

and control over executors, administrators, guardians and minors, under such regulations as may be prescribed by law.

16. In the trial of all causes in equity in the District Court, the plaintiff or defendant shall, upon application made in open Court, have the right of trial by jury, to be governed by the rules and regulations prescribed in trials at law.

17. Justices of the Peace shall have such civil and criminal jurisdiction as shall be provided for by law.

18. In all cases arising out of a contract, before any inferior judicial tribunal, when the amount in controversy shall exceed ten dollars, the plaintiff or defendant shall, upon application to the presiding officer, have the right of trial by jury.

19. In all cases where Justices of the Peace or other judicial officers of inferior tribunals shall have jurisdiction in the trial of causes where the penalty for the violation of a law is fine or imprisonment, (except in cases of contempt,) the accused shall have the right of trial by jury.

ARTICLE 5.

Executive Department.

§ 1. The supreme executive power of this State, shall be vested in a Chief Magistrate, who shall be styled the Governor of the State of Texas.

2. The Governor shall be elected by the qualified electors of the State, at the time and places of elections for members of the Legislature.

3. The returns of every election for Governor, until otherwise provided by law, shall be made out, sealed up, and transmitted to the Seat of Government, and directed to the Speaker of the House of Representatives, who shall, during the first week of the session of the Legislature, thereafter, open and publish them in the presence of both Houses of the Legislature; the person having the highest number of votes, and being constitutionally eligible, shall be declared by the Speaker, under the direction of the Legislature, to be Governor; but if two or more persons shall have the highest and an equal number of votes, one of them shall be immediately chosen Governor by joint vote of both Houses of the Legislature. Contested elections for Governor, shall be determined by both Houses of the Legislature.

4. The Governor shall hold his office for the term of two years from the regular time of installation, and until his successor shall be duly qualified, but shall not be eligible for more than four years in any term of six years; he shall be at least thirty years of age, shall be a citizen of the United States, or a citizen of the State of Texas, at the time of the adoption of this Constitution, and shall have resided in the same three years immediately preceding his election.

5. He shall, at stated times, receive a compensation for his services, which shall not be increased or diminished during the term for which he shall have been elected. The first Governor shall receive an annual salary of two thousand dollars, and no more.

6. The Governor shall be Commander-in-Chief of the army and navy of this State, and of the militia, except when they shall be called into the service of the United States.

7. He may require information, in writing from the officers of the