the State, for the purpose of opening and repairing roads, and for other public works in that department. The said criminals can be employed to work for private individuals for competent daily wages; and at the expiration of their punishment they shall be permitted to annex themselves to any of the new towns as colonists, and obtain the corresponding land, should they have reformed and become worthy in the opinion of the chief of department, without whose certificate, to that effect, they shall not be admitted.

ART. 45. The executive, in connection with the respective ordinary ecclesiastics, shall take care that the new towns are provided with a competent number of pastors; and, with the concurrence of the same authority, he shall propose to Congress the salary to be paid them by the new settlers.

ART. 46. In respect to the introduction of slaves, the new settlers shall subject themselves to the laws that are now, and shall be hereafter established on the subject.

ART. 47. The petitions pending, upon the object for which this law provides, shall be despatched according to the same, and for this purpose they shall be passed to the executive; and all families established in the State, without yet having land legally assigned them, shall conform to the said law, and to what the executive of the union shall direct, with respect to those who are within twenty leagues of the line of the United States of the North, and ten border leagues upon the coast of the Gulf of Mexico.

ART. 48. This law shall be published in all the towns of the State; and that the same may be known to the other States of the union, it shall be communicated to the respective legislatures thereof through the Secretary's office of this, and in compliance with article 161 of the federal constitution, the executive shall take special care to transmit a certified copy thereof to both chambers, and to the executive of the union, requesting him to give general circulation to the said law, through his ministers, to foreign powers.

For its fulfilment, the Governor of the State *ad interim* shall cause it to be published and circulated.

Given at Saltillo, March 24th, 1825.

# DECREE No. 17.

## REGULATION OF THE SECRETARY'S OFFICE OF CONGRESS.

The Congress of the State of Coahuila and Texas has thought proper to decree as follows:

ARTICLE 1. The Secretary's office shall, for the present, consist of a superior officer, two clerks, and a porter; it being left to the judgment of the committee on police, with the concurrence of Congress, to increase the number of clerks or officers, as circumstances shall require.

ART. 2. The salaries of the said officers shall be as follows:

|                    |   |   |   |     |
|--------------------|---|---|---|-----|
| Superior Officer,  | - | - | - | 800 |
| Clerks, (350 each) | - | - | - | 700 |
| Porter,            | - | - | - | 096 |
| Office expenses    | - | - | - | 150 |

Total - - - - 1746 Dollars.

ART. 3. The salaries aforesaid shall be paid by the Treasury of Congress, at the end of every month, to receipts of the persons interested.

ART. 4. All those who serve in the Secretary's office, shall comply with the orders given them by the Secretaries of Congress, on the dispatch of any subject they shall commit to their charge.

ART. 5. They shall also be obligated to observe secrecy in all business wherein they are so required by any of the Secretaries of Congress.

ART. 6. They shall write the reports of the committees as the chairman thereof shall direct, and also the propositions of those deputies who shall not choose to write them themselves.

ART. 7. Until the office of keeper of the archives shall be filled, the clerk supplying that place, with the knowledge of the superior officer, shall furnish the Secretaries of the committees, the deputies in particular, and the Secretary of the executive, all the documents or antecedents they shall call for to obtain information, or to elucidate the affairs under their direction; likewise, every citizen any paper, whatever be the nature and contents thereof, of the Secretary's office, he shall wish to read therein, except the secret papers; and in respect to the former, the clerk aforesaid, in a book destined to the purpose, shall keep an exact memorandum of the papers taken out and returned, or in progress, annexed to some record; and for due evidence thereof,

the Secretary of the committee, the particular Deputy, or the Secretary of the executive, and the Clerk acting as Keeper of the Archives, shall affix their rubrics to the parcels taken out and returned, and the latter shall not receive any more compensation for this service than that assigned to his situation.

ART. 8. On days of session, ordinary and extraordinary, they shall attend in the office from 8 o'clock in the morning until the hour of adjournment; and in the evening, from 4 o'clock until sunset, unless from some cause, in the judgment of the Secretaries of Congress, it shall be necessary to employ some hours of the night, when they shall remain as long as required.

ART. 9. On days when there is no session, they shall attend from 8 o'clock in the morning until 12; and in the evening, from 4 until sunset.

ART. 10. The Secretary of Congress, with information from the superior officer, shall distribute the business of the office among the clerks, and second and third officers, should there be any, according to their knowledge and qualifications.

ART. 11. During the recesses of Congress, should there be no business to be done in the Secretary's office, the superior officer shall pass to that of the executive, to continue his labor for the same salary, to be paid by the State Treasury. The Clerks and Porter may be employed by the Governor, or not; and should they be employed, their salaries shall be paid by the said Treasury.

For the fulfilment thereof, the Governor *ad interim* of the state shall cause the same to be published and circulated.

Given at Saltillo the 7th of July, 1825.

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## DECREE No. 18.

### CREATING JUDGES OF RESPONSIBILITY.

The Congress of the State of Coahuila and Texas, exercising the corresponding power for regulating, internally, whatever belongs to the better and more prompt administration of justice, and in consideration of the evils caused by some of the Judges, infringing the constitution and existing laws, by reason of the difficulty encountered in promptly and conveniently fulfilling the law of the 24th of March, 1823, which comprises the rules for exacting the proper responsibility in these cases, has thought proper to decree, and decrees:

ART. 1. All complaints against Judges, for infringing the constitution and existing laws by abuse of their authority, shall be directed to Congress, which, after the record is formed, and the decision of a committee from their own body is heard, shall declare whether there be a sufficient cause for action.



ART. 2. It having been declared that there is a just ground for action, Congress shall order the record to be forwarded to the competent Judge to be put in execution; and without this requisite, no Judge can be tried for the aforementioned crimes.

ART. 3. For the present, in cases presented, until the primary tribunal is organized in the State, the constitutional Alcaldes and Regidores officiating in legal turn, are constituted Judges of responsibility.

ART. 4. The said Judges can take cognizance, and, consulting a lawyer, proceed so far as to pronounce sentence; but the sentence can in no-wise be executed without having been previously revised by the corresponding tribunal.

For the fulfilment thereof, the Governor of the State *ad interim* shall cause it to be published and circulated.

Given in Saltillo on the 14th of July, 1825.

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## DECREE No. 19.

*Prescribing the prerogatives, attributes, and restrictions of the Governor, the appointment of his Council, powers of the latter, and those of the Secretary of the Executive.*

The Congress of the State of Coahuila and Texas, in order that the Executive and his Secretary of despatch have their attributes defined, and an established rule by which to be governed, and that the former may discharge his duties of office more successfully, aided by a council, whose respective powers shall also be prescribed, until the constitution is promulgated, has thought proper to decree as follows:

## SECTION I.

### PREROGATIVES OF THE GOVERNOR.

ART. 1. He shall have power for once only within ten days, after hearing the opinion of the Council, to make annotation on laws not of a constitutional character, dictated by the Congress of the State, suspending the publication and execution of the same until the said Congress shall resolve thereon.

ART. 2. He can propose to Congress, after advising with the Council, such laws and reforms as he shall deem conducive to the welfare of the State.

ART. 3. He can only be accused before Congress, during the term of his office, for whatever crime he may have committed during that period.

ART. 4. He can only be accused before Congress within one year from the time in which he went into office, for any crime committed during the term of his service; after the expiration of this period he cannot be accused for them.

#### ATTRIBUTES OF THE GOVERNOR.

ART. 5. He shall take care that the constitution, constitutive act, laws, and orders of the federation, and of the Congress of the State, are punctually fulfilled; issuing such decrees and orders as shall be necessary and proper for that effect, and transmitting to Congress copies of those he shall receive from the general Congress, and his excellency the President of the Republic, without impeding or retarding for this reason the publication thereof.

ART. 6. He shall form such instructions and regulations, for the better government of the departments of the public administration of the State, as he shall deem proper, after hearing the Council, and transmit the same to Congress for approval, without their being thereby prevented from being provisionally put in immediate execution.

ART. 7. He shall take care that public order and tranquillity be preserved within the State, and of its safety without; disposing of the militia of the State for both objects, and in default thereof he shall demand the aid of the garrison stationed within the same. In case of invasion or internal movement, endangering the safety of the State, he shall dictate whatever measures he shall deem proper for defense, and for the restoration of order; giving immediate notice to his excellency the President of the Republic, and to the Congress of the State.

ART. 8. He shall freely appoint and remove the Secretary of despatch; giving immediate notice to Congress, and to the people, and making known the sign manual of those newly appointed.

ART. 9. He shall supply all the officers of the State, of Executive and not of popular appointment, conforming to the provisions of the laws.

ART. 10. He shall, for the present, with the advice of the Council, exercise exclusive control in the provision, even of ecclesiastical officers of the State, according to the form to be prescribed by Congress in a separate decree.

ART. 11. He shall see that justice is promptly and efficiently administered by the tribunal of the State, and that the decisions of the same are executed. He cannot for this inspection, interfere in the examination of causes pending, neither can he, in any manner, dispose of the persons of defendants in criminal cases during the trial.

ART. 12. He shall take care of the administration and collection of all the State rents, and decree the disposition of their proceeds only in such expenditures as Congress shall approve; consulting the same in extraordinary expenses, unless they occur so imperious and pressing as not to allow time for the consultation, in which event the Governor

can dispose of the same himself, giving immediate notice to Congress for approval.

ART. 13. He shall have power, after hearing the opinion of the Council, to suspend from office, as long as three months, and deprive them of one half their salary for the same length of time, all public servants connected with the executive administration, and of his appointment, or approval, should they fail strictly to discharge their duties; and in cases where he considers a judicial process ought to be instituted against them, he shall communicate the facts of the case to the respective tribunal. For infringement of the constitution or law, a process shall always be instituted.

ART. 14. Should one or more, the whole or a majority, of the individuals composing the Ayuntamientos of the State abuse their powers, he shall have power, after hearing the Council, to suspend the same; making known to Congress the measure and motives thereof for the corresponding decision, and providing that the respective classes of the year preceding enter upon office in place of the persons suspended.

ART. 15. He shall take cognizance in appeals and doubts that occur in respect to elections, and in official letters of the Ayuntamientos, and shall decide thereon discretionarily in his executive capacity, and in an instructive manner, without judicial contest or debate. The power granted the Executive, by this and the preceding article, shall be understood as not affecting that which belongs to the Chief of the Department of Texas, in his respective district.

ART. 16. He shall see that the civic militia is modelled agreeably to the discipline prescribed, or to the provisions made by the general Congress in new regulations.

ART. 17. That the Governor may be duly respected and obeyed, upon those who do not respect and obey him he can impose fines discretionarily to the amount of three hundred dollars, to be applied to the revenue of the State, or to any branch of public utility.

ART. 18. He shall consult the Council on all important Executive affairs; all business, of whatever department, from which a general rule of good government may result, being understood to be of this description.

ART. 19. He shall see that the provisions of the 8th and 9th clauses of article 161 of the Constitution of the Republic is fulfilled; communicating to Congress a circumstantial and comprehensive notice of the particulars contained in the first of said clauses.

ART. 20. For any just reason, he can grant permission to the officers of the State, belonging to any branch of the Executive administration, to retire from their duties for a time not exceeding two months. Should the leave of absence be for a longer time, he shall grant the same with the concurrence of the Council.

ART. 21. He can appoint a public speaker from within or without the Council, to exercise the voice of the Executive in the case of ar-

ticles 1, 2 and 6; and, when Congress shall think proper, the same shall be present only at the debate.

ART. 22. He shall make use of his entire sign manual in communications with the high national and State authorities, with those of the other States, in the promulgation of the laws, and in commissions he shall extend to the officers. Otherwise, he shall use his partial sign manual.

ART. 23. Until the respective subordinate authorities are established, to whose charge the political and economical administration shall be committed from and after the sessions in which it shall be thought proper to divide the territory of the State, the Governor shall exercise all those powers which, according to the law of the 23d of June, 1813, were exercised by the political chiefs of provincial deputations in the ancient form of government, so far as the same are not opposed to that recently adopted, and to the provision of this decree.

ART. 24. The Governor shall preside over all the civil authorities of the State during public ceremonies. His style of dress shall be that of his excellency, as heretofore provided, in official communications; and, on religious festivals, he shall be received with the etiquette prescribed by decree of the 23d of October, 1824, until the general Congress shall regulate the exercise of the right of conferring benefice, (being that of Patrons) throughout the Republic.

#### RESTRICTION OF THE POWERS OF THE GOVERNOR.

ART. 25. He cannot command the local militia of the State in person, without the express consent of Congress.

ART. 26. The Governor cannot deprive any individual of his liberty, nor, of his own authority, impose corporal punishment; but when the safety and welfare of the State require the arrest of any person, he can issue orders to that effect, on condition, that within forty-eight hours he shall place the persons arrested at the disposal of a competent tribunal or judge, manifesting at the same time, in writing, the cause of the arrest.

ART. 27. He cannot take possession of the property of any private individual, or corporation, or disturb the same in the peaceful possession, use, and benefit thereof; and should it, in any case, be necessary for an object of known public utility to take the property of a private individual or corporation, he cannot do it unless with the concurrence of the Council, and in all cases he shall indemnify the party interested, agreeably to the decision of appraisers to be chosen by the Executive and the said party.

ART. 28. He cannot impede elections, determined or that shall be appointed by the laws, nor can he prevent the same from having their due and entire effect.

ART. 29. He cannot leave the capital, to go to any part of the State, for a longer time than one month. Should he need a longer

time, or should he be under the necessity of leaving the State, he shall apply to Congress for permission.

## SECTION II.

### *Appointment of the Executive Council and attributes of the same.*

ART. 30. For the better discharge of the duties of his office, until the Constitution is promulgated, the Governor shall have a body for aid and advice, to be styled Council of the Executive; and the style of address of the same shall be that of his Excellency. The same shall consist of the vice Governor and four other individuals, of whom one only can be a clergyman.

ART. 31. The appointment of all the members of the Council shall be made by Congress by absolute majority of votes, and by secret inquiry. Service in this body, by the citizens appointed, shall be laudable in the State, and shall be regarded in the light of a municipal office, which no one can decline without a legal and satisfactory impediment in the judgment of Congress.

ART. 32. To be a member of the Council, it is required to be a citizen in the enjoyment of his rights, over twenty-five years of age, known to be in favor of the form of government adopted, and for this time only domiciliated in this capital, or its environs within six leagues thereof, to avoid the serious injury resulting to the citizens of the other towns, should they be obliged to come to discharge the duties of stations, for the present served in the light of municipal offices.

ART. 33. The Vice Governor shall preside over the Council; and in his default, the first member in the order of appointment: but the Governor, when he attends, shall preside, without having a vote.

ART. 34. The Council shall hold ordinary sessions on the days appointed in the internal regulations thereof; also, extraordinary, whenever the Governor shall request, or the said Council agree thereon.

ART. 35. Both shall be holden in a hall of the capitol, appropriated to that purpose, with open doors; unless, in the judgment of the Governor or the Council, the subject be of a secret nature.

ART. 36. The Secretary of the Council shall be one of the members thereof, and appointed by the same.

ART. 37. The attributes of the Council shall be as follows:

1. To render a written report to the Governor on all affairs, wherein he is required by law to demand the same; likewise on all others, wherein he shall think proper to consult the Council, in order to devise a proper course of action.

2. To attend carefully to the observance of the Constitution, constitutive act, and laws of the union, as well as the laws of the State, forming records on any infringements noticed by the same, and giving notice therewith to Congress, through the channel of the Governor, unless it be against himself, or his Secretary.

3. To promote the establishment of, and give activity to, all the branches of prosperity in the State; proposing to the Executive or to Congress, as the case may be, all those measures and projects the Council shall deem most effectual to augment the population, promote and give activity to agriculture, industry, commerce, public instruction and whatever may conduce to the general utility of the State, for which purpose any of the members shall have power to claim the attention of the Council.

4. To propose ternary numbers, in cases required by law, for supplying offices, accompanied by a brief statement of the merits of the persons proposed.

5. To make remarks upon the accounts of the Ayuntamientos and those of the several administrations or agencies of all branches, the products whereof enter the general State Treasury, also those of Congress, which shall be sent to the accountant's office of the Council, through the channel of the Executive, to be revised and commented upon when they shall be presented, accompanied always by information from the Executive, to Congress for approval.

ART. 38. The Council, on proposing to Congress, in virtue of the third attribute, projects of public utility, shall have power to appoint one of its own number to attend the discussion, and afford all possible information to enable that body to come to a just and correct decision thereon.

ART. 39. The Council shall be responsible for all acts relating to the exercise of its attributes.

ART. 40. The Office of the Secretary of the Council shall be divided into two departments, one for Executive business, and one for accounts. The former shall consist of an officer, whose salary shall be five hundred dollars per annum, appointed by the Governor on a nomination of three persons by the Council; and of a Clerk, whose salary shall be three hundred dollars; to be appointed and removed at the pleasure of the Secretary of the Council. The department of accounts shall also consist of an officer and a Clerk; appointed and remunerated in the same manner as the former.

ART. 41. The project specified in the preceding article of offices and salaries thereof, of which the Secretary's office is to consist, shall be understood as provisional, until experience and the course of business shall give the proper light for the final regulation thereof.

ART. 42. The Secretary of the Council shall form rules of economy for the administration of his office, and present the same to the Council, who shall pass the same to the Executive, accompanied by their report, to be presented with the decision of the latter to Congress for approval. During the interval, they can be provisionally adopted, should the Governor think proper.

ART. 43. The members of the Council cannot leave the capital without licence from the Executive, who shall have power to grant the same for two months. Should a longer time be required, or should

they be under the necessity of leaving the State, they shall solicit permission from Congress.

ART. 44. The Vice Governor, and other members of the Council, shall present themselves in the hall of sessions of Congress on a day appointed, and take oath to obey the Constitution, the constitutive act, and the laws and decrees of the Republic, and those of the State, and faithfully to discharge the duties of their office.

ART. 45. The Council, in attending on public ceremonies, shall rank next to the Governor.

### SECTION III.

#### SECRETARY OF STATE.

ART. 46. The Governor shall have a Secretary, to be styled Secretary of State, who shall have charge of all kinds of business whatever, pertaining to the Executive department of the State.

ART. 47. To fill the said office it shall be required, to be a citizen in the exercise of his rights, over twenty-five years of age, a native of the Republic, domiciliated in the State with three years residence therein previous to his appointment.

ART. 48. The style of address of the Secretary in official communications, shall be that of Lordship, and he shall be considered the head of his office; wherein he shall appoint and remove the Clerks at his pleasure: whose number and salaries shall be changed as the labors and their qualifications, in the opinion of the Secretary, with approval of the Governor, shall require.

ART. 49. All orders and decrees, regulations and instructions, circulated to the towns, or directed to a particular individual or corporation, shall be previously signed by the Secretary, and without this requisite they shall not be obeyed.

ART. 50. The Secretary of State shall be responsible to Congress, with his person and office, for all orders and measures of the Governor, which he shall authenticate with his signature, containing any disposition contrary to the Constitution, constitutive act, and general laws of the Republic, or the laws of the State, or the orders of his Excellency the President of the Republic, not manifestly opposed to the said Constitution and laws, without availing himself, as a plea or excuse, of his having done so by order of the Governor.

ART. 51. The Secretary shall sign every copy emanating from the office under his charge, and shall present to the Governor, monthly, a circumstantial notice of the number of subjects dispatched in the said office, to be printed and circulated.

ART. 52. The Secretary shall attend the sessions of Congress when called upon to give information upon any subject of the Executive department, and when ordered by the Governor, to give any information. In the latter case he can also attend the Council.

ART. 53. The orders of government, and all communications issuing from the Secretary's office, printed or in manuscript, shall bear upon the top of the left margin the government seal, which shall also be stamped on the wrapper.

ART. 54. The seal shall contain, within the figure of an elipses, the eagle upon a nopal, crowned with the cap of liberty, with lines diverging therefrom, representing rays of light; the border of the oval bearing the following inscription: "Executive Department of the State of Coahuila and Texas."

ART. 55. The Secretary shall form a set of internal regulations for his office, and present the same to the Governor, who shall pass the same, accompanied by his report, to Congress for examination and approval; directing that during the interval the regulations be observed, as revised by himself.

ART. 56. In attendance on public occasions the Secretary shall take his place after the officers.

For its fulfilment, the Governor of the State *ad interim* shall cause it to be printed, published and circulated.

Given in Saltillo, August 25th, 1825.

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#### DECREE No. 20.

#### *Appointment of Vice Governor and voters of the Executive Council.*

The Congress of the State of Coahuila and Texas, having proceeded, pursuant to the provision of section 2d of Decree No. 19 of the 25th instant, to the appointment of a Vice Governor and other members, who are to compose the Executive Council of the State, has thought proper to decree as follows:

ART. 1. Jose Ignacio de Arispe, having received the absolute majority of the votes of Congress for that office is elected Vice Governor of the State *pro tem*.

ART. 2. Juan de Goribar, Jose Ignacio Sanches, presbyter, Jose Ignacio Alcocer, and Jose Ignacio de Cordenas, licentiate, having received the absolute majority of the votes of Congress, are elected Executive Councillors of the State, and shall severally be eldest in office according to the order of their appointment.

ART. 3. Said officers shall present themselves to Congress at 12 o'clock on the morrow, to take the oath specified in article 44, of Decree No. 19, aforesaid.

ART. 4. The style of address of the Vice Governor, as President of the Council, shall be that of his Excellency; and that of the Councillors of Lordship, in official communications only.

ART. 5. The Governor is authorized to furnish all necessary expense to provide a hall, for the Council to hold their sessions, in a style



corresponding to their rank, and consistent with the condition of he treasury.

ART. 6. The Governor shall appoint a day for the installation of the Council, which he shall attend, to give greater solemnity to the act, giving previous notice to Congress thereof.

For the fulfilment thereof, the Governor of the State pro tem shall cause the same to be published and circulated.

Given in Saltillo on the 31st of August, 1825.

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DECREE No. 21.

*Extraordinary powers of the Governor of the State pro tem.*

"The Congress of the State of Coahuila and Texas, reflecting that the persons who excite commotion and disorder under various pretexts will resort to seduction, deceit, and artifice of every kind, to subvert the present form of government, commencing by offenses committed against the highest authorities of the State; also, desiring at the same time to take proper measures to preserve order, and to save the State from the evils of anarchy that would result from the dissolution of the highest powers, has thought proper to decree as follows:

The Governor of the State pro tem. is invested with extraordinary administrative powers, and without subjection to legal forms, to arrest those persons without distinction of rights of law, against whom there may be in his opinion a strong suspicion that they will attempt to disturb the public tranquility, under whatever pretext; and also to destine the said persons, for a time not exceeding three months, to such places in the State as he shall think most proper for the preservation of order; independent of the process he shall order to be instituted against them according to the existing laws, in the places to which they are destined; unless they are of the military, in which case, on being apprehended, they shall be delivered over to their respective commanders.

For its fulfilment, the Governor of the State pro tem. shall cause it to be printed and circulated.

Given in Saltillo on the 26th of February, 1826.

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DECREE No. 22.

*Restoring and preserving the public tranquility in the State.*

"The Congress of the State of Coahuila and Texas, satisfied that it is their principal duty to use their utmost efforts, and take all possible

measures for the public safety, and that all necessary means should be exercised to restore and strengthen the confidence of the people in their representatives and others who from duty contribute to the maintenance of order, has thought proper to decree:

ART. 1. Every public functionary elected by the people, directly or indirectly, or appointed and approved by the government, who shall have signed, or in any evident manner supported the turbulent and subversive pretensions, attacking the State Sovereignty, that have been directed to Congress, and exist in the original in the Executive Department, unless it shall appear by some official document that the same withheld his vote, shall be immediately suspended in the exercise of his functions.

ART. 2. Every Ecclesiastical judge who shall have signed the same addresses, shall likewise be suspended in the exercise of his attributes, notice being previously given to whom it belongs to appoint another to act in his place until the former shall have vindicated himself, agreeably to the laws.

ART. 3. Should any Curate be thus implicated, notice shall be given to the respective Ecclesiastical Judge to suspend him in his functions, and appoint a coadjutor or substitute, whose virtues are publicly known, to discharge his sacerdotal duties.

ART. 4. Every professor of science, acting by legal authority, who shall have signed the aforesaid memorials, shall be suspended in the exercise of his profession within the State.

ART. 5. The provision of the foregoing articles shall in nowise impede the process that shall be instituted, according to law, against all persons comprised therein.

ART. 6. Others, who shall have signed the aforesaid documents, shall not hold the Ayuntamental offices, which in virtue of the provision of Art. 1, it should be necessary to refill; neither shall they exercise a vote in the elections that offer for that object. This measure shall in nowise impede the process that shall be instituted against them should they have deserved it by a more censurable conduct in the affair.

For its fulfilment, the Vice Governor of the State pro tem. shall cause it to be published and circulated.

Given in Saltillo on the 11th March, 1826.

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#### DECREE No. 23.

#### *AMNESTY.*

The Congress of the State of Coahuila and Texas, desirous that the disagreeable occurrences that have caused so much convulsion in the State, threatening the public safety, should be entirely forgotten: occurrences which have compelled the high authorities, against their

lenient and moderate principles, to adopt strong measures—and the said Congress witnessing with indescribable pleasure that the imperious circumstances which compelled them to devise all the means of justice in compliance with the first and most sacred of laws—and since obvious motives for the public welfare impel the said Congress to exercise the most liberal clemency, which is the most noble attribute, and the most adorning prerogative of Sovereignty, pursuant to all herein manifested, has thought proper to decree as follows:

ART. 1. The political events which compelled the high authorities of the State to dictate measures within the sphere of their attributes and considered to be imperiously demanded for the preservation of the public order and tranquility of the State, shall be entirely forgotten;—and in future, under no pretence, shall the said events ever be imputed to the authors thereof, in whatever manner implicated therein.

ART. 2. In pursuance thereof, all persons absent from their homes, destined to any part of the State by the Executive in exercise of the extraordinary powers granted him by Decree No. 21, and against whom a process has been instituted in compliance with the said decree, shall be immediately set at liberty, and the Executive shall direct that they be assisted out of the State treasury with an amount, which he shall judge sufficient, according to the distance and their rank, to enable them to return to the bosom of their families.

ART. 3. Those persons against whom judicial processes have, or should have been instituted in compliance with Decree No. 22, and the order of the 11th of March last, and who are consequently imprisoned or under arrest; and, being public functionaries, suspended from their stations, shall also be set at liberty, and the latter restored to the full exercise of their respective functions.

ART. 4. In future, neither the like pardon nor any other grace shall be extended to those who shall, directly or indirectly, promote anarchy, attacking, under any pretence, the high authorities of the State; on the contrary, they shall be judged and punished with all the rigor and severity of the laws; as shall be done forthwith with respect to those who shall disdain the most ample and liberal amnesty granted by this decree, proceeding in their cases in strict conformity with the said laws, and with all the promptitude and energy required by the tenor thereof, to which the Governor shall carefully attend.

ART. 5. Pursuant to the provision of the foregoing articles, the decree No. 42 is hereby repealed; and since the difficult and delicate circumstances, which gave rise to the extraordinary powers granted the Executive by decree No. 21, have happily so far changed that the said powers are considered to be no longer necessary for the preserva-

tion of the public order and tranquility, for which object they were granted, the aforesaid decree No. 21 is likewise revoked.

For the fulfilment thereof, the Governor of the State pro tem. shall cause it to be printed, published, and circulated.

Given in Saltillo on the 27th of March, 1826.

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#### DECREE NO. 24.

#### *Convocation Law for the election of Representatives to the General Congress.*

The Congress of the State of Coahuila and Texas, authorized by article 9th of the Constitution of the Republic to determine, agreeably thereto, the qualifications of the electors, and to regulate the election of Representatives to the General Congress, to be holden, agreeably to the said Constitution, on the first Sunday of October next—and as the shortness of the time does not permit the same to be performed in the manner prescribed in the first part of the Constitution of the State, already presented by the committee appointed to model the same, because it has not yet been sanctioned—neither is it possible at the moment to do away the difficulties connected with the first establishment thereof in a new form of government—and besides on the other hand it will be easy to follow the method of former elections, with which the people are practically acquainted—said Congress has thought proper to decree, that, for this time only, the elections be holden agreeably to the following

#### LAW OF CONVOCATION:

##### JUNTAS IN GENERAL.

ART. 1. For the election of Deputies, primary and secondary juntas, and a general State junta, shall be holden.

ART. 2. On Sunday the 25th of August next, the President of each Ayuntamiento of the State shall, by edict, or as the custom may be, convoke the citizens of the district to assemble at the primary juntas.

ART. 2. The said meetings, and the others, shall be preceded by public prayer in all the Parish Churches of the State, for which object seasonable notice shall be given to whom it belongs.

##### PRIMARY MUNICIPAL JUNTAS.

ART. 4. Primary juntas shall be composed of all lawful citizens,

domiciliated and residing within the limits of the respective Ayuntamientos.

ART. 5. All freemen, born within the limits of the Republic of Mexico,—all those who, domiciliated therein, have acquired this and other rights by the treaties of Iguala and Cordova,—those who have acquired letters of citizenship, provided they combine the conditions required by this law, shall have the right of suffrage in popular juntas.

ART. 6. Those who have been sentenced to corporal or disgraceful punishment, shall not have the right of suffrage, unless re-instated by law in said right.

ART. 7. The right of suffrage shall be suspended, on the corresponding judicial testimony, in case of moral and physical inability—of minors, but married men of any age shall have the said right,—in case of debt to the public funds, due, and payment having been demanded—and in case of not having a domicil, employment, trade, or known way of support,—also of those under criminal prosecution.

ART. 8. Primary meetings shall be holden in all towns, whose population amounts to five hundred souls; and, in those which have no Ayuntamiento, the regidor, whom the Ayuntamiento of the chief town of the same district shall appoint, shall preside.

ART. 9. Towns not containing five hundred inhabitants, also haciendas and ranchos, whatever be the population thereof, in elections, shall appertain to the nearest junta.

ART. 10. The Ayuntamientos, for assistance in keeping the census of the municipalities, shall avail themselves of the parish lists.

ART. 11. All towns, in order to facilitate the elections, whether those made by themselves or in connexion with their district, shall be divided into such number of sections as the Ayuntamientos shall consider sufficient. At the junta of each, the number of electors corresponding to the respective population thereof, shall be chosen.

ART. 12. The choice of electors in the sections can devolve on citizens of every section.

ART. 13. Should a citizen be chosen in two or more sections, the election of that wherein he resides shall be preferred: and for the other sections, the citizens who shall have the next highest number of votes shall be elected.

ART. 14. Should a citizen, chosen elector, not be a resident in any of the sections by which he was chosen, the election of that wherein he received the most votes shall avail.

ART. 15. The primary juntas shall be holden on Sunday, the 27th of the aforementioned month of August.

ART. 16. They shall be presided by the President of the respective Ayuntamientos,—and should the town be divided into sections, the junta of one shall be presided by the said President, and the rest by the other Alcaldes and Regidores, according to the order of their appointment.

ART. 17. The citizens having convened in the most public place on the day appointed, shall choose a secretary and two tellers, who can read and write, from among those present.

ART. 18. The meeting being thus installed, the President shall ask whether any one has any complaint to make with regard to bribery or subornation to cause the election of any particular person, and should there be such complaint, the case shall be verbally and publicly investigated instanter. Should the charge be substantiated the offender shall be deprived of a voice, active and passive; false accusers shall suffer the same penalty, and from this decision there shall be no appeal.

ART. 19. Should doubts arise whether any person possesses the qualifications required for voting, the junta shall decide instanter, and the decision shall be obeyed without appeal for this time only; it being understood the doubt can have no relation to the provision of this or any other law.

ART. 20. The President shall abstain from making any indication that the election may result in favor of any particular person.

ART. 21. The junta shall proceed to make choice of primary electors, choosing one for every hundred voters, or for every five hundred souls.

ART. 22. Should the census give a moiety over and above the basis aforesaid, another elector shall be chosen; but should the excess not amount to a moiety, it shall not be regarded.

ART. 23. Each voter shall approach the table and specify such number of persons for electors as it belongs to that junta to choose.—The secretary shall write the names of the said persons in his presence and no person shall be allowed to vote for himself in this or the other elections, under penalty of losing his right for the time being.

ART. 24. Should the voter produce a list of persons for whom he intends to vote, the secretary shall read to him the same, and ask him if it be in conformity with what is expressed therein, and if not, it shall be corrected.

ART. 25. The votes having been given in, the President, tellers, and secretary shall examine the lists, and the President shall declare in an audible voice the names of the persons elected, who shall be those who have received the greatest number of votes; in case of a tie, it shall be decided by lot.

ART. 26. The secretary shall commit the act to writing, and shall sign the same together with the President and tellers; a copy, signed by the same persons, shall be delivered to each person chosen, to serve as a proof of his election.

ART. 27. To be eligible as an elector, it is required to be a lawful citizen, over twenty-five years of age, or twenty-one if married, domiciliated and a resident in the municipality; not to hold any office of controversy, civil, ecclesiastical or military, or the office of curate.

ART. 28. Officers chosen by the people, as Alcaldes, are not included in the foregoing article.

ART. 29. No person can decline the office of elector from any cause, or on any pretext whatever.

ART. 30. At the juntas no person shall appear armed, neither shall there be any guard.

ART. 31. The election having closed, the junta shall be immediately dissolved, and any other act, in which they interfere, shall be null.

SECONDARY OR DISTRICT JUNTAS.

ART. 32. Secondary or district juntas shall be composed of primary electors, assembled in the chief towns of the district to choose electors who are to elect the representatives in this capital. The Department of Texas for this object shall be considered as one sole district, whose chief town or capital shall be that of the Department, being the city of Bexar.

ART. 33. The secondary juntas shall be holden on Sunday, the 10th of September next.

ART. 34. One secondary shall be elected for every twenty primary electors that shall be chosen in all the towns of the district.

ART. 35. Should there be a moiety over and above twenty primary electors, another secondary shall be chosen; but should the excess not amount to a moiety it shall not be regarded.

ART. 36. Should any town of the district not have furnished twenty primary electors, a secondary shall be chosen notwithstanding.

ART. 37. At the secondary juntas the President of the capital of the district shall preside, to whom the primary electors shall present themselves with the document proving their election, that their names may be set down in the book in which the acts of the juntas are to be written.

ART. 38. Three days previous to the elections the electors shall meet the President at the place he may appoint, and they shall choose a secretary and two tellers from among themselves.

ART. 39. They shall then present their certificates of election to be examined by the secretary and tellers, who, on the day following, shall inform whether the same be according to law. Those of the secretary and tellers shall be examined by three individuals of the junta, chosen by the same majority of vote, who shall inform in like manner and at the same time.

ART. 40. On the day aforesaid, the electors having assembled, the reports upon the certificates shall be read, and should any question arise with regard to the qualifications required, the junta shall resolve instantly, and the decision shall be obeyed without appeal.

ART. 41. On the day and hour appointed for the election the electors shall again convene, and, taking their seats without distinction, the secretary shall read the articles signed by the secondary juntas, and the

President shall make the inquiry contained in article 18, the provision whereof shall be obeyed.

ART. 42. The primary electors shall immediately choose the secondary, one by one, by private ballot.

ART. 43. The votes having been given in, the President, secretary, and tellers shall examine the same; the person having more than one half the votes shall be elected, and the President shall declare each election. Should no one receive the absolute majority of votes, the two having the highest number shall be run in the second balloting, and the one who receives the majority shall be elected. In case of a tie it shall be determined by lot.

ART. 44. To be eligible as an elector it shall be required to be a lawful citizen, over twenty-five years of age, having a domicile and residence of one year in the district—to hold no office of controversy, civil, ecclesiastical or military, or the office of curate in the district. The election can devolve on individuals of the junta, or others, provided they belong to the State, laymen or of the secular order; a person shall be considered a resident in the district who continues his domicile therein, and is himself in another; provided he can join the general junta in the capital.

ART. 45. The time of residence, as provided in the preceding article, shall not be required of the military.

ART. 46. The secretary shall commit the act to writing and, together with the President and tellers, sign the same; a copy thereof, signed by the same persons, shall be given to each elector to serve as a certificate of his election; the President shall transmit a copy likewise authenticated to the Governor, and in his default to the Vice Governor of the State, by whom it shall be published by ordinance posted in the most public places.

ART. 47. The provision made for the primary elections in articles 20, 28, 29, 30, and 31, shall also be observed in the secondary.

#### STATE JUNTA.

ART. 48. The general junta of the State shall be composed of the secondary electors of all the districts, assembled in this capital for the purpose of electing deputies to the Chamber of Representatives in the general Congress.

ART. 49. The said junta shall be holden on the first Sunday in October next, in conformity to article 16th of the Constitution of the Republic.

ART. 50. The Governor of the State shall preside the same, and in his default the Vice Governor, to whom the electors shall present themselves with their credentials, that their names may be written down in a book, wherein the acts of the junta shall be committed to writing.

ART. 51. Three days previous to the election, the electors shall meet with the Governor or Vice Governor, as the case may be, at the



place appointed, with open doors, and they shall appoint, by majority of vote, a secretary and two tellers from among themselves.

ART. 52. This decree, the credentials, also the authenticated record of the acts and the elections holden in the chief towns of the districts, shall be read; the secretary and tellers shall examine the same, and report on the day following whether the whole be according to law—the credentials of the latter shall be examined by three individuals of the junta, chosen by majority of votes, who shall report in like manner and on the same day.

ART. 53. The electors having assembled on the day aforesaid, the reports shall be read, and should any doubt appear upon the credentials or certificates, or the qualifications of the electors, the junta shall decide instantly, and the resolution shall be obeyed without appeal.

ART. 54. On the day appointed for the election, the electors having assembled and seated themselves without distinction, with open doors, the President shall make the inquiry as specified in article 18, the entire provision whereof shall be obeyed.

ART. 55. The electors shall then choose the deputy by ballot.

ART. 56. The votes having been given in, the President, secretary, and tellers shall examine the same, and the person receiving the absolute majority shall be declared elected; should no one receive such majority, the two having the highest number shall be elected. Should there be a tie it shall be decided by lot.

ART. 57. After the election of deputy proprietor, the deputy supletory shall be elected in the same manner.

ART. 58. In conformity to articles 11, 12, and 13 of the Constitution of the Republic, it belongs to the State to elect one deputy proprietor and one supletory.

ART. 59. The said Deputies shall possess the qualifications required by articles 19, 20, and 21 of the Constitution aforesaid, and those excepted by article 23 therein, cannot be elected.

ART. 60. The secretary shall commit the act of the elections to writing, and, together with the President and the electors, sign the same; and the President shall cause a list of the deputies elected, signed by himself and the secretary, to be published, and shall transmit a copy to each of the towns of the State.

ART. 61. The election of the aforementioned deputies having closed, the junta shall make the proper arrangements for complying with the provisions of article 17 of the Constitution of the Republic.

ART. 62. In the State junta the articles 20, 28, 29, 30 and 31, shall be obeyed.

For its fulfilment, the Vice Governor of the State, ad interim, shall cause it to be published and circulated.

Given in Saltillo on the 28th of July, 1826.

## DECREE No. 25.

The Congress of the State of Coahuila and Texas, in compliance with the general law of August 24, and in exercise of the power granted thereby to the same for replacing the companies of permanent Cavalry which ought to exist in the State, decrees:

ART. 1. The Governor of the State shall demand of the chief political officers, and the latter of their immediate subordinates, the number required to complete the necessary force of the fortress companies of permanent cavalry, destined to the defence of the State, according to the general law of March last.

ART. 2. The Executive, and each of the said chief officers in their turn, shall make an allotment of the aforementioned number among the respective districts in proportion to the population, manifesting to their subordinates the obligation and responsibility they are under of shewing that the allotments are filled within the time specified, and taking care that in the same as little injury as possible shall be occasioned to agriculture, mining, and the arts.

ART. 3. In order to comply with the provision of article 7 of the aforementioned law of the 24th of August, the number of recruits to be enrolled in order to fulfill the future basis of the said fortress companies, shall be repeated in the terms therein specified.

ART. 4. The Ayuntamientos, with the assistance of armed force should it be necessary, shall proceed to make levies, and to take from among the same the individuals required to complete the number assigned.

ART. 5. The levies having been made, vagrants and disorderly persons shall be taken in preference for military service: and should the number designated not be completed with persons of this description, unmarried men, who can be spared by their families with the least inconvenience, shall be taken, *and the latter shall draw lots to complete the number required.*

ART. 6. In each municipality there shall be a junta, composed of the first Alcalde, two Regidores, and one Sindico, to investigate and determine the circumstances and qualifications of those comprised in the foregoing articles, according to the ordinances and existing laws.

ART. 7. Should any individual claim to be aggrieved by the decision of the junta aforesaid, he shall appeal to the Governor of the State, who shall give the final decision; but, during the interval, the appellant shall comply with a soldier's duties.

ART. 8. Should the claim of the appellant prove to be just, he shall be exempt from military service for that time only, should the impediment not be perpetual, his post being filled by another of the same place. For the expense incurred in the support of the aggrieved party, also for that he incurs in the appeal, the junta of investigation shall be responsible.

ART. 9. The general military commandant may direct, agreeably to the ordinance, that recruits be obtained by entrapment and decoy, and

that those who present themselves voluntarily be admitted—raising flags in such places as the Governor of the State shall designate. In this case those commissioned by the aforementioned chief, for the purpose, shall give notice to the respective Ayuntamientos of the number and names of the persons raised in this manner, that they may be deducted from the number designated.

ART. 10. Should hired servants appear in the lists presented to the Ayuntamientos by the persons commissioned in compliance with the provision of the preceding article, they shall not be considered as having presented themselves voluntarily to the military service, unless the amount they owe be previously paid, or there be an agreement between the servant and the master, or between the latter and the person commissioned.

ART. 11. From the second class, specified in article 5, those shall be enrolled who are destined to the depot specified in article 7 of the general law on the subject, also by lot as in the former instance; provided there be not a sufficient number of the class specified in article 5 aforesaid, to fill the vacant posts.

ART. 12. Those who volunteer as substitutes, and those taken in levy according to the second part of article 5 aforesaid, shall be admitted, should it be satisfactory to the junta of investigation; but one or more instances of the kind shall not exempt them from military service when, on another occasion, it shall belong to them to offer themselves.

ART. 13. Those belonging to the civic militia shall, for that reason alone, be exempt from the said service.

ART. 14. The Governor shall previously agree with the Executive of the Republic, that the latter may furnish him with the funds required to satisfy the daily pay and expenses of the recruits.

ART. 15. That this law be more easily fulfilled, the Executive shall give to the subordinate officers all the instructions he shall deem necessary.

For its fulfilment, the Vice Governor of the State, ad interim, shall cause it to be printed, published and circulated.

Given in Saltillo on the 29th of April, 1826.

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#### DECREE No. 26.

The Congress of the State of Coahuila and Texas, has thought proper to decree the following:

Until the manner and terms whereby the Counsellors at Law of the State are to be admitted and qualified, the Executive shall permit those who apply to him to exercise their profession, exacting of them their lawful diploma, and authenticated certificate that they are not suspended in the practice of their profession.

The Vice Governor of the State, ad interim, shall order the same to be printed, published, and circulated, for its fulfilment.

Given in Saltillo on the 14th of October, 1826.

## DECREE No. 27.

The Congress of the State of Coahuila and Texas, taking into consideration that according to the Constitution of the State, about to govern, the municipalities ought very soon to be elected, and with a view to prevent the inconvenience and injury that might result to the towns from a repetition of electoral juntas and other acts relating thereto, has thought proper to decree:

The present Ayuntamiento shall, for this time only, continue in the exercise of their functions until removed according to the plan that shall originate in the Constitution of the State.

For the fulfilment thereof, the Vice Governor of the State, pro tem. shall cause the same to be printed, published and circulated.

Given in Saltillo on the 28th of November, 1826.

## DECREE No. 28.

With a view to comply in some manner with the desires of the Governor on the subject of promoting the more ready despatch of the business of the towns, and considering that the election of the Council and other officers, according to the Constitution, is about to take place, the Congress of the State of Coahuila and Texas has resolved to decree as follows:

ART. 1. The Executive Council, established by Decree No. 19, shall be composed for the present of two voters proprietors, who are present in the State, and one supletory, and shall be chosen by Congress.

ART. 2. In all other respects the Decree No. 19 shall continue in force, and the Councils conforming to the same.

ART. 3. In case of moral or physical inability on the part of any voter proprietor, the supletory shall act in his place.

For its fulfilment, the Governor of the State, ad interim, shall cause it to be printed, published and circulated.

Given in Saltillo on the 16th of February, 1827.

## DECREE No. 29.

*Form of oath to be taken by the Officers of the State to obey the Constitution of the same, and the manner said Constitution is to be delivered to the Executive to be solemnly published.*

The Congress of the State of Coahuila and Texas, having sanctioned the political Constitution of said State, and desiring that the oath and

publication thereof be effected with the pomp and solemnity corresponding to an event so fortunate, and so much desired, has thought proper to decree:

ART. 1. On the 11th instant, in public session, to commence at 10 o'clock in the morning, the aforementioned Constitution shall be read entire; all the Deputies present in the capital shall then sign two first copies in manuscript, and a committee of three individuals, including the secretary of Congress, shall receive one of the said first copies from the hands of the President, and shall pass to present the same to the Governor of the State, that he may preserve the same in his archives.

ART. 2. On the 12th, in public session, to commence at 10 o'clock A. M., one of the secretaries holding the political Constitution of the State in his hands; first, the President shall take oath to cause the same to be obeyed; and afterwards the other Deputies, in the hands of the President. The Governor and Council shall then present themselves in the hall of sessions, and take the same oath, in the hands of the President; and this act having closed, they shall proceed, accompanied by the deputies and officers, to the Parish Church, where a solemn *Te Deum* shall be chaunted in act of gratitude to the Supreme Being.

ART. 3. The Secretary of State, the Ayuntamientos, Ecclesiastical officers, superiors of offices, for transacting public business, and the Prelate of the religious fraternity of San Francisco, shall take oath before the Governor to obey the Constitution. The officers in national employ, for the present, and until the general Congress shall resolve whether they should, shall take oath in the same manner, to obey the said Constitution, and cause their subordinates to obey the same.—Those belonging to a religious communion, before their respective Prelate; and the subordinates, the other officers employed by other authorities, corporations, and business offices, shall take the same oath before their superiors—all on the day the Governor shall appoint.

ART. 4. The Governor shall designate the day for the solemn publication of the Constitution in this capital, which being done, he shall communicate the same immediately to the Chief of Department of Texas, and to the first Alcaldes of the other Ayuntamientos of the State, that they may proceed to publish the same in the towns of their district. The Governor shall regulate the ceremony for the publication thereof in this capital, taking care that the same be conducted with due dignity; and he shall also take the proper measures that the said Constitution be likewise solemnly published in all the other towns of the State.

ART. 5. In the Department of Texas, and in the other towns apart from the capital, the Chief of Police, and first Alcaldes of each Ayuntamiento, shall take the said oath before the Ayuntamiento of this capital, and afterwards the other members of the respective corporations before the said chief, or respective alcaldes; also curates, and State agents or superior officers having charge of the administration of the rents in their districts; and also those who are present in the said towns and

departments, and in employ of the general government, shall take the same oath as prescribed in article 3.

ART. 6. In this capital, and in the other towns of the State, the people and the rest of the clergy shall take the same oath in their respective parishes, in the accustomed form, and on the day their Ayuntamientos shall appoint.

ART. 7. The corresponding act of all these acts shall be committed to writing, and two attested copies shall be taken out and transmitted, by whom it belongs, to the Governor of the State, who shall deposit one in the archives of his secretary's office, and pass the other to Congress with the same object.

ART. 8. The form of the oath, mentioned in the third and following articles, shall be as follows:

You solemnly swear, before God, to obey the political Constitution of the State of Coahuila and Texas, sanctioned by Congress on the 11th of March, 1827, and cause the same to be obeyed. (They shall answer yes, I do swear.) So help you God; should you not, may it be demanded of you in judgment, and moreover you shall be answerable to the State. (With respect to the people, and others not holding office, the words "*and cause the same to be obeyed*" shall be omitted.)

ART. 9. Any individual or individuals, comprised in the articles of this decree, who shall, directly or indirectly, refuse to take the oath, shall be rejected by the State, should they, on being once required by the Executive or competent authority, persist in their purpose.

For its fulfilment, the Governor of the State, ad interim, shall cause it to be printed, published and circulated.

Given in Saltillo on the 6th of March, 1827.

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The Constitution of the State sanctioned on the eleventh of March 1827.

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### DECREE No. 30.

The Congress of the State of Coahuila and Texas has thought proper to decree the following:

For printing and publishing the Constitution, sanctioned and ordered to be published and circulated, the Governor shall use the following form:

The Governor, pro tem., of the State of Coahuila and Texas, to all the inhabitants thereof: Be it known, that the Congress of the said State has decreed and sanctioned the following Constitution: (the Constitution with the preliminary and signatures thereof to be here inserted.) Wherefore, I command it to be printed, published, circulated, and duly fulfilled.

Given, &c. To be here signed by the Governor, and then by the Secretary.

For its fulfilment, the Governor of the State, ad interim, shall cause it to be printed, published and circulated.

Given in Saltillo on the 11th of March, 1827.

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DECREE No. 31.

*Convocation for the first Constitutional Congress.*

The constituent Congress of the State of Coahuila and Texas, taking into view that should the election of Deputies to the first Congress, of Governor, Vice Governor, and Councillors, be effected within the time the Constitution of the State prescribes, the former cannot take place until the months of August and September; neither can the latter officers exercise their functions until January and March, 1828; and desiring as far as possible to avoid these perplexities, which would obviously occasion great injury to the State, and internal administration thereof, has thought proper to decree: that, for this time only, the elections be holden, Congress installed, and the Governor, Vice Governor, and Councillors, enter on the exercise of their functions in the manner stated in the following law of Convocation,

CONVOCATION LAW.

SECTION FIRST.

CONGRESS.

ART. 1. Congress shall be the union of the Deputies, representing the State, elected in the manner hereinafter provided, and until 1832 the number thereof shall consist of twelve proprietors and six supletories.

ART. 2. Congress shall open their sessions on the 1st of July, and with this object, and that of the solemn installation thereof, the Deputies shall be present in the capital by the 27th of June.

ART. 3. The districts of Saltillo, Parras, and Monclova, shall elect three Deputies proprietors each, that of Texas two, and Rio Grande one. The district of Saltillo shall elect two, and each of the other districts one Deputy supletory.

ART. 4. To be eligible to the office of Deputy proprietor or supletory, the following qualifications at the time of the election shall be required:

First—To be a citizen in the enjoyment of his rights.

Second—To have attained the age of twenty-five years.

Third—To be domiciliated in the State, and to have resided therein the two years immediately preceding their election. For natives of the State the first two requisites shall be sufficient.

ART. 5. Those not born within the territory of the Republic to be eligible as Deputy proprietors, shall have been eight years domiciliated therein, and shall possess real estate to the amount of eight thousand dollars, or an industrious employment that shall yield them one thousand dollars per annum, and the qualifications provided in the foregoing article.

ART. 6. Natives of any other part of the American continent, in 1810 subject to Spain, and not now annexed to any other nation, nor in subjection to the former, shall be excepted from the foregoing article; and for such, three years domicil in this Republic, and the requisites prescribed in article 4, shall be sufficient.

ART. 7. The following persons cannot be Deputies proprietors or supletories:

First—The Governor and Vice Governor of the State, and members of the Executive Council.

Second—Persons in employ of the general government.

Third—Civil functionaries whose offices are conferred by the Executive of the State.

Fourth—Ecclesiastics exercising any jurisdiction or authority in the district where the election is holden.

Fifth—Foreigners in time of war between their own country and this Republic.

ART. 8. The public officers of the general government, and of the State, to be eligible as Deputies, shall be required to have been out of office four months previous to the election.

ART. 9. The Deputies of the present Congress cannot be elected.

## SECTION SECOND.

### GOVERNOR, VICE GOVERNOR, AND COUNCILLORS.

ART. 10. The Governor of the State shall possess the following qualifications at the time of his election:

First—He shall be a citizen in the enjoyment of his rights.

Second—A native of this Republic.

Third—Shall have attained to thirty years of age.

Fourth—Shall be domiciliated in this State, having resided five years therein, two of which shall be immediately preceding his election.

ART. 11. Ecclesiastics, military, and other officers of the general government, in actual service, cannot obtain the office of Governor.

ART. 12. There shall be likewise a Vice Governor of the State, whose qualifications shall be the same as those required for Governor.



ART. 13. For the better discharge of his official duties, the Governor shall have a body for consultation, to consist of three voters proprietors and two supletories, of all whom one only can be an Ecclesiastic.

ART. 14. The qualifications required for a Councillor shall be the same as those required for a Deputy. Those not eligible to the office of Deputy shall not be eligible to that of Councillor.

ART. 15. Those elected to these offices shall take possession of the same on the first of August, and cannot decline the service thereof, except the Deputies of Congress at the time of the election, and those who, in the opinion of the said Congress, are morally or physically disabled.

### SECTION THIRD.

#### ELECTION OF DEPUTIES.

ART. 16. For the election of Deputies municipal electoral and district electoral assemblies shall be holden.

#### *Municipal Electoral Assemblies.*

ART. 17. The municipal electoral assemblies shall be composed of citizens enjoying their rights, domiciliated and resident within the limits of the respective Ayuntamiento. No person of this class can decline attending the same.

ART. 18. Said assemblies shall be holden on Sunday the 22d of April, and day following, to choose district electors, who are to elect the Deputies. For this purpose, eight days previous, or less, should the pressure of time require, the President of each Ayuntamiento shall convoke the citizens of his district by the proper edict, or as the custom may be, giving notice to the haciendas and ranchos of the same district, that the same may come to the knowledge of the citizens thereof.

ART. 19. That the citizens may more conveniently attend, each Ayuntamiento, according to the locality of its territory, shall determine the number of municipal meetings to be formed in its limits: also the public places where they shall be holden, designating to each the places corresponding thereto.

ART. 20. They shall be presided, one by the Chief of Police, or the Alcalde, and the rest by the other individuals of the Ayuntamiento, as it shall fall to them by lot; and in default of the latter, the said Corporation shall appoint for President of the said municipal assembly, a citizen belonging within the precincts assigned thereto, who can read and write.

ART. 21. On the aforesaid Sunday in April, the hour of the meeting having arrived, and the citizens assembled in the place appointed, being together, the said assembly shall commence by choosing from among themselves, by majority of vote, one secretary and two tellers, who can also read and write.

ART. 22. The elections shall continue open on both days specified in article 18, four hours each, divided in morning and evening. In each meeting a register shall be kept to record therein the votes of the citizens convened to choose the district electors, entering alphabetically the names of the voters and candidates.

ART. 23. To be eligible as an elector it shall be required to be a citizen in the enjoyment of his rights,—to have attained the age of twenty-five years,—to be able to read and write,—and to be domiciliated, and a resident in the same district one year immediately preceding the election.

ART. 24. Each citizen shall vote for the respective district electors, viva voce, or in writing; in the former case the voter shall call the name of those for whom he votes in an audible voice, and should he give in his vote in writing, the secretary shall read the list thereof in the same manner, and shall enter the same in presence of the voter. No person shall vote for himself, in this or the other electoral acts, under penalty of losing his right of voting.

ART. 25. In the district in which one Deputy only is to be elected, there shall be chosen eleven electors, and where two or more Deputies are to be elected, there shall be chosen twenty-one electors.

ART. 26. Doubts or controversies that occur whether any person or persons, possess the qualification required for voting, shall be determined verbally by the assembly, and the decision shall be executed without appeal for that time and that purpose only: it being understood that the doubt shall not turn upon the provision of this or other laws.—Should there be a tie in determining the question, absolutory sentence shall be given.

ART. 27. Should complaints arise of bribery, subornation, or force, to cause the election to result in favor of particular persons, the case shall be publicly and verbally canvassed and brought to a decision.—Should the accusation be founded in fact, the offenders shall be deprived of a voice, active and passive. False accusers shall suffer the same penalty. From this decision there shall be no appeal. Doubts that occur with regard to the nature of the testimony, shall be determined in the manner stated in the preceding article.

ART. 28. Municipal assemblies shall be conducted with open doors, without any guard; and no person, to whatever class he may belong, shall appear armed therein.

ART. 29. The election of both days having terminated, the President, tellers, and secretary of each assembly, shall proceed to estimate and cast up the votes received by the several candidates in the register, and sign the same; which having been done, the assembly shall be dissolved, and any other act in which they interfere, shall not only be null, but shall be considered an offence against the public safety. The said register shall be delivered, enclosed and locked, to the secretary of the respective Ayuntamiento.

ART. 30. On Sunday, the 29th of April aforesaid, each Ayuntamiento shall convene in their respective town halls in public session.—In their presence, the President, tellers, and secretary of the municipal assemblies being also present, the register shall be opened, and, in view of all present, a general list shall be formed alphabetically, comprising all the candidates, and number of votes they have received.

ART. 31. The said list, and the act of the corporation that shall be drawn up relative to the subject, shall be signed by the President of the Ayuntamiento, and secretary of the same, and the secretaries of the assemblies. Two copies of the aforesaid list shall then be drawn off, authenticated by the same persons, one of which shall be immediately posted in the most public place, and the other delivered with the corresponding official letter, signed by the President of the Ayuntamiento, to two individuals whom the said corporation shall appoint from its own body, who shall repair to join those commissioned by the other Ayuntamientos, in order to make the general adjustment and computation of the votes.

ART. 32. On Sunday, the 13th of May, the persons commissioned by the Ayuntamientos shall present themselves, with their certificates of appointment, to the Chief of Police, and in his default, to the first Alcalde of the capital of the district, and the latter, or second Alcalde, as the case may be, presiding, they shall meet in the town halls in public session, and in view of all the lists, shall form a general list of the persons chosen district electors by the citizens of the respective district, stating the number of votes they have received, and the places of their residences.

ART. 33. In order to make the general computation of votes, four persons commissioned, at least, shall be present. In districts wherein this number cannot meet, the Ayuntamiento of the capital town shall choose from their own body the persons wanting to complete the same.

ART. 34. The citizens who, on this general inquiry, shall prove to have the greatest number of votes in the list, shall be constitutionally chosen electors. In case of a tie between two or more persons, it shall be decided by lot.

ART. 35. The list aforesaid, and act relative to the subject, shall be signed by the President, commissioners, and the secretary of the Ayuntamiento of the capital of the district. Copies of both shall be drawn off, authenticated by the same persons, and transmitted by the President to the Permanent Deputation of Congress, to the Governor of the State, and to the Ayuntamientos within the precincts of the district.

ART. 36. The said President shall transmit forthwith the corresponding official letter to the electors chosen, in order that they may meet in the capital of the district on a day hereinafter specified for the purpose of holding the electoral assembly of the same.

## PARAGRAPH SECOND.

*District Electoral Assemblies.*

ART. 37. The district electoral assemblies shall be composed of the electors chosen by the citizens in the municipal assemblies, who shall meet in the capital of the respective district, to choose the Deputy or Deputies, corresponding thereto, to meet in Congress as representatives of the State.

ART. 38. Said assemblies shall be holden fifteen days from and after the general computation of votes as specified in article 32,—the electors convening in the town halls or in the building considered most appropriate for so solemn an act, with open doors, and without any guard. No person, to whatever class he may belong, shall present himself armed in said assemblies.

ART. 39. They shall be presided by the Chief of Police, and in his default, by the first Alcalde of the capital of the district; commencing their sessions by choosing, by majority of vote, from their own body one secretary and two tellers; the President shall then cause the credentials of the electors to be read, which shall be the official letters wherein they were notified of their appointment.

ART. 40. The President shall then ask if there be any legal nullity on the part of any elector for his being such, and it be proved at the instant that there is, the electors shall loose the right of voting.—The President shall then also ask if there has been bribery, subornation, or force for the election to result in favor of a particular person,—and should it be immediately proved that there has, the delinquents shall be deprived of a voice active and passive, and false accusers shall suffer the same penalty. Doubts that occur, in either case, shall be determined by the assembly in the manner specified in article 26.

ART. 41. Immediately afterwards, the electors present shall proceed to make choice of the Deputies corresponding to the district, and the same shall be elected one by one by ballot. Each elector shall drop his vote in an urn placed upon a table at the foot of a Crucifix, after having made oath before the Crucifix, the President holding the same in his hands, that in voting for Deputies to Congress, he will give his vote to citizens possessing, in his opinion, the qualifications of integrity, sound information, and a well known steady attachment to the national independence.

ART. 42. The votes having been given in, the President, tellers, and secretary shall count the same, and the citizen who has received more than one half the number of votes shall be constitutionally elected Deputy. The President shall declare each election. Should no one have received the absolute majority, the two who have obtained the greatest number shall be run in a second balloting. Should those receiving a like respective majority be more than two persons, they shall all be run in the second balloting, and the same shall be done when no

one receives this majority, but all an equal number of votes. In all these cases, the candidate who receives the majority of votes shall be elected, and should there be a tie, the balloting shall be repeated once only; and should there again be a tie, it shall be determined by lot.

ART. 43. Should one individual only receive the respective majority, and two or more persons an equal number of votes, but greater than that of all the others, to decide which of the latter shall run in a second balloting with the former, there shall be a separate balloting between them, and the one who receives a majority shall enter in competition with the person who received the respective majority. In the event of a tie, the balloting should be repeated; and should there again be a tie, it shall be decided by lot. In the second balloting between the person who received the respective majority over the whole and his rival, the provision contained in the last part of the preceding article shall be observed.

ART. 44. When one person only receives the respective majority, and all the others an equal number of votes, to determine which of the latter shall run in a second balloting with the former, the same shall be done with respect to those, between whom there is a tie, as provided for this object in the foregoing article; and also to determine which of the rival candidates shall be elected Deputy, the provision of the last part of the same article shall be observed.

ART. 45. The election of Deputies proprietors having closed, that of the supletories shall immediately follow in the same manner and form; and the latter having also terminated, a list containing the names of all the Deputies elected, signed by the secretary of the respective assembly, shall be immediately posted in the most public place. The President and all the electors shall sign the electoral act, and the former, the tellers, and the secretary shall transmit copies, authenticated by themselves, to the Permanent Deputation of Congress, to the Governor of the State, and to all the Ayuntamientos of the district. Said assemblies, having performed the acts prescribed in this law, shall immediately dissolve; any other act in which they interfere shall be null, and moreover reputed as an attempt against the public safety.

ART. 46. The President shall also seasonably despatch the corresponding official letter to the Deputies proprietors and supletories, accompanied by an attested copy of the act, to serve them as a credential of their election.

ART. 47. No citizen shall be allowed to excuse himself, in any way or under any pretext, from discharging the duties spoken of in the present section.

#### SECTION FOURTH.

##### *Election of Governor, Vice Governor, and Councillors.*

ART. 48. On the day following the election of Deputies to Congress, the district electoral assemblies, all and each one of the same,

shall choose a Governor, Vice Governor, three Councillors proprietors and two supletories; and the said election shall be conducted in the manner prescribed by articles 41, 42, 43, and 44.

ART. 49. The aforesaid election having closed, a list of the names of those elected, and stations to which they are chosen, signed by the secretary of the respective assembly, shall be immediately posted in the most public place. The acts shall be signed by the President and the electors, and attested copies thereof, authenticated by the said President, secretary, and tellers, shall be transmitted, enclosed in a certified sheet, to the Permanent Deputation.

ART. 50. On the day the first ordinary sessions of Congress are opened, the person who was President of the Permanent Deputation at the time, shall present the attested copies aforesaid, and after being read Congress shall appoint a committee from their own body to whom they shall be passed, in order that said committee may revise the same, and report thereon within the third day.

ART. 51. On the day aforesaid, Congress shall proceed to determine the elections made by the districts, and compute the votes.

ART. 52. The individual who receives the absolute majority of votes of the district electoral assemblies, to be computed according to the whole number of voters composing the same, shall be Governor, Vice Governor, or Councillor, as the election under consideration may be.

ART. 53. Should no person have the majority aforesaid, Congress shall elect for these offices one of the two or more individuals who have the greatest number of votes; and the same shall be done when no one has this respective majority, all standing equal in votes.

ART. 54. Should one person only receive the respective majority, and two or more an equal number of votes, but greater than that of all the others, Congress shall elect one person from among the former, who shall be run in competition for the election with the person who received the respective majority.

ART. 55. In the event of a tie, the balloting shall be repeated once only, and should there again be a tie, it shall be determined by lot.

## SECTION FIFTH.

### *Coahuiltexians, and Citizens (Freemen) of Coahuila and Texas.*

ART. 56. The following shall be Coahuiltexians:

1st. All men born and domiciliated in the territory of the State, and the children of the same.

2d. All those born in any other part of the territory of this Republic, who shall become domiciliated in the State.

3d. Foreigners, of whatever nation, legally established in the State at the present time.

4th. Foreigners who obtain from Congress letters of citizenship, or who are or shall be domiciliated in the State according to the laws

that shall be enacted, as soon as the general Congress shall issue the general statute of naturalization, which, agreeably to the 27th prerogative conferred on the said Congress by the Constitution, ought to be established.

ART. 57. The following shall be Freemen of Coahuila and Texas

1st. All men born in the State and domiciliated in any part of the territory thereof.

2d. All the citizens of the other States and territory of the Republic as soon as they are domiciliated in the State.

3d. All sons of Mexican citizens, even should they be out of the Mexican territory, provided they become domiciliated in the State.

4th. Foreigners who, already enjoying the rights of Coahuiltexians, shall obtain special letters of citizenship from Congress. The laws shall prescribe the qualifications and conditions for granting them the same.

ART. 58. Those born within the territory of the Republic, and foreigners domiciliated therein (except minors) at the time the political liberties of the country were proclaimed, who did not remain faithful to the cause of its independence, but emigrated to a foreign country or dependency of Spain, shall be neither Coahuiltexians nor citizens of Coahuila and Texas.

ART. 59. The rights of citizenship shall be forfeited:

1st. By becoming naturalized in a foreign country.

2d. By accepting office, pension, or title from a foreign government, without permission from Congress.

3d. By receiving executory sentence wherein corporal or disgraceful punishment is imposed.

4th. By a person selling his vote, or buying that of another for himself or a third person, whether in popular assemblies, or in any other; and by violation of public trust in the said assemblies, whether by those who are presidents, or secretaries, or tellers, or those discharging any other public function.

5th. By having resided five years in succession without the territory of the Republic, without a commission from the general government or that of the State, or without licence from the latter.

ART. 60. A person who forfeits the rights of a citizen, cannot recover the same, unless reinstated therein by Congress.

ART. 61. The exercise of the said right shall be suspended:

1st. For moral or physical disability, after judicial investigation.

2d. For not having attained the age of twenty-one years, except married persons, who shall enjoy the said rights from the time they marry, whatever be their age.

3d. For being debtor to the public funds, the time of payment having expired, and payment having been demanded.

4th. For being under criminal prosecution, until the accused shall be acquitted, or sentenced to a punishment not corporal nor disgraceful.

5th. For having no employment, trade, or known way of support.

6th. For not being able to read or write; but this provision shall not take effect until after the year 1850, and with respect to those who shall enter on the exercise of the rights of citizens after that time.

ART. 62. Only for the causes specified in articles 59 and 61, shall the rights of a citizen be suspended.

ART. 63. None but citizens in the exercise of their rights, shall vote for officers of the State in cases designated by law, and such only shall be elected to the said offices and all others of the State.

ART. 64. That this decree may more easily become known, even in the smallest towns, and that the same may be strictly and promptly executed, the Executive shall accompany therewith such instructions as he shall deem necessary.

For the fulfilment thereof, the Vice Governor of the State, pro tem. shall cause the same to be printed, published and circulated.

Given in Saltillo on the 23d of March, 1827.

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No. 32.

INTERNAL REGULATIONS OF CONGRESS.

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DECREE No. 33.

*Change of the present Ayuntamientos agreeably to the Constitution of the State.*

The Congress of the State of Coahuila and Texas, in consideration of the arrangement made by Decree No. 27, bearing date the 28th of November, 1826, and desiring that the present Ayuntamientos be renewed in accordance with the Constitution of said State, at the earliest possible period, has thought proper to decree:

ART. 1. On Sunday immediately following the publication of the Constitution, meetings of the municipal electoral assemblies mentioned in article 161 of the Constitution, shall, for this time, be called; and, on the first Sunday and second Monday following, the present Ayuntamientos shall open their registers for the election of a new Board.

ART. 2. In each of the assemblies aforesaid, three lists shall be formed: one for setting down the names of persons chosen for Alcaldes, with their distinction of 1st, 2d, and 3d; another for Regidores, and a third for Syndicos: likewise in each observing the same distinction.

ART. 3. In towns that contain a population of one thousand souls, but which have had an Ayuntamiento until the present, and likewise in those containing in their limits from one to two thousand five hundred, there shall be one Alcalde, two Regidores, and one Syndic: and in those



containing from this number to five thousand, one Alcalde, four Regidores, and one Syndic; and from this to ten thousand, two Alcaldes, six Regidores, and two Syndics; from this to twenty thousand, three Alcaldes, six Regidores, and two Syndics.

ART. 4. The two days of election, whereon the registers are to be kept open, having expired, the President, tellers, and secretary of each assembly, shall count the votes received by each citizen in the lists, and after casting up the same, shall sign the lists and deliver the same, enclosed under lock and key, to the Secretary of the Ayuntamiento.

ART. 5. On the Sunday next following the election aforesaid, the Ayuntamiento shall convene in their town halls, the Presidents, tellers, and secretaries of the assemblies also being present, and with all the lists before them, shall form three general lists, setting down in one the names of all the persons who received votes for Alcaldes, beginning with the one who received the most votes, and continuing in that manner; another of those who received votes for Regidores, in the same manner; and a third of those for whom votes were given for Syndics, in the same order.

ART. 6. Should a person at the same time receive votes for Alcalde, Regidor, and Syndic, he shall be entered only on the list wherein he receives the most votes; should he in two or more lists receive an equal number, he shall accept the office of Alcalde in preference to that of Regidor, and the latter in preference of that of Syndic.

ART. 7. The President of the Ayuntamiento, and all the secretaries of the assemblies, shall sign the three lists aforesaid, and draw off two copies thereof; one of which, authenticated, shall be transmitted to the Executive, and the other posted in the most public place. The original lists shall be lodged in the archives.

ART. 8. The President of the Ayuntamiento shall give official notice of their election to those chosen to municipal offices, in accordance with article 165 of the Constitution.

ART. 9. The Ayuntamientos, for this time, shall be totally renewed, and members of the present board can be re-elected.

ART. 10. Those elected, unless physically impeded, cannot fail to take possession of office on the day appointed; they can afterwards manifest to the Executive any reasons they think they have for not serving the same.

ART. 11. Those newly chosen shall take possession of office on the first day of festival after the Sunday specified in article 5 of this decree, and shall take the oath prescribed in article 220 of the Constitution, before the President of the Ayuntamiento that retires from office.

ART. 12. For the population specified in article 158 of the Constitution, the election of Commissaries and Syndics shall be made by the same assemblies, at the same time and in the same manner and form, as that of the Ayuntamientos—their oath and possession of office shall be in accordance with the provision of the preceding articles. Persons only who reside in the respective towns shall be eligible to the aforesaid offices.

For its fulfilment, the Governor of the State, pro tem., shall cause it to be printed, published, and circulated.

Given in Saltillo on the 14th of April, 1827.

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DECREE No. 34.

*Salary and Viaticum of the Deputies of the Constitutional Congress.*

The constituent Congress of the State of Coahuila and Texas, has thought proper to decree:

ART. 1. The Deputies to the Congress of the State shall (each) receive out of the treasury of the latter, a monthly salary of one hundred dollars during the time of session.

ART. 2. For the journey to and from the capitol, computing from the place of their residence, they shall receive at the rate of ten rials for every league.

ART. 3. Their salary shall date from the time their credentials shall be approved by Congress.

ART. 4. The Deputies suppletories shall receive the same pay as the Deputies proprietors.

For the fulfilment thereof, the Governor of the State, pro tempore, shall cause the same to be printed, published, and circulated.

Given in Saltillo on the 19th of May, 1827.

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DECREE No. 35.

*Articles 46 and 47 of Decree No. 32, reformed.*

The constituent Congress of the State of Coahuila and Texas, in order that the internal regulations to be used by the constitutional Congress may be rendered in conformity to the Constitution of said State, has thought proper to reform the articles 46 and 47 in the following manner:

ART. 46. The sessions shall open at ten o'clock A. M. and five Deputies present shall constitute a quorum for the object aforesaid, for reading the act, and for the first and second reading of propositions and reports; and six shall be sufficient for communicating the correspondence and substantiating expedients that newly offer, and generally to discuss any project or scheme; but to declare that a vote can be taken, and other resolutions adopted, not here expressed, the concurrence of the absolute majority shall be expressly required.

ART. 47. For deliberating upon subjects, in the judgment of Congress of very great and serious importance, and upon all projects of law or decree, two-thirds of the members shall be required.

For its fulfilment, the Governor of the State, pro tem. shall cause it to be printed, published, and circulated.

Given in Saltillo on the 19th of May, 1827.

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DECREE No. 36.

*Foreign commodities changed in their form by any manufacturing process in the Republic, to be examined and valued for payment of duties in the Custom-houses of the State, the same as the effects of the country.*

The Congress of the State of Corhiula and Texas has thought proper to decree as follows:

All foreign goods which receive a new form in this Republic by means of mechanical industry, thereby acquiring an increase of value in the market where they are sold, over that assigned the same by the general tariff in the place where they are introduced, shall be considered in the Custom-houses of the State, and valued in the invoice the same as the effects of the country.

For its fulfilment, the Governor of the State, pro tem., shall cause it to be printed, published, and circulated.

Given in Saltillo on the 23d of May, 1827.

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No. 37.

Regulations to be observed in the administration of the towns as regards the political economy thereof.

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DECREE No. 38.

The Congress of the State of Coahuila and Texas has thought proper to decree:

ART. 1. On the 24th instant, at 10 oclock A. M., Congress shall convene and choose the regular Deputies proprietors and one supletory, who are to compose the Permanent Deputation stated in article 88 of the Constitution.

ART. 2. On the same day, at half past eleven, the Ayuntamiento and the State officers shall meet in the galleries of the capitol.

ART. 3. The Governor shall then present himself, accompanied by the members of the Council, and they shall be received agreeably to the regulations. The Governor shall take his appropriate seat, and the Councillors shall unite with the Deputies.

ART. 4. The Governor shall then deliver a message, discoursing on the state of affairs, to which the President of the Congress shall make a summary reply, and conclude by declaring the sessions closed.

The Governor of the State, *pro tempore*, shall cause the same to be printed, published, and circulated, for the fulfilment thereof.

Given in Saltillo on the 20th of June, 1827.

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DECREE No. 39.

LAW FOR THE REGULATION OF JUSTICE.

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DECREE No. 40.

The Congress of the State of Coahuila and Texas, desirous that the mining districts of the State may have every support consistent with the present form of government, and that the inhabitants of the said districts be provided therein with all suitable assistance for promoting the increase and prosperity of mining, has thought proper to decree:

ART. 1. In the mining district of the Valley of Santa Rosa there shall be a mining Deputation, to consist of the Alcalde, or person officiating in his stead, and two of the inhabitants, to be chosen by the Ayuntamiento of said Valley by absolute majority of vote; the said election shall take place, in the present instance, immediately after the publication of this decree, and in future on the first day after the Ayuntamiento takes possession of office. Ties in the said elections shall be determined by lot.

ART. 2. At the time designated in the preceding article, and in the same manner, two Deputies *supletories* shall likewise be chosen to fill the place of the proprietors in case of moral or physical disability. Both shall be annually renewed in one half their number, by cessation from office at the close of the first year on the part of those last chosen. No member of the Ayuntamiento, or person serving any municipal office shall be elected, until two years after retiring from office.

ART. 3.. The members of the mining deputation shall possess the qualifications prescribed in article 160 of the Constitution. Their style of address as a body shall be that of Señoria, officially only; and on public ceremonies they shall seat themselves in union with the Ayuntamiento, wearing a yellow sash for purpose of distinction.

ART. 4. The persons chosen shall enter on the duties of office on the first holliday following their election, and shall take the oath specified in article 120 of the Constitution, before the Alcalde or person acting in his place.

ART. 5. The Ayuntamiento shall transmit a copy of the electoral act to the Governor, for the corresponding approval, in case no nullity or substantial defect be contained therein.

ART. 6. Those chosen cannot decline the office, but should they consider they have just cause for so doing, they shall apply to the Governor for his decision, discharging the duties of office during the investigation of the subject.

ART. 7. Persons who serve these stations may be re-elected, but not obliged to serve, and the same shall not be chosen to Ayuntamiental offices until two years after serving in the Deputation.

ART. 8. In the annual renewal of supletory, the one who retires from office may be elected Deputy, unless the same shall have supplied the legal default of the proprietors the term of six months.

ART. 9. On nomination of three by the respective Ayuntamiento, the deputation shall appoint commissioners, of good character, in mining districts that are now or shall be hereafter discovered without their own to take cognizance in such matters as the former, agreeably to their powers, shall commit to their charge.

ART. 10. With respect to the general administration of mining, besides the provision of the preceding article, they shall possess the attributes marked out and defined in the mining ordinances;—formal announcements and records of search and discovery, shall be made before the said deputation, or commissioners thereof; but, in all contested cases, they shall withhold cognizance, and transmit the same, accompanied by a statement of the preceding facts and circumstances, to the primary judge of the district wherein the mine is situated.

ART. 11. On the first of December, yearly, the deputation shall report to the Executive on the state of the mines and miners, proposing whatever in their opinion may tend to restore, preserve, and promote the prosperity of the mines. The same shall also report the quantity of silver produced, amount of mercury consumed, number of mines in operation, of those abandoned, (stating the causes,) as well as mines newly discovered, and those restored to new operation; demanding of each commissioner, for this object, the attested copies and other documents required. Said report shall be communicated to Congress, in order to dictate such measures as the same shall deem proper.

ART. 12. The deputation, in their correspondence with the Governor, shall conduct the same directly.

ART. 13. In the other parts of the State where new veins are discovered, or abandoned mines found, the district judges shall maintain the announcements and records of discovery that shall offer, until the persons interested can apply to the deputation.

ART. 14. The fees for announcement, and for recording a description of the mine discovered: for giving possession, and for survey, and all other operations connected with the subject, shall be collected according to the fee bill which shall be formed by Congress, and that used by the Deputation of the Real de Catorce, shall govern during the interval.

ART. 15. The Spanish statute or system of mining laws, so far as the same is not opposed to the Constitution and laws of the State, shall be observed.

ART. 16. The Executive shall direct that part of the archives relative to the mines of the State, to be collected and handed over to the Deputation.

ART. 17. The members of the Deputation shall be responsible for abuse committed in the exercise of their functions, and shall be under immediate subjection to the Governor.

For its fulfilment, the Governor of the State, *pro tem.*, shall cause it to be printed, published, and circulated.

Given in Saltillo on the 22d of June, 1827.

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DECREE No. 41.

The Congress of the State of Coahuila and Texas, desirous of co-inciding with the measures now becoming general, relative to prohibiting European Spaniards from holding office in the Republic of Mexico, so long as Spain shall not acknowledge the Independence of the former, and conforming to the verdict of public opinion clearly declared on that subject, has thought proper to decree:

ART. 1. No native of the Spanish dominions shall exercise any office or trust, such as it belongs to the high civil officers of the State to fill, so long as Spain shall not acknowledge the Independence of this Republic.

ART. 2. The provision of the preceding article shall embrace the ecclesiastical offices and trusts of the secular and regular clergy, so far as regards the exercise of their attributes.

ART. 3. Sons of Mexicans who may have been born in Spain, and are now living in the State, shall not be included in the preceding articles.

ART. 4. The Executive shall cause Parish Priests and Missionaries to withdraw from their respective stations during the time established in article 1st.

ART. 5. Officers separated by virtue of this law shall receive half pay, should they hold their offices in their own right, and should they not, they shall be fully replaced by others.

ART. 6. Offices left vacant in consequence of the provision contained in this law, shall be filled provisionally and according to the laws.

ART. 7. For curates whom the Executive shall remove in conformity to the provision of article 4, a coadjutor shall be appointed, who shall receive the customary compensation, and the person suspended his corresponding emolument.

For its fulfilment, the Governor of the State, *pro tem.*, shall cause it to be printed, published, and circulated.

Given in Saltillo on the 23d of June, 1827.

DECREE No. 1,  
*OF THE CONSTITUTIONAL CONGRESS.*

ELECTION OF GOVERNOR, VICE GOVERNOR, AND COUNCILLORS.

The constitutional Congress of the State of Coahuila and Texas, exercising the 2d, 3d, and 4th prerogatives granted the same by article 97, section 4, title 1 of the Constitution, and having made, in pursuance thereof, the general examination of votes which the several candidates for Governor, Vice Governor, and voters of the Executive Council have received in the electoral district assemblies, conformably to the provision of article 132, section 4, title 2, and no one having received the absolute majority required by article 133, proceeded to the respective choice of the aforesaid officers, and, having performed the election in the manner and form as prescribed in articles 134, 135, and 136, in virtue thereof decrees:

ART. 1. Jose Maria Viesca is elected Governor of the State of Coahuila and Texas.

ART. 2. Victor Blanco is elected Vice Governor of said State.

ART. 3. Santiago de Valle, Dionicio Elisondo, and licentiate Jose Ignacio de Cardenas, are elected Councillors Proprietors.

ART. 4. Antonio Pereira and Cayetano Ramos are likewise elected Councillors Supletories.

ART. 5. In accordance with article 15 of the law of convocation of March 23d, the persons elected shall present themselves on the 1st of August next, to take the oath the Constitution prescribes, and to take possession of office.

For its fulfilment, the Governor of the State, pro tem., shall cause it to be printed, published, and circulated.

Given in Saltillo on the 4th of July, 1827.

JOSE IGNACIO SANCHEZ NAVARRO,  
President.

JOSE ANTONIO TIJERINA, Dep. Sec'y.  
JOSE FRANCISCO MADERO, D. S.

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DECREE No. 2.

The constitutional Congress of the State of Coahuila and Texas has thought proper to decree:

ART. 1. The cock pit location of the whole State shall be leased at public auction, to be cried on three festival days, specifying the day the sale shall be closed, which shall be to the highest bidder for period of five years, with the understanding that the same may sublease the respective pits in the other places.

ART. 2. The purchaser of the lease shall give bond with security obligating himself to pay at the end of each year, and the proceeds shall enter the State Treasury.

ART. 3. The judge of the treasury shall preside the auction, the treasurer being present; and, in his default, the agent having charge of the rents.

ART. 4. Billiard tables shall pay a tax of twenty-four dollars per annum, to be paid in three equal instalments in advance.

ART. 5. Those who established billiard tables on the condition of paying such tax as should be assigned them, shall pay what is due, the same as other owners of tables, and shall conform to the last contract they made with the agent having charge of the Tobacco rent. Those who established tables without any understanding on the subject, shall pay in the same manner.

ART. 6. In this town the entries shall be made in the State treasury, in other places in the agencies of the Tobacco rent.

For its fulfilment, the Governor of the State, pro tem., shall cause it to be printed, published, and circulated.

Given in Saltillo on the 28th of July, 1827.

JOSE IGNACIO SANCHES, President.

JOSE ANTONIO TIJERINA, D. S.

JOSE FRANCISCO MADERO, D. S.

### DECREE No. 3.

The Congress of the State of Coahuila and Texas has thought proper to decree as follows:

ART. 1. The two per cent impost on the circulation of money by decree of the general Congress of June 11th, 1822, heretofore collected only in this town, shall embrace all the towns of the State, and the same shall continue to be exacted in future as a rent of said State.

ART. 2. The collection shall be made in each town at the time of removal of any amount of money, whether the same be destined to a place within or without the State; the agent and receivers of excise shall, for the present, have charge of the collection thereof in the department of this town; and the agents charged with the Tobacco rent, and clerks for weighing and inspecting therein, in the department of Monclova and Texas.

ART. 3. The aforesaid officers shall keep a book, wherein they shall set down the parcels they collect, specifying the date, and name of the party that causes, and they shall sign the same, the respective Alcalde shall also sign, and the latter shall examine the corresponding permit, or writing certifying that the duty has been paid, that shall be given to the party interested.

ART. 4. Those charged with branch stores for the exclusive sale of cigars, or receivers of the departments, shall forward every six



months to their respective general agents, a statement of the amount collected, examined and approved by the Alcalde.

ART. 5. Expense of books, paper and postage, after establishment of the claim, shall be paid by the rent.

ART. 6. The principal agents shall pay themselves six per cent. on what they themselves collect in their agencies, and allow their subordinates four per cent. on what the latter collect, the remaining two per cent. to be in favor of the former for labor incurred in making out general accounts, in correspondence, and other business connected therewith.

ART. 7. Contraband money that is seized shall be divided agreeably to the confiscation compact, allowing from one to two hundred dollars for traveling expenses, for which amount a permit shall always be obtained.

ART. 8. Persons guilty in any manner of abuse of office, shall pay threefold, forfeit their office, and be disqualified for holding any other.

For its fulfilment, the Governor of the State, pro tem., shall cause it to be printed, published, and circulated.

Given in Saltillo the 31st of July, 1827.

JOSE MARIA ECHAIS, President.

JOSE F. MADERO, D. S.

JUAN A. GONZALES, D. S.

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DECREE No. 4.

The Congress of the State of Coahuila and Texas has thought proper to decree:

ART. 1. The name of the town of San Fernando shall be permitted to be changed to that of Rosas.

ART. 2. Likewise that of the town of Camargo to that of Guerrero.

For its fulfilment, the constitutional Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo the 7th of August, 1827.

JOSE MARIA ECHAIS, President,

JOSE F. MADERO, D. S.

JUAN A. GONZALES, D. S.

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DECREE No. 5.

The Congress of the State of Coahuila and Texas has thought proper to decree:

Jose Ignacio Estevan is a special citizen of this State.

For its fulfilment, the constitutional Vice Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 17th of August, 1827.

JOSE MARIA ECHAIS, President.

JOSE F. MADERO, D. S.

JUAN A. GONZALES, D. S.

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#### DECREE No. 6.

The Congress of the State of Coahuila and Texas has thought proper to decree as follows:

ART. 1. Silver in bars, or pieces of plate, shall for the present pay a duty of three per cent. in the place where it is extracted.

ART. 2. The provision of Decree No. 3, respecting the circulation of money, except the last part of article 7, relative to money for traveling expenses, shall be observed in the collection of the duty aforesaid.

For its fulfilment, the Vice Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo the 21st of August, 1827.

JOSE MARIA ECHAIS, President.

JOSE F. MADERO, D. S.

JUAN A. GONZALES, D. S.

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#### DECREE No. 7.

The Congress of the State of Coahuila and Texas has thought proper to decree:

ART. 1. Simple theft of any kind, not exceeding from one to ten dollars, shall be punished with a fine of from ten to thirty dollars, or labor on the public works from one to three months; for the second offence the punishment shall be doubled, and shall indispensably be the latter. For the third offence in larceny mentioned in this article, besides the punishment specified in the second part thereof, the person so offending shall be taken to the most public place, with a board with the following inscription, *for theft*, placed upon his head.

ART. 2. Simple theft exceeding ten and not exceeding one hundred dollars, shall be punished with not less than one nor more than two years labor on the public works.

ART. 3. To adjudge this punishment, the judge shall be required only to prove the crime in evidence to the accused in summary trial, also in presence of two judges chosen, one by the plaintiff, the other by the defendant.

ART. 4. The demand having been set down in the record of verbal trials that shall be kept in every court of justice, the defendant's

contestation shall be set down in an extract of the evidence that appears pro. and con.—the whole expressed in the plainest manner.

ART. 5. After the pleadings of the parties are heard, the plaintiff and defendant shall retire, and the judges shall determine the crime, if there be any, and, setting down whatever it shall be, the judge shall pronounce sentence agreeably to this law, which sentence immediately shall be made known to the plaintiff and defendant, and applied to the latter, such as it shall result to the same; in the whole the provision of article 3 of the organic law of justice shall be observed.

ART. 6. Theft committed in passing near or within any dwelling shall be punished with double the corporal penalty specified in articles 1st and 2d.

ART. 7. For theft committed in the country of from one to nine head of small stock, as sheep and goats; and of from 1 to three of large stock of any kind, the punishment shall be labor on the public works for a term not less than six months nor more than two years, for which the formalities prescribed in articles 3, 4, and 5 shall be observed.

ART. 8. When theft of any kind shall be accompanied by force or violence of any kind, as well as by blows, mutilation of members, or death, the corresponding judicial process shall be instituted against the delinquent or delinquents, which shall be closed in conformity to the laws.

ART. 9. When the theft exceeds one hundred dollars, the provision of the foregoing article shall be observed.

ART. 10. Offenders who shall be sentenced to public works shall be destined in preference to the repair of prisons, and construction of new ones where there are none, and the amount necessary for their support shall be taken from the public funds.

ART. 11. The penalties imposed by this law upon thieves or robbers shall be understood as not preventing in any way that, after said penalties are concluded, they indemnify the lawful owner for the theft, or before, should they have the means, or should any stolen articles exist; the fine specified in article 1 shall be paid in preference.

ART. 12. Any judge who in consequence of subornation, bribery, negligence, or partiality, shall not fully comply with this law, besides being compelled to pay a fine not less than two hundred nor more than five hundred dollars, shall be amenable to the law of the 24th of March 1813, except the pecuniary penalties imposed therein.

ART. 13. The Alcaldes or judges shall transmit every month to the first Hall of the Tribunal of Justice of the State, a copy of sentences they have pronounced, and causes that have determined them, and are in conformity to this law, in order that, should they be found on investigation to have proceeded contrary to justice, the responsibility may be exacted of the said Alcaldes or judges, in accordance with the law of the 24th of March, 1813.

ART. 14. Receivers of stolen goods, agents or protectors of thieves, shall suffer the same penalty as the latter, after the corresponding proof thereof.

ART. 15. On the publication of the Penal Code of the State this law shall cease to have effect.

For its fulfilment, the Vice Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo the 27th of August, 1827.

JOSE MARIA ECHAIS, President.

JOSE F. MADERO, D. S.

JOSE A. TIJERINA, D. S.

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#### DECREE No. 8.

The Congress of the State of Coahuila and Texas, to prevent abuses committed in driving large stock, greatly retarding the increase and propagation thereof, which can only be expected by having order and suitable regulations, and likewise to prevent fraud upon the State revenue with respect to this class of duties, which form a part of the same, has thought proper to decree:

ART. 1. The period of mustang chases shall be from the first of October to the last of February inclusive, and it shall not be permitted at any other time.

ART. 2. The legally established tax in favor of the State revenue shall be two rials a head for horses, old and young; two dollars for mules, and four rials for horned cattle; the said tax to be understood only in relation to such as have no brand or owner, and are caught on vacant lands.

ART. 3. To collect the tax required by this law, the Executive shall appoint in each town a person of his confidence, who shall receive a compensation of six per cent. on the amount he collects.

ART. 4. In each chase, or course, the individual who first encourages the same, or person acting in his stead, shall have the direction or superintendence, for which a license shall be obtained from the respective judge, who, with the concurrence of the person charged by the Executive with the collection of the tax provided in article 2, shall give the same, and during the period designated in article 1 the license shall not be withheld.

ART. 5. The leader of each party shall be answerable for abuses committed in that under his command, and shall also be responsible for presenting all the beasts collected, of whatever kind they may be, to the commissioner of the place of his residence.

ART. 6. The commissioner shall keep a book of common paper, wherein all the lots or parcels that come into his possession, shall be entered, and the same shall be signed by himself, the leader of the chase, and the Alcalde.

ART. 7. Branded beasts, whose owners are not known, shall be presented to the Ayuntamiento, which shall keep a book made of common paper, to be called, *of strays*, wherein an account shall be kept of the same, and their class, color and brand described.

ART. 8. Lists of said beasts shall be immediately sent to all the Ayuntamientos of the State, that they may cause the same to be advertised in their districts, to ascertain to whom they belong, for the formal delivery thereof, observing the arrangement made in the second part of article 13 of the economical regulations of towns.

ART. 9. The Governor, on receiving the notice that shall be given him every six months, shall communicate the same to those of the adjoining States of Nuevo Leon and Tamaulipas for the purposes specified in the first part of the preceding article.

ART. 10. For placing the beasts specified in article 7 in deposit, preference shall be given to the person who presents the same, giving proper security, and with respect to the charges to be paid, in order to take them away, the established custom shall be complied with.

ART. 11. Both the beasts specified in article 7, and those found in the towns, also having no brand, including neat cattle, shall be deposited the term of six months, after which time, should no person appear to claim the same, they shall be considered as strays, and, after valuation, sold at public auction, the proceeds thereof to be delivered to the respective commissioner to be paid over to the State Treasury. The owners of horned cattle and other beasts sold in this manner, shall be entitled to the value thereof on proving property before the expiration of three years—after that time they shall possess no right.

ART. 12. The commissioners shall render their accounts (proved) annually to the State Treasury, wherein, after deducting their compensation, they shall enter the amount collected.

ART. 13. Those who transgress the provision of this law, or, abusing the privileges of the chase, kill or conceal beasts of any kind, besides paying the established tax, shall be fined by the judges twenty-five dollars for the first offence, and fifty for the second, to be applied to the funds of the Ayuntamiento. Those who have not the means of meeting the fine, shall be imprisoned from one to two months, or be destined to from twenty to forty days labor on public works. For the third offence they shall incur double the second fine or corporal punishment, and for the fourth be deprived of the privilege of the chase. The formalities prescribed in articles 2 and 3 of the law of regulations of tribunals, No. 39, shall be observed in cases provided in this article.

ART. 14. Every citizen shall be authorized to act in demanding the fulfilment of this law by himself, or through the medium of the individual mentioned in article 3. The latter shall be responsible for any dissimulation in the discharge of his duties.

For its fulfilment, the Vice Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo the 31st of August, 1827.

RAMON GARCIA ROJAS, President.  
JOSE A. TIJERINA, D. S.  
MIGUEL ARCINEAGA, D. S.

## DECREE No. 9.

The Congress of the State of Coahuila and Texas has thought proper to decree as follows:

ART. 1. The Executive shall give power to the chief agents in the Tobacco department, in default of a seal to legalize the account books of merchants, of proprietors of land estates, and other dealers, with their own signatures, agreeably to the provision of article 16 of the stamp paper regulations. Said agents, under their own responsibility, may delegate this power to their subordinates residing in different municipalities.

ART. 2. The agents and their subordinates, as the case may be, in a book made of common paper, paged and destined to that purpose, shall keep an account of the books they stamp or legalize, number of leaves of which they consist, stating the names of the owners, and place of residence. The lot or parcel shall be signed by the agent or officer, the owner of the book, and the respective Alcalde.

ART. 3. At the end of the year, an advertisement shall be posted in each town, specifying the books legalized, the amount paid for each, and the names of the owners.

ART. 4. The term of one month shall be allowed to merchants and dealers for applying to have their books stamped, both new ones and those already commenced. After the term aforesaid, the transgressors, besides the illegality mentioned in article 10, chap. 30, of the stamp paper law, shall be subject to a fine of twenty-five dollars for every book they fail to present, independent of paying the tax of the paper. The fines shall be applied to the funds for public instruction.

ART. 5. Any individual of the town shall have power to interfere, demanding a compliance with the provision of this law.

For its fulfilment, the Vice Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 11th of September, 1827.

RAMON GARCIA ROJAS, President,  
JOSE TIJERINA, Sec'y Supletory. .  
MIGUEL ARCENIAGA, D. S.

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EXECUTIVE DEPARTMENT OF THE STATE }  
OF COAHUILA AND TEXAS. }

*Secretary's Office of the Congress of Coahuila and Texas.*

INSTRUCTIONS to which the commissioner for the distribution of lands to the new colonists who present themselves to settle in the State, according to the colonization law of March 24th, 1825, shall conform:

ART. 1. The commissioner shall be obligated pursuant to the contract made by the empresario with the government, also to the colonization law of the 24th of March, to examine in the most scrupulous manner the certificates, which colonists from foreign countries are required

to bring from the authorities of the place from which they come, thereby proving themselves to be of the christian religion, and to possess a good moral character, without which requisites they shall not be admitted in the colony.

ART. 2. In order to guard against false certificates, the commissioner shall admit none until after the empresario, to whom they shall previously be transmitted for the purpose, shall give information in writing relative to the legitimacy of the same.

ART. 3. He shall administer to each of the new colonists from foreign countries, the oath in form to obey the Constitution of this Republic, that of the State, and the general and special laws of his adopted country.

ART. 4. He shall issue the land titles in the name of the State, in conformity to the law, giving the new settlers possession of the same in legal form, and previously citing the adjoining proprietors, should there be any.

ART. 5. He shall not give possession to any colonist, settled, or intending to settle, within twenty frontier or border leagues of the United States of the North, and ten of the Gulf of Mexico, unless the person interested shall present him a special order from the government, wherein the approbation thereof of the national government shall be manifested.

ART. 6. He shall adopt the necessary measures that no vacant lands be left between possessions, and in order that the limits of each one may be known at first sight, he shall oblige the colonists to set land marks upon their lands within one year, with fixed and permanent boundaries.

ART. 7. He shall appoint, under his own responsibility, the surveyor, who shall run off the lands scientifically, previously requiring him to take the oath in form well and faithfully to execute the duties of his office.

ART. 8. He shall form a book in calf of paper bearing the impression of the third seal, wherein he shall write the titles of the lands which he distributes to the colonists, specifying their names, the boundaries, and other requisites and legal circumstances; and he shall take from the said book attested copies of each possession upon paper of the second seal, which he shall deliver to the person interested to serve him for a title.

ART. 9. Each settler shall pay the value of the stamp paper used in issuing his titles, both in the original and in the attested copy.

ART. 10. Said book shall be preserved in the archives of the new colony, and an abstract shall be taken therefrom to be transmitted to government, containing the number and names of all the colonists, the quantity of land given to each, expressing those which are for cultivation, irrigable or not irrigable, and those which are given them for grazing lands.

ART. 11. He shall select the site most appropriate for founding the town or towns, which are to be established, according to the number of families of which the colony consists, bearing in mind the provision of the colonization law upon this subject.

ART. 12. The site destined for the new town having been determined, he shall see that the principal lines run North and South, East and West:—he shall designate a square measuring one hundred and twenty varas on each side, exclusive of the streets, to be called the *Principal or Constitutional Square*. This shall be the central point from which the streets shall run for forming squares or blocks thereon agreeably to the accompanying plan.

ART. 13. The block fronting the principal square, upon the East side, shall be destined for a church, curate's dwelling, and other ecclesiastical edifices; and that on the West, for municipal buildings or town halls. In another suitable place, he shall point out a block for a market square, one for a jail and house of correction, one for a school and other buildings for public instruction, and without the limits of the town for a burial ground.

ART. 14. He shall cause the streets to be laid off straight, twenty yards wide, for the salubrity of the town.

ART. 15. Mechanics, who, on the founding of a new town, present themselves to settle therein, shall be entitled to a lot each, to be attended with no expense, except the cost of the stamped paper necessary for issuing their titles, and the small tax of one dollar per annum for building the church.

ART. 16. The lots mentioned in the preceding article shall be distributed by lot, with the exception of the empresario, to whom two lots shall be given in the site he selects.

ART. 17. The other lots shall be valued by appraisers, and sold out to the other colonists according to the valuation. Should there be several applicants for any lot or lots, on account of their more eligible situation, or other circumstances that may cause competition, they shall decide by lot in the manner provided in the preceding article. The product of the said lots shall be appropriated to building a church in the town.

ART. 18. He shall proceed, together with the empresario, to have all the inhabitants belonging to the jurisdiction of each town take lots therein, and build their houses within the time specified, under penalty of forfeiting their lots.

ART. 19. He shall form a book in calf for each new town, wherein the appropriation of lots, whether by donation or sale, shall be recorded, expressing their boundaries, and other particulars agreeably to the usual form, from which attested copies shall be taken, upon paper of the corresponding stamp, to be delivered to the persons interested to serve them as titles.

ART. 20. He shall execute a topographical plan comprising the towns founded in the colony, which he shall forward to the government, leaving in the colonial register an exact copy thereof.

ART. 21. He shall cause a ferry to be established at each crossing of the rivers upon the highways, whereon any town is founded;—the flat or boat to be provided at the expense of the inhabitants of the said



town, establishing moderate rates of toll, out of which the ferryman shall be paid, the boats repaired, and the remainder added to the public funds.

ART. 22. In places where there is no town, he shall charge the colonist settling in any of the same with the establishment of ferries,—taking a moderate toll until these taxes are rented out for the use of the State. Colonists who resolve to establish ferries on the terms herein indicated, shall keep an exact and certified account of the expense they incur in building boats, and another, also attested, of the product of the toll, to entitle them, when these taxes are rented by the State, to receive an indemnification for the deficiency of the toll, at present allowed them, for covering the expense.

ART. 23. He shall preside at the popular elections mentioned in article 40 of the colonization law, for choosing the Ayuntamientos and putting the persons chosen in possession of office.

ART. 24. He shall take special care that the portions of land granted the colonists by articles 14, 15, and 16, be measured by the surveyors with the greatest accuracy, without permitting any one to take more land than what is pointed out by law, and in the contrary event he shall be personally responsible.

ART. 25. Should any colonist, agreeably to article 17, solicit to have the quantity of land pointed out in the aforesaid articles, increased in his favor, on account of his family, industry, and enterprise, he shall manifest the same, setting forth the reasons in which he founds his petition, in writing, to the commissioner, who shall forward the same to the Executive, accompanied by his respective report, under the most rigid responsibility of providing what is proper.

ART. 26. All public instruments, titles, or documents whatever, drawn by the commissioner, shall be written in the Spanish language: the same shall be used in memorials, decrees, and reports presented by the colonists or empresarios on any subject whatever, whether to be transmitted to the government, or deposited in the archives of the colony.

ART. 27. All public instruments of possession, and attested copies signed by the commissioner, shall be attested by two assisting witnesses.

ART. 28. The commissioner shall be personally responsible for all acts and provisions by him effected or performed in violation of the colonization law and these instructions.

Saltillo, September 4th, 1827.

JOSE A. TIJERINA, Sec'y by substitution.  
MIGUEL ARCINEAGA, Dep. Sec'y.

*Additional Article.*—The commissioner shall not grant any land, of himself, nor give possession upon those traced out for *empresas*, so long as these are not concluded, without the knowledge and consent of the empresario himself, even should the said grant be authorized by the Executive

*Note.*—On the 15th of May, 1828, Congress issued the decree No. 62, regulating the pay to be made to commissioners for their services, and on the 10th of April of the current year, the said Congress issued the decree No. 128, which in part reforms and explains these instructions, both which laws shall be borne in mind by every commissioner for the distribution of lands.

Leona Vicario, 25th of April, 1830.

JOSE MARIA VIESCA.

SANTIAGO DE VALLE, Secretary.

### DECREE No. 10.

The Congress of the State of Coahuila and Texas decrees as follows:

ART. 1. The Ayuntamientos of the towns shall make out and forward annually to the respective chief of department or district, a minute account of the state in which the different objects committed to their charge by the law No. 37 of the 13th of June last, exist; giving notice of the improvement or backwardness they have undergone during their administration, and stating the measures it is proper to dictate to remove the obstacles that impede their progress.

ART. 2. Said corporations shall post a regular account annually, in the most public places within their respective jurisdiction, stating clearly and minutely therein, the sums that have come into their possession, and the distribution they have made of the same, independent of the certified accounts, as provided by article 133 of the aforementioned law No. 37, which they shall forward every year.

ART. 3. At the close of their administration, and before their renewal, the Ayuntamientos under their responsibility shall fulfill the provision of this decree.

For its fulfilment, the Vice Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 5th of September, 1837.

RAMON GARCIA ROJAS, President,  
JOSE A. TIJERINA, D. S. Supletory,  
MIGUEL ARCINEAGA, D. S.

### DECREE No. 11.

The Congress of the State of Coahuila and Texas decrees as follows:

ART. 1. The Governor, in the reports it shall be his duty to read every year on the opening of the ordinary sessions, shall give information relative to the public rents of the State, manifesting the values, entries, expenditures, and nett proceeds of each.

ART. 2. The said information shall comprise the term of a financial year, which shall also serve to regulate the presumed or presupposed general expenditures of the State, which shall be presented in the same report.

ART. 3. The financial year shall commence the first of September and terminate the last of August following, wherein a general settlement or adjustment of accounts shall be effected in all offices which receive funds or stock of the public revenue.

ART. 4. The head agents of the rents, and other responsible officers shall forward their corresponding accounts within the peremptory term of two months from the termination of the financial year, that they may be received by the Executive by the 31st of October, to enable him to fulfill the purposes contained in article 1st.

ART. 5. At the conclusion of the aforesaid reports, and without being thereby prevented from doing the same on another occasion, he shall propose all the laws that, in his opinion, ought to be enacted to correct the evils that he may have observed in the departments of the public administration, or to promote such improvement as he shall deem proper in each of the same.

ART. 6. These propositions shall be presented composed or written in projects of law, in the manner the Executive thinks they should be enacted.

ART. 7. He shall present with due distinction those relating to the public rents, the reforms of which they are susceptible, the financial administration of their expenditures, establishment, extinction, or reduction of imposts, in order to bring the product of all the rents on a level with the general expenditures of the State.

For its fulfilment, the Vice Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo the 6th of September, 1837.

RAMÓN GARCIA ROJAS, President,  
JOSE A. TIJERINA, Sec'y Supletory.  
MIGUEL ARCINEAGA, D. S.

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## DECREE No. 12.

The Congress of the State of Coahuila and Texas decrees as follows:

ART. 1. The Executive of the State, for issuing letters of citizenship to individuals in whose behalf Congress shall declare this favor, shall use the following form:

The Governor of the State of Coahuila and Texas to all unto whom these presents may come, be it known: That J. N an inhabitant of \_\_\_\_\_, having applied for the letter of citizenship on account of such a decree, or for such reasons, and having shewn that he possesses the merit and qualifications to entitle him to this favor, I have thought

proper to propose him to the honorable Congress, which by decree (number and date) has been pleased to grant to the aforementioned N. letter of citizenship, that he be considered and respected as such throughout the State, and enjoy therein the rights and privileges that belong to him agreeably to the Constitution and laws of the State, submitting to the burthens and duties imposed by the same upon all citizens of Coahuila and Texas. Wherefore, I command all the tribunals, justices, chiefs, and other authorities of the State, civil, military, and ecclesiastical, to regard and respect the aforementioned N. as a citizen of Coahuila and Texas, protecting and causing to be protected the rights and privileges that belong to him as such, agreeably to the Constitution of the State and laws that do now, or may hereafter exist, and that this letter be directed to the person interested for such use as shall best suit his purpose. Given in ——— date. Signature of the Governor and Secretary.

ART. 2. Said letters shall be written on paper stamped with the first seal.

For its fulfilment, the Vice Governor of the State, shall cause it to be printed, published, and circulated.

Given in Saltillo on the 11th of September, 1827.

RAMON GARCIA ROJAS, President,  
JOSE A. TIJERINA, D. S. Supletory,  
MIGUEL ARCINEAGA, D. S.

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#### DECREE No. 13.

The Congress of the State of Coahuila and Texas decrees as follows:

ART. 1. John Cameron is hereby declared a citizen of the State.

ART. 2. The Executive shall order the corresponding letter to be issued to the said Cameron, also to Santiago Hewetson, who was constituted a citizen on the 11th of August last.

For its fulfilment, the Vice Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 12th of September, 1827.

RAMON GARCIA ROJAS, President.  
JUAN A. GONZALES, D. S.  
MIGUEL ARCINEAGA, D. S.

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#### DECREE No. 14.

The Congress of the State of Coahuila and Texas decrees as follows:

ART. 1. Maize, beans, and red pepper, being articles indispensably required, shall be exempted from paying excise duties.

ART. 2. In pursuance thereof, the orders of the 20th September, 1825, relative to the aforementioned articles, are hereby repealed.

For its fulfilment, the Vice Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 13th of September, 1827.

RAMON GARCIA ROJAS, President,  
JUAN A. GONZALES, D. S.  
MIGUEL ARCINEAGA, D. S.

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DECREE No. 15.

The Congress of the State of Coahuila and Texas decrees as follows:

The tribunal of justice shall not assist in the public ceremonies at any kind of festive concourse, nor on occasion of national festivals, as provided in articles 49 and 79 of the law of justice. No. 39, which shall be repealed so far as regards this provision, and in every other respect shall remain in force.

For its fulfilment, the Vice Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 13th of September, 1827.

RAMON GARCIA ROJAS, President,  
JUAN A. GONZALES, D. S.  
MIGUEL ARCINEAGA, D. S.

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DECREE No. 16.

The Congress of the State of Coahuila and Texas decrees as follows:—

At the expiration of the term specified in Decree No. 9 of the 4th instant, the Executive may authorize the first Alcaldes of the respective towns, associated with the chief agents, or responsible subordinates of the Tobacco department, and syndic, to examine whether the account books of merchants, of proprietors of haciendas, and other dealers, are legalized, that should they not be, the responsibility expressed in the same article may be rendered effectual.

For its fulfilment, the Vice Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo the 14th of September, 1827.

RAMON GARCIA ROJAS, President,  
JUAN A. GONZALES, D. S.  
MIGUEL ARCENIAGA, D. S.

## DECREE No. 17.

The Congress of the State of Coahuila and Texas, decrees as follows:—

ART. 1. All persons under criminal prosecution, now in prison, shall be set at liberty, except for treason, arson, assault and robbery of any kind, adultery, murder, and a repetition of offence in any kind of crime.

ART. 2. Likewise those under prosecution for manslaughter committed in self-defence, by accident, and persons not of a treacherous character, shall be set at liberty.

ART. 3. Convicts sentenced to a fortress for one year, or to public works for two, for crimes not excepted by this law, shall also be liberated.

ART. 4. This pardon shall be granted, notwithstanding the atonement which crimes should pay to public justice, as an example, but without injury to a third person, and in exclusion of those who shall have transgressed between this time and the publication of this decree.

ART. 5. Fugitives and absent persons, to avail themselves of this pardon, shall present themselves within 30 days from the publication of this decree to their respective municipalities. This decree shall be read in presence of the prisoners and convicts.

ART. 6. Criminals, deserving capital punishment for any crime whatever, and having fled from justice, who shall present themselves in 90 days from the publication of this decree, shall be exonerated from the said punishment, and subject to the greatest unusual penalty.

ART. 7. Those not deserving capital punishment, who shall present themselves in the same time, shall incur one half the penalty they ought to suffer according to law.

ART. 8. This law shall be published in this town on the morrow, and in the other towns of the State as early as possible.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo the 15th of September, 1827.

RAMON GARCIA ROJAS, President,  
JUAN A. GONZALES, D. S.  
MIGUEL ARCINEAGA, D. S.

## DECREE No. 18.

The Congress of the State of Coahuila and Texas decrees as follows:

ART. 1. At the expiration of six months from the publication of the Constitution in the capital of each district, a list of the slaves in the respective municipalities, their age, names, and sex, being distinctly expressed, shall be made in all the towns of the State.

ART. 2. Each Ayuntamiento shall keep a register, wherein they shall keep an account of children (Coahuiltexians) born of slave par-

ents, from the publication of the Constitution, giving notice to government every three months.

ART. 3. All deaths of slaves shall be noted down in said register, of which notice shall be given to government, as specified in the preceding article.

ART. 4. Those who introduce slaves, after the expiration of the term specified in article 13 of the Constitution, shall be subject to the penalties established by the general law of the 13th of July, 1824.

ART. 5. Slaves, whose owners have no heirs apparent according to the existing laws, shall be immediately free on the decease of their masters, and shall not pass to any other kind of succession whatever under any aspect.

ART. 6. The manumission mentioned in the preceding article shall not take place when the master, or his heirs, are poisoned or assassinated by one of their slaves; in that case they shall be subject to the provision of the laws.

ART. 7. In each change of owner of slaves, in the nearest succession, even of heirs apparent, the tenth part of those who are to pass to the new owner, shall be manumitted; the said portion to be determined by lot, before the Ayuntamiento of the municipal district.

ART. 8. Children and parents by adoption shall not mutually inherit slave property.

ART. 9. The Ayuntamientos, under their most rigid responsibility, shall take particular care that free children, born of slaves, receive the best education that can be given them: placing them, for that purpose, at the public schools and other places of instruction, wherein they may become useful to society.

ART. 10. Ayuntamientos that shall not be faithful in the fulfilment of this law, shall suffer a fine of five hundred dollars, which the Executive shall order appropriated to the benefit of public schools.

ART. 11. This law shall be first published in this town on the morrow, and in the other towns on the day following the receipt thereof, The same shall be re-published annually on the 16th of September until the year 1840.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 15th of September, 1827.

RAMON GARCIA ROJAS, President.

JUAN A. GONZALES, D. S.

MIGUEL ARCINEAGA, D. S.

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#### DECREE No. 19.

The Congress of the State of Coahuila and Texas decrees as follows:

ART. 1. When the Vice Governor takes the place of the Governor, from impossibility on the part of the latter, he shall receive two-thirds of the difference in the salaries assigned these offices.

ART. 2. The same shall be observed when a Councillor takes the place of the Governor from default of the latter and of the Vice Governor.

ART. 3. The substitute, whom the Vice Governor shall appoint as provided in article 116 of the Constitution, should he receive a less salary out of the State rents than the Vice Governor, shall be paid two-thirds of the difference, and should he receive none, two-thirds of the entire salary of the Vice Governor.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 18th of September, 1827.

RAMON GARCIA ROJAS, President.

JUAN A. GONZALES, D. S.

MIGUEL ARCINEAGA, D. S.

This decree was returned by the Governor, and amended by Congress on the 16th of October, and shall be observed as rectified on that date.

#### DECREE No. 20.

The Congress of the State of Coahuila and Texas has thought proper to decree:

ART. 1. A sub-receivers office of excise duties shall be established in the hacienda de Parras.

ART. 2. The person entrusted with the same shall also have charge of the branch cigar store, and stamped paper, and shall see to the collection of the other State rents within his respective limits, and that there be no smuggling in any department belonging to his charge.

ART. 3. Said officer shall be appointed by the Executive, who shall see that he gives security to the amount of two thousand dollars for the faithful management of the funds and stock committed to his charge.

ART. 4. For the present, he shall be under immediate subjection to the chief agent of the Tobacco department, and the receiver of excise duties of Parras in their respective departments, and shall receive as a compensation for his services the same percentage as the sub-receivers and agents of branch cigar establishments.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 2d of October, 1827.

JOSE M. de CARDENAS, President,

JUAN A. GONZALES, Sec'y Supletory,

JOSE I. SANCHES, D. S.



DECREE No. 21.

The Congress of the State of Coahuila and Texas decrees as follows:

ART. 1. Leon R. Almy, George A. Nixon, and John L. Woodbury, are hereby declared citizens of the State of Coahuila and Texas.

ART. 2. The Executive shall issue them the corresponding letters of citizenship.

For its fulfilment, the Governor of the State, shall cause it to be printed, published, and circulated.

Given in Saltillo on the 10th of October, 1827.

JOSE M. de CARDENAS, President,  
MIGUEL ARCINEAGA, D. S.  
JOSE I. SANCHES, D. S.

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DECREE No. 22.

The Congress of the State of Coahuila and Texas has thought proper to decree:

ART. 1. The Executive shall solicit contractors to open wagon roads in places where there are none.

ART. 2. Provisionally, the opening of the following roads shall be undertaken, to wit:—That leading from the town of Guerrero, in the district of the same name, to Laredo; that from Santa Rosa to the Presidio del Norte by way of the Alameda; and that from this capital to Parras by way of Infiernillo, or any other more convenient route.

ART. 3. The contractors shall enter into articles of agreement with the Executive to indemnify themselves for their expense with the product of the toll; and so soon as the said expenses, being the amount in which they pledge themselves to complete the undertaking, shall be covered, the toll thenceforth arising shall pay the profits on the capital as agreed on by the Executive with the said contractors.

ART. 4. The contracts made by the Executive shall not go into effect until approved by Congress, to whom they shall be immediately transmitted.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo the 12th of October, 1827.

JOSE M. de CARDENAS, President,  
MIGUEL ARCINEAGA, D. S.  
JOSE I. SANCHES, D. S.

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DECREE No. 23.

The Congress of the State of Coahuila and Texas decrees as follows:

ART. 1. In haciendas and ranchos containing a population of more than five hundred souls, the respective electoral meetings or juntas shall choose a commissary of police and a syndic.

ART. 2. Besides the powers allowed them by article 156 of the regulations for the financial administration of the towns, the commissaries shall possess the attributes prescribed to the constitutional Alcaldes by articles from 1 to 9 inclusive of section first of the law regulating the administration of justice, No. 39.

ART. 3. They shall also officiate as peace officers in entire conformity to the aforesaid law, No. 39, furnishing the parties with the copies they shall request; but, the latter to establish a trial by writing, shall effect it before the respective Alcaldes.

ART. 4. Superintendents; stewards, and subordinates receiving a salary, belonging to haciendas and ranchos, shall not be commissaries of the same.

ART. 5. Tenants and residents, or persons seeking a support by following some pursuit therein, may be elected commissaries and syndics; and in case there are no such persons, the individuals mentioned in the preceding article may be elected, with the exception of superintendents.

ART. 6. In haciendas belonging to several owners, the same may be elected commissaries and syndics, provided they possess the constitutional qualifications.

ART. 7. Doubts that arise at the electoral meetings with respect to these elections, shall be decided by the said meetings.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 13th of October, 1827.

JOSE M. de CARDENAS, President,  
MIGUEL ARCINEAGA, D. S.  
JOSE I. SANCHES, D. S.

#### DECREE No. 24.

The Congress of the State of Coahuila and Texas, to decide the doubts proposed for consultation by the president of the tribunal of justice through the channel of the Executive, has thought proper to decree:

ART. 1. The first and second halls, without distinction, shall take cognizance in all cases prescribed to the former by article 62 of the law regulating the administration of justice.

ART. 2. In civil and criminal cases, cognizance shall be taken in appeals by the hall which the appellant shall designate when the appeal is made.

ART. 3. Criminal causes that do not come directed to a particular hall, shall be equally distributed to both by the minister of the third.

ART. 4. The respective hall that did not decide in the first stage, shall take cognizance in the new trial.

ART. 5. Articles 57 and 62 of the law regulating the administration of justice, No. 39, so far as they are opposed to this decree, shall be repealed.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 13th of October, 1827.

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DECREE No. 25.

The Congress of the State of Coahuila and Texas, in attention to the subject proposed in consultation by the minister of the tribunal of justice, through the medium of the Governor, on the 11th of September last, relative to the explanation of article 56 of law No. 39, regulating the administration of justice, has thought proper to decree as follows:—

ART. 1: When two or more criminals are joined in any cause each one shall nominate two judges as colleagues.

ART. 2. The criminals shall choose by absolute majority of vote from the whole number of colleagues nominated. Should none receive such majority, those shall run who receive the greatest number. Should there be a tie, the balloting shall be repeated once only—and should there again be a tie, it shall be determined by lot.

ART. 3. The following persons shall not be colleagues,—the Deputies of Congress of the State, the Governor, Vice Governor, Councillors, Secretary of State, military men, ecclesiastics, or any other privileged person; neither shall any individual be a colleague who has betrayed the public trust, even should he be re-qualified.

ART. 4. Should a complaint or accusation arise against any Alcalde, or inferior judge, the tribunal united shall declare whether there be a just ground of action.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo the 22d of October, 1827.

JOSE M. de CARDENAS, President,  
JUAN A. GONZALES, D. S. Supletory,  
JOSE I. SANCHES, D. S.

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DECREE No. 26.

The Congress of the State of Coahuila and Texas decrees as follows:—

ART. 1. Leon R. Almy shall be permitted to introduce and establish in the State a boring machine to cause water to flow spontaneously upon the surface.

ART. 2. For the term of six years, from this date, no other person shall establish machines of this description, without the previous consent of the said Almy, that he may indemnify himself for his expenses, and receive the compensation he deserves for his trouble.

ART. 3. Should he not have introduced and established the said machine at the expiration of one year, he shall forfeit the exclusive privilege granted him in the foregoing article.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo the 22d of October, 1827.

JOSE M. de CARDENAS, President,  
JUAN A. GONZALES, D. S. Supletory,  
JOSE I. SANCHES, D. S.

#### DECREE No. 27.

The Congress of the State of Coahuila and Texas, in attention to the despatch of the affairs that are pending, and exercising the power granted the same by article 19 of the Constitution, decrees:

The sessions shall be prorogued one month.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 30th of October, 1827.

JOSE F. MADERO, President,  
JOSE I. SANCHES, D. S.,  
JOSE A. NAVARRO, D. S.

#### DECREE No. 28.

The Congress of the State of Coahuila and Texas, desiring, if possible, to put an entire stop so the smuggling of Tobacco, and to give the rent all the activity and growth of which it is susceptible, has thought proper to decree:

ART. 1. All smuggled Tobacco, seized in the State, shall be confiscated, and after its quality is examined, the value thereof shall be distributed according to the confiscating compact, previously deducting the 25 per cent. duty prescribed in favor of the State rent.

ART. 2. The smuggler, for the first offence, besides loosing the Tobacco, shall pay twenty-five dollars fine for every twenty-five pounds seized upon him, and should he not have money to pay the said fine, one month in the public works shall be substituted as a punishment equal to every ten dollars; said corporal punishment, whatever be the quantity of Tobacco smuggled, shall not exceed four years. Should he repeat the offence, he shall be sentenced to a fortress for six years.

ART. 3. Should the Tobacco be of a bad quality, it should be burnt, and the smugglers fined twelve dollars for every twenty-five pounds, in other respects conforming to the preceding article; and the informer shall be requited with twenty-five dollars out of the State funds.

ART. 4. That the articles 2d and 3d be duly and punctually complied with, the judges, whose duty it is according to the existing laws to declare the confiscation, shall previously take the proper steps within the peremptory term of forty-eight hours, whatever be the quality of the smuggled Tobacco, and make the declaration within the said term, conforming to the provision of the articles aforesaid in the application of the punishment, which, whether corporal or pecuniary, shall be executed according to the amount and quality of the Tobacco smuggled.

ART. 5. Judges and officers who shall be unfaithful in the fulfilment of this law, shall be responsible to the provision of article 12 of Decree No. 7, issued on the 27th of August last.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo the 2d of November, 1827.

JOSE F. MADERO, President,  
JOSE I. SANCHES, D. S.  
JOSE A. NAVARRO, D. S.

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#### DECREE No. 29.

The Congress of the State of Coahuila and Texas decrees as follows:

ART. 1. The town of Saltillo shall be called the city of Leona Viario.

ART. 2. The name of the town of Estevan de Tlascala shall be changed to that of Villalongin.

ART. 3. In all public instruments, and other writings, official and private, the names designated in the preceding articles shall be used.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo the 15th of November, 1827.

JOSE F. MADERO, President,  
JOSE I. SANCHES, D. S.  
JOSE A. NAVARRO, D. S.

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#### DECREE No. 30.

The Congress of the State of Coahuila and Texas has thought proper to decree as follows:

ART. 1. For the better security and distribution of the funds of the public revenue, a vault shall be established, to be styled *Treasury of the*

*State of Coahuila and Texas*, wherein the products of all the rents and taxes of every description, that are now, or shall be hereafter, established to pay the proportion belonging to the State of the general expenditures of the Republic, and to cover the private disbursements of the said State, shall physically and vitally enter, deducting solely the expense of administration.

ART. 2. The office shall be composed of a general Treasurer, whose salary shall be twelve hundred dollars per annum: an accountant receiving five hundred, a clerk three hundred, and a porter ninety-six dollars per annum.

ART. 3. The treasurer shall be appointed by the Governor, and approved by Congress. To be a treasurer it shall be required to be a Mexican by birth, a native of or domiciliated in the State, having resided three years therein, and discharged some public office with honor.

ART. 4. The accountant shall be appointed by the Governor on a nomination of three by the treasurer. The treasurer shall freely appoint and remove the clerk and porter.

ART. 5. The attributes of the general treasurer shall be the same as those formerly exercised by the treasurers and accountants of the abolished coffers as ministers of the public revenue, so far as they are not opposed to the provision of this decree.

ART. 6. The treasurer shall have exclusive charge of all the funds that enter the treasury, and he alone shall be responsible for any faults that shall arise in the management and distribution thereof.

ART. 7. The treasurer general shall give bonds in the usual form for the faithful discharge of his duties, to the amount of eight thousand dollars.

ART. 8. He shall form, at the earliest possible period, a set of regulations for the internal administration of his office, and shall pass the same to the Governor, who, previously hearing the opinion of the council, shall present it, accompanied by his report, to Congress for approval.

ART. 9. The income of the treasury shall be distributed by the treasury itself, whether in specie or in warrants to places at a distance, agreeably to the monthly statement of presumed or pre-supposed expenditures, formed by the Governor in view of the general statement approved by Congress. A copy of the same shall be transmitted to the treasury for the purpose, signed by the Governor, and countersigned by the Secretary of State.

ART. 10. The treasurer general shall go on paying the sums contained in the statements of pre-supposed expenses by virtue of the order of the Governor, and no sum shall be paid not expressly or tacitly included in said statements, unless subsequently decreed by Congress, and ordered by the Governor to be executed.

ART. 11. The treasurer shall be responsible for the inobservance of the preceding article; but should the Governor order him to make any payment contrary to the provision made therein, he shall execute it, provided the order contain the following expression: *notwithstanding*

*ing it has not been decreed by Congress; whereby the responsibility shall rest with the governor alone.*

ART. 12. Chief agents, and any other officers or persons, who manage funds belonging to the public revenue of the State, shall make no payment or delivery of any sum except by virtue of an order or warrant from the treasurer general, and they shall be responsible for all acts in violation of the provision of this article. The corresponding expenses of administration only shall be excepted from the provision herein made.

ART. 13. The treasurer general shall suspend every month, and make an adjustment of funds and the statement as the existing laws provide, and the chief of department shall be present and authenticate the same, observing the forms prescribed by the said laws.

ART. 14. The treasurer shall forthwith pass the statement aforesaid to the Governor, who shall direct a copy thereof to Congress, or to the permanent deputation, and also order it to be published for the information and satisfaction of the people.

ART. 15. It shall be the duty of the said treasurer to exact of the chief agents the statements of adjustment of funds, and monthly and quarterly products, which shall be forwarded to him by said officers;— he shall also give notice to the Executive of any negligence he observes.

ART. 16. The treasury shall keep a common day-book or journal for a book of general account, with an index at the beginning, wherein all the departments composing the State revenue shall be set down as separate heads, taking the necessary leaves for the purpose, and leaving some in blank for noting any changes that may be made.

ART. 17. All amounts paid out shall be expressed in the said book under the proper head, on the date the payment is made; and the person interested, whether delivering or receiving, shall sign at the end of each amount.

ART. 18. The original book aforesaid, containing the general account of each year, having to be transmitted to the Governor, a copy of the same shall be taken to remain in the office for its defence.

ART. 19. Moreover, as many other books shall be kept as there are chief agencies charged with the collection of excise, stamped paper, impost on the exportation of money, and tax on silver. One shall be kept for the tax on Mustangs, and another for tithes and other branches of the State revenue.

ART. 20. The payments made by the chief agents and officers, and the charges that result against them from the statements it shall be their duty to transmit at the time of making their entries, shall be set down in the books aforesaid, expressing the date, and observing the same distinction as in the common journal or day book.

ART. 21. All the books shall consist of such number of leaves as shall be considered sufficient for setting down all the parcels or amounts that occur within one year; but the common journal shall be legalized

by the Governor's signature upon the first and last leaves, and the figure or rubrick of the secretary upon the rest.

ART. 22. The treasurer shall see that the different amounts are set down on the date they occur, without designing them for another day, to enable the Governor, as he shall deem proper, to make an extraordinary adjustment of treasury accounts, independent of the ordinary, which shall be made every month as provided in article 13.

ART. 23. On the day appointed for the ordinary suspension and adjustment, the treasurer shall have all the amounts in the common journal closed and signed, and the statement formed from those mentioned in article 15, wherein are manifested the amounts entered, and those paid out up to the day of adjustment.

ART. 24. The statement provided by the preceding articles shall comprise a distinct account of the departments that have caused the entries into the treasury, and of the distribution of expences; also a notice of the chief agents who have made the entries it belongs to them to make, and a note of those who shall have failed to make them.

ART. 25. Besides the adjustment of the treasury, or particular account of every month, the treasurer shall give a general account of the whole year, for which he shall forward to the Governor a statement drawn up in the same manner as the monthly, the original general day book, and all the necessary proofs for confirming the said account.

ART. 26. He shall take a receipt from the Secretary of State for the delivery of his annual account, and as soon as the said account is approved, he shall receive an adequate document or certificate to that effect.

ART. 27. The treasurer shall be amenable to the law of the 24th of March, 1813, for all the faults he shall commit.

ART. 28. On days of festival the treasurer shall dress in black, with a red sash trimmed with gold. In attendance on public ceremonies he shall take his seat with the Ayuntamiento.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 7th of November, 1827.

JOSE F. MADERO, President,

JOSE I. SANCHES, D. S.

JOSE A. NAVARRO, D. S.

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#### DECREE No. 31.

The Congress of the State of Coahuila and Texas has thought proper to decree:

In accusations made against the Assessor General for crimes in his office, the Tribunal of Justice shall take cognizance agreeably to the provision of article 197 of the Constitution, after the step is taken provided in article 4 of decree number 25, of the 22d of October last.



For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 7th of November, 1827.

JOSE F. MADERO, President,

JOSE I. SANCHES, D. S.

JOSE A. NAVARRO, D. S.

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DECREE No. 32.

The Congress of the State of Coahuila and Texas has thought proper to decree:

ART. 1. The hacienda of San Vicente Alto is hereby constituted a town, to be called Abasolo.

ART. 2. The said town may establish its Ayuntamiento, proceeding immediately to the election in conformity to article 37, for the financial administration of the towns, given by the constituent Congress, to which the said Ayuntamiento shall conform in the exercise of its attributes.

ART. 3. The limits of the new municipality aforesaid, shall embrace the haciendas of San Vicente baxo, Saus, Tapado, Hermanas, Encinas, and Alamo; the ranchos of Oballos and Vorregas, and all others situated within the limits of the haciendas aforesaid.

ART. 4. The Governor shall see that the proper levels are assigned the new town, water, and suitable grounds for public buildings, and for all other establishments the law requires in new towns.

ART. 5. Judicial or administrative subjects, pertaining to the hacienda constituted a town, that are now pending in the primary courts of Monclova, shall be closed in the courts wherein they are at present placed, unless the parties interested agree to have them terminated in those of the new municipality, in which case they shall be permitted to do so, submitting to the provision of the laws.

For its fulfilment, the Governor of the State shall cause it to be printed, published and circulated.

Given in Saltillo on the 14th of November, 1827.

JOSE F. MADERO, President.

JOSE I. SANCHES, D. S.

JOSE A. NAVARRO, D. S.

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DECREE No. 33.

The Congress of the State of Coahuila and Texas has thought proper to decree:

The Assessor General shall attend the general and weekly visits of prisons, provided in articles 98 and 99 of the law regulating the administration of justice.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 15th of November, 1827.

JOSE F. MADERO, President.

JOSE I. SANCHES, D. S.

JOSE A. NAVARRO, D. S.

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DECREE No. 34.

The Congress of the State of Coahuila and Texas has thought proper to decree:

ART. 1. A junta shall be established in the State to have the direction of the tythes. The Governor shall proceed to instal the same as early as possible.

ART. 2. The said junta shall consist of the Vice Governor, (who shall officiate as president,) the minister of the third hall of the Tribunal, the Treasurer, (who shall discharge the duties of accountant,) and two Ecclesiastics or secular persons, who shall be appointed, one by the venerable chapter of Monterrey, and the other by that of Durango. The president shall have the casting vote only. The Attorney General of the Tribunal shall officiate in the same capacity in the said junta.

ART. 3. The junta shall possess the same attributes as prescribed in the ordinance for intendants, so far as they are not opposed to the present form of government and this law.

ART. 4. The junta shall appoint a tythe agent in the district of Monclova, one in that of Parras, and another in that of Saltillo.

ART. 5. To be a tythe agent it shall be required to be a citizen of Coahuila and Texas, in the exercise of his rights, over 25 years of age, a Mexican by birth, and to enjoy no ecclesiastical or military privilege.

ART. 6. No agent shall proceed to any sale of chattels without previous notice of the junta. The latter shall furnish lists of prices for prizing the moveable property at the time it is gathered, and stock raisers shall not be compelled to deliver their stock, provided they pay for it at the price established.

ART. 7. Grain shall be sold by order of the junta, which alone shall appoint the time and place wherein it shall be sold; fruit and other perishable articles shall be immediately sold by the agents.

ART. 8. The agents shall remit to the junta, every four months, the entire amount produced by the sales; and the latter, immediately on the receipt thereof, shall order it conveyed to the treasury, to be deposited by the treasurer in a separate coffer, from which it shall not be taken for any purpose whatever, until the corresponding distribution and delivery is made to the persons who are to share the same.

ART. 9. Agents shall be prohibited from trafficking in grain during the term of their administration.

ART. 10. The agents of Monclova shall give bonds, for the faithful performance of their duty, in the sum of four thousand dollars, those of Saltillo and Parras eight thousand each; and all the said agents shall receive as a compensation eight per cent. of the nett proceeds, after deducting all expense.

ART. 11. The secretary's office shall consist of a secretary and a clerk; the former shall receive five hundred dollars, and the latter three hundred dollars salary, per annum.

ART. 12. The salaries mentioned in the preceding article, office expenses, cost of books and correspondence, as well as freight, shelling, granary, and other necessary charges, shall be defrayed by the gross tythe product of the State.

ART. 13. The junta shall give the tythe gatherers instructions, to which they shall conform in the collection.

ART. 14. The agents shall appear before the respective Alcaldes, that they may compel those persons to pay the tythes who refuse to do so voluntarily.

ART. 15. The agents, and their subordinate collectors, shall keep an account of the fruits they collect, in large books, the first and last leaves to be signed by the president of the junta, and the rest to be marked with the rubric of the secretary of the same.

ART. 16. The parcels delivered shall express the date of their collection, and contain the signatures of the persons by whom they were paid, or those who sign in their name in consequence of their not being able to write, also that of the Alcalde or commissary of the respective place.

ART. 17. At the end of every year, the agents shall make out the account of the whole collection made; specifying the fruits on hand, and those turned into money, and forward the same authenticated, to be revised by the junta, and approved should they be legal. They shall also forward all the original books, wherein the parcels are minutely and clearly manifested. Said books shall be made of paper stamped with the fourth seal.

ART. 18. The junta, in view of all the accounts, shall make out a general account, wherein the due distribution shall be expressed, and shall take two exact copies therefrom to be passed to the Governor, one to be kept by himself, and the other transmitted to Congress. A copy shall be communicated to the sharers of the accounts of the tythe districts in which they are interested.

ART. 19. The junta shall order a list made out of all persons who have paid tythes, specifying the article and amount paid, and, ordering the same printed, shall forward, through the channel of the respective chiefs of department, a sufficient number of copies to all the Ayuntamientos, to be posted in the most public places.

ART. 20. The agent, or his subordinate, who shall be guilty of breach of trust, besides disqualifying himself for being again entrusted, shall be tried according to the law of the 24th of March, 1813.

ART. 21. The junta shall draw up a set of regulations for the internal administration thereof, and through the medium of the Governor pass the same to Congress for approval.

ART. 22. Should any member of the junta be absolutely unable to attend, his voice shall be supplied by his immediate successor at the time.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 21st of November, 1827.

[The same Signers.]

#### DECREE No. 35.

The Congress of the State of Coahuila and Texas decrees the following as additional articles to Decree No. 18 of the 15th of September last.

ART. 1. The slave who, for the sake of convenience, shall wish to change his master, shall be permitted to do so, provided the new master indemnify the former for what the slave cost him agreeably to the conveyance.

ART. 2. The manumission mentioned in the decree aforesaid shall not take place should the owner of the slave be assassinated or poisoned by an unknown hand, or die in any other unnatural way.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo the 24th of November, 1827.

[The same Signers.]

#### DECREE No. 36.

The Congress of the State of Coahuila and Texas has thought proper to decree:

ART. 1. The towns of Gigedo, Allende, Morelos, Roxas, Nava, and Guerrero, shall be permitted to cut timber on the Rio Sabinas for the term of three years, without paying the tax collected by the Ayuntamiento of Santa Rosa.

ART. 2. The municipality of the said valley shall see that the cutting be performed within the proper season for planting trees, and that those who are allowed the privilege comply with the provision of article 119 of the financial regulations of the towns.

ART. 3. Should any fire occur, through negligence, during the time of cutting timber, those who are culpable shall pay the damage agreeably to judicial estimate, and plant trees upon the extent of ground burned over.

ART. 4. Those who shall wish to cut the timber they need, shall previously give notice to the respective Ayuntamiento, that the same

may inform that of Santa Rosa, in order that the latter may take such measures as it shall deem proper to prevent disorder.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo the 24th of November, 1827.

[The same Signers.]

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DECREE No. 37.

The Congress of the State of Coahuila and Texas, in view of the difficulties manifested by some of the towns, through the channel of the Executive, in complying with the provision of articles 137 and 138 of the law No. 37, given by the constituent Congress, and desiring they may be better understood, decrees the following explanatory articles:—

ART. 1. Only those called natives, and their descendants by whatever lineage, shall be included in the distribution of lands and waters, mentioned in articles 137 and 138, of the law No. 37, of the 15th of June last.

ART. 2. In the distribution that shall be made of the said lands and waters, agreeably to the aforementioned articles, it shall not be requisite that the origin of those called natives be proved, but it shall suffice that in the use and profit of these pieces of arable land, in filling municipal offices, and in other labours, they have been considered as such, for awarding to them their corresponding portions, notwithstanding they may have been looked upon as appendant persons, from having been born in other towns, provided said towns are also composed of natives.

ART. 3. In respect to the families of day laborers, or domestic servants, who, having been employed in the service of those who were called natives, or deriving their origin from such, do not need the qualifications required in the foregoing article, their corresponding portion shall be awarded them of the farming tracts herein mentioned.

ART. 4. Doubts that arise upon this point shall be determined by the Executive, after receiving the reports of the Ayuntamiento and chief of the respective department.

ART. 5. The privilege granted in the last part of article 138, of the aforementioned law, to natives who have built houses, shall include other citizens who, not being natives, have acquired a legal right to this kind of securities.

ART. 6. The term assigned by the Executive for investigating the quantity of lands and waters of these participated possessions, and the number of families entitled to the same, having expired, the Executive shall establish another prudential and peremptory term for hearing persons excluded, and claiming to be aggrieved, which claims shall be decided administratively as provided in article 4. The latter term having closed, no further action shall be had upon the subject.

For its fulfilment, the Governor of the State, shall cause it to be printed, published, and circulated.

Given in Saltillo on the 26th of November, 1827.

JOSE F. MADERO, President,

JOSE I. SANCHES, Secretary.

JOSE A. NAVARRO, Sec'y.

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DECREE No. 38.

The Congress of the State of Coahuila and Texas has thought proper to decree:

ART. 1. All Spaniards, accused by public authority, shall leave the limits of the State within thirty days from the publication of this law.

ART. 2. All single men, of whatever trade, station, rank, or occupation, including those domiciliated since the Constitution of the State was adopted, even should they not be single, and married persons separated from their families, shall leave within the aforementioned term.—Those domiciliated thirty years in the Republic shall be excepted from the provision of the first part of this article.

ART. 3. No Spaniard shall settle in the State, or remain as a transient or traveling person, longer than three days in any town within the limits thereof, so long as Spain shall not acknowledge the Independence of this Republic.

ART. 4. At the expiration of the fifteen days from the term specified in article 1, the Ayuntamientos shall present to the Executive a list, accompanied by a duplicate, of those Spaniards who, not being comprised in this law, remain in the State; stating expressly their age, whether married, profession, trade, or occupation, and time of residence in the Republic. On receipt of the aforesaid lists, the Executive shall pass one of the same to Congress.

ART. 5. Those Spaniards, who agreeably to this law can remain in the State, shall appear on the first of every month before the local authorities, who shall examine the arms they have, not allowing them any other weapons than such as are customary and necessary for their personal defence, or to carry any others in public than a sword during the dangerous hours of the night. The local authorities shall inform themselves concerning the Spaniards who present themselves, and not suffer them to infringe this law in the slightest manner, and should they do so they shall be banished from the State.

ART. 6. Spaniards, who remain in the State, when they travel from one place to another therein, shall obtain from the respective local authorities a passport, in which a full description of the person shall be given, which they shall present to the authorities of the town of their destination. When they leave this State to go to another, they shall obtain the passport, with the same requisites, from the Governor.

ART. 7. The Ayuntamientos shall strictly observe the conduct, manifestation of sentiments, and carriage of the Spaniards; not permitting them, from this time, to hold any meeting in public places composed of more than three persons, and in private not even of this number.

ART. 8. Should certain information be received that any Spaniard or Mexican uses degrading terms in speaking of the actual form of government, or endeavors, even in an indirect manner, to bring it into disrepute, or shews subversive inclinations, he shall be apprehended, summarily tried, and placed at the disposal of the corresponding judge or tribunal, as may be desired.

ART. 9. The authorities who shall manifest the slightest reluctance to comply faithfully with this law, shall be removed from office, and disqualified for filling any other office for the term of five years, unless reinstated by Congress; and such shall moreover pay a fine of five hundred dollars, to be appropriated to the funds for public instruction in the State.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 27th of November, 1827.

[The same Signers.]

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DECREE No. 39.

The Congress of the State of Coahuila and Texas has thought proper to decree:

To be a member of the special tribunal mentioned in article 198 of the Constitution, besides the qualifications of education and probity, it shall be required to be a citizen in the exercise of his rights, over twenty-five years of age, born in the Republic of Mexico, domiciliated in the State, to hold no office in Congress, the Executive Council, or to be under immediate subordination to the Executive.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 4th of January, 1828.

JOSE F. MADERO, President,

JOSE M. CARDENAS, D. S.

JOSE M. ARTIA, D. S.

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DECREE No. 40.

The Congress of the State of Coahuila and Texas has thought proper to decree:

ART. 1. Accusations tried before the tribunal of justice, against inferior judges or an assessor for crime of office, shall be despatched with-

in thirty days from the time the solicitation is presented, solely for it to be declared whether there is a just cause of action.

ART. 2. The accusations pending shall be despatched within the same term, to be reckoned from the publicaion of this decree.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 14th of January, 1828.

[The same Signers.]

#### DECREE No. 41.

The Congress of the State of Coahuila and Texas has thought proper to decree:

ART. 1. The Ecclesiastical divisions or offices, wherein the Executive is to exercise the prerogative according to article 10, of the law No. 37, for the financial administration of the towns, shall be for the present vicarial curacies, permanently established, with offices of principal and assistant sexton.

ART. 2. The Ecclesiastical authority of Nuevo Leon, being at present that of the greatest part of the State, and that of Durango, in so much of the State as belongs to that diocess, previous to appointing to the Ecclesiastical offices or divisions, which are now or shall be hereafter established in Coahuila and Texas, shall forward to the Governor a private and circumstantial list of the person or persons, with whom they are intended to be filled, stating the office wherein they are designated to be placed.

ART. 3. The Governor shall transmit the list privately to the council, for the same to report whether they consider any person or persons of the Ecclesiastics proposed, dangerous to the tranquility of the State.

ART. 4. The following shall be considered dangerous persons:—First, native Spaniards; second, those partial to a monarchical or central form of government; third, those evidently fanatics.

ART. 5. The Governor, in view of the report of the council, or from his own practical acquaintance, shall reject or admit the candidates.

ART. 6. Should the Governor and council not agree on the question, whether the Ecclesiastic or Ecclesiastics proposed are dangerous persons, the affirmative shall prevail.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo the 17th of January, 1828.

[The same Signers.]



DECREE No. 42.

The Congress of the State of Coahuila and Texas has thought proper to decree:

ART. 1. Pauses for chanting the responses in funeral processions are hereby prohibited in the State.

ART. 2. Church festivals solemnized in the towns to Patron Saints (in effigy) or rather images, shall not be effected through captains or festival officers appointed by any authority or person.

ART. 3. Festivals made hereafter shall be by those persons who voluntarily choose, and shall not be preceded by any invitation.

ART. 4. Exhortations made by Curates in the pulpit to their parishioners, shall not be construed as a prohibited invitation.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 22d of January, 1828.

[The same Signers

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DECREE No. 43.

The Congress of the State of Coahuila and Texas has thought proper to decree:

ART. 1. The inhabitants of the new Texas colonies, and of every other town whatever hereafter founded in the State, shall be exempted from complying with the stamped paper law for the term of ten years, as provided in article 32 of the colonization law of the 24th of March, 1825, except as regards titles to property and the formation of the books of each town, which shall be executed on the corresponding paper.

ART. 2. Said term shall be reckoned from the time the new towns are founded, and, with respect to those founded prior to the colonization law, from the publication of this decree.

ART. 3. The inhabitants of the towns mentioned in the foregoing articles, may use common paper, except in those cases to which the last part of article 1 refers, and the documents and all kinds of instruments, public and private, shall not be thereby rendered invalid or illegal, but they shall accomplish all the purposes for which they were intended.

ART. 4. Persons herein favored shall enjoy the aforesaid privilege only in those towns to which it is granted; in other parts of the State, they shall use stamped paper the same as other citizens.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 9th of February, 1828.

JOSE I. SANCHES, President,

JOSE M. ARTIA, D. S.

JOSE MARIA ECHAIS, D. S.

## DECREE No. 44.

The Congress of the State of Coahuila and Texas has thought proper to decree:

ART. 1. The town of Gigedo shall for the present be the capital of the district of Rio Grande, without detriment to any arrangement made when the mail route through that quarter shall be changed.

ART. 2. All subordinate district chiefs hereafter appointed, who do not belong to the town assigned them for their future residence, shall receive 400 dollars per annum besides their present salary, and in all cases they shall be allowed one hundred and fifty dollars over the amount designated by article 85 of the financial regulations of the towns for expense of clerk and paper.

ART. 3. The Executive shall proceed, according to his powers, to have the mail route established through the towns of Gigedo, Allende, Morelos, Rosas, Nava, and Guerrero; also to have the post, of the time he spends in Rosas, make one days stay in Gigedo to collect all the letters, in order that they may have a better conveyance.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 21st of February, 1828.

JOSE I. SANCHES, President,  
JOSE A. NAVARRO, D. S. S.  
JOSE MARIA ECHAIS, D. S.

## DECREE No. 45.

The Congress of the State of Coahuila and Texas has thought proper to decree as follows:

Should the election of any citizen for municipal charges become vacant, or not go into effect from illegality, or physical or moral impediment, new electoral meetings shall be holden, provided there be no other person chosen by any number of votes.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo the 21st of February, 1828.

[The same signers.]

## DECREE No. 46.

The Congress of the State of Coahuila and Texas has thought proper to decree:

ART. 1. Exclusive privilege is hereby granted to John Lucio Woodbury and John Cameron, for the term of twenty-three years, reck-

oned from the publication of this decree, for working Iron and Coal mines in the State.

ART. 2. Within the aforementioned term, no person shall be engaged in working said mines without permission from said Woodbury and Cameron, with the exception of mines discovered and legally specified and claimed previous to the promulgation of this decree.

ART. 3. Should the persons aforesaid, at the expiration of the three first years from the concession, not have introduced the machinery and necessary utensils, and erected, in one of the departments of Coahuila and Texas at least, the proper buildings for working and elaborating the iron, they shall forfeit the privilege.

ART. 4. The persons to whom said privilege is granted may introduce professed artists for smelting or separating the metal; for common mining laborers they shall prefer the natives of the country.

ART. 5. The price of iron, of no regular shape and of superior quality, shall not exceed in the State five-eighths of a rial the pound.

ART. 6. The aforementioned persons shall undertake their labors agreeably to the mining ordinances, and at the close of twenty-three years, the term of the privilege granted them, all the mines shall be open to claim agreeably to the laws that are now or shall be hereafter enacted on the subject.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo the 25th of February, 1828.

JOSE I. SANCHES, President,

JOSE M. ARTIA, D. S.

JOSE A. NAVARRO, D. S. S.

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#### DECREE No. 47.

The Congress of the State of Coahuila and Texas has thought proper to decree:

ART. 1. His Excellency General Vicente Guerrero, who by his bravery has earned a name among his country's worthies, and his Excellency General Manuel Gomez Pedraza, the present Secretary of War, are hereby declared citizens of Coahuila and Texas.

ART. 2. The bust of the former shall be placed in the hall of sessions of Congress, at the right of the President's chair, and upon the pedestal the following shall be inscribed in letters of gold:—*Memento of gratitude of the first Constitutional Congress to the immortal Vicente Guerrero.*

ART. 3. The Executive shall order the provision of the foregoing article to be accomplished as early as possible.

ART. 4. The State of Coahuila and Texas gratefully acknowledges the important and signal services rendered by these illustrious military officers during the occurrences at Tulancingo.

For its fulfilment, the Governor of the State shall cause it to be printed, published, and circulated.

Given in Saltillo on the 16th of March, 1828.

JOSE A. TIJERINA, President.

JOSE MARIA ECHIAS, D. S.

JOSE F. MADERO, D. S.

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DECREE No. 48.

Rules of the Executive Council.

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DECREE No. 49.

The Congress of the State of Coahuila and Texas has thought proper to decree:

ART. 1. The exclusive privilege of introducing boats, propelled by steam or horse power, in that portion of the Rio del Norte that belongs to the State, is hereby granted to John Davis Bradbourn and Stephen M. C. L. Staples for the term of fifteen years, provided they render said river navigable at their own expense.

ART. 2. The enjoyment of said privilege shall commence from the time the aforementioned boats are first introduced.

ART. 3. During the said term of fifteen years no private tax, such as it is in the power of the State to levy on steam or horse boats shall be laid upon those belonging to the aforesaid undertakers, who, during the said term, shall be subject only to such taxes as are now or shall be hereafter established by general laws upon all vessels arriving in the ports of the Republic.

ART. 4. The empresarios, to whom the foregoing privilege is granted, may transfer the same, notifying the Executive Department of the State, and provided the persons to whom the transfer is made do not belong to a nation at war with the Republic of Mexico.

ART. 5. The aforesaid empresarios, of themselves, or through others, may colonize upon the borders of the aforementioned river all those lands belonging to the State which they consider necessary for establishing their own safety, and aiding themselves with timber and other utensils suitable for purposes of navigation, conforming to the general and private colonization laws.

ART. 6. Meanwhile, the undertakers examine the aforementioned river to ascertain whether it be susceptible of navigation, wholly or in part, the Executive, by means of the subordinate authorities, shall afford them all the protection within the compass of his powers, and shall interest himself and obtain from the general government, by request, that they be furnished with such military aid as their personal safety requires.