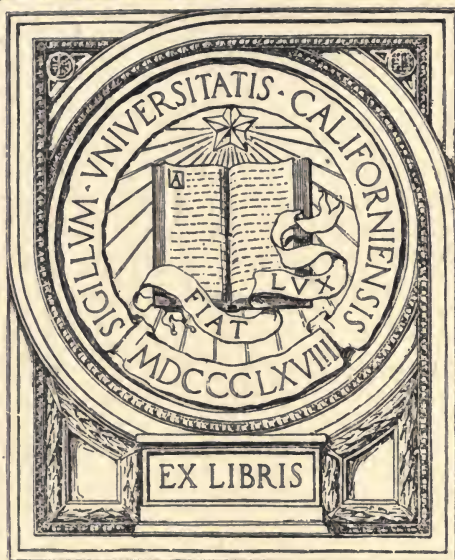
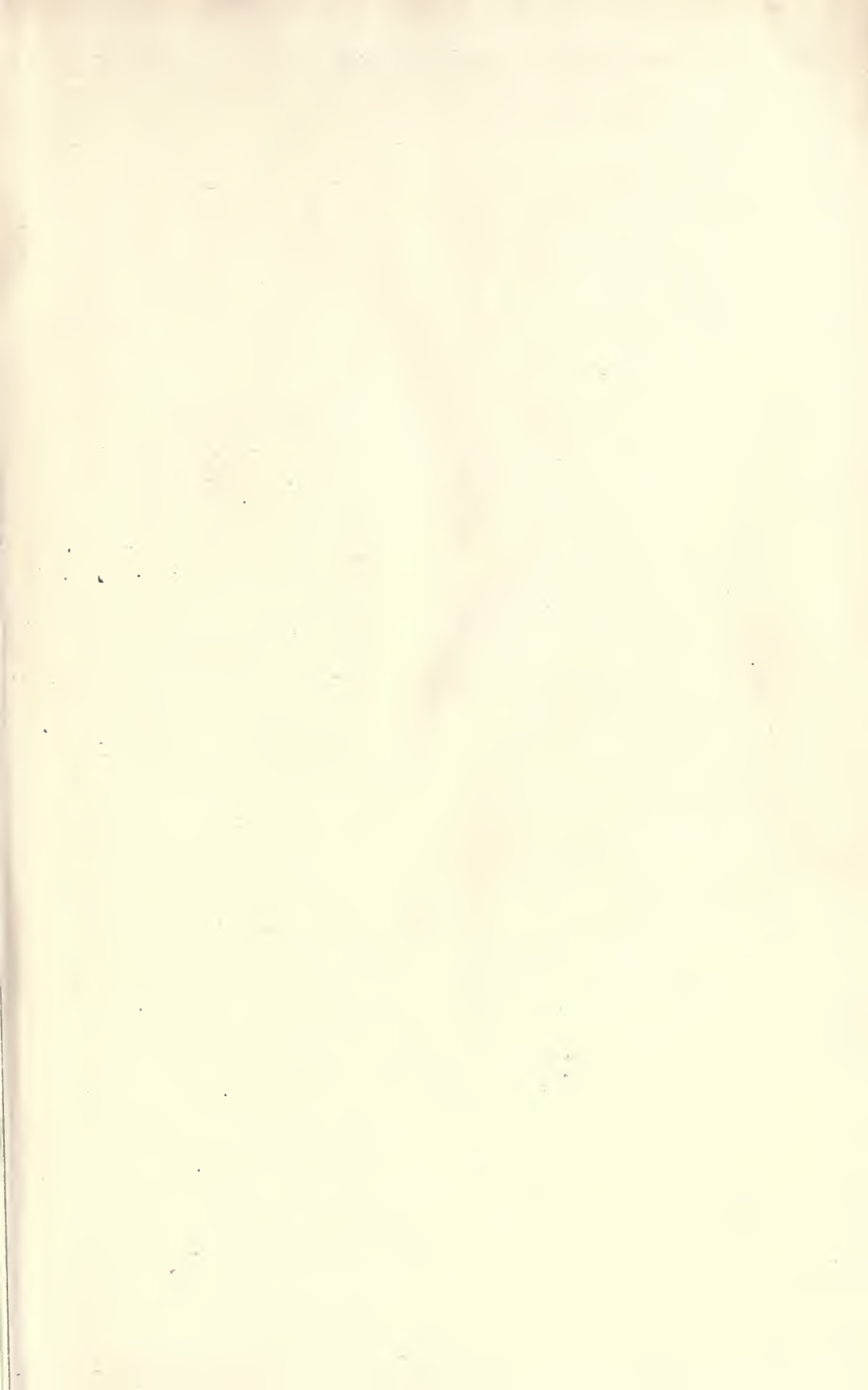


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JOURNAL OF THE SECESSION
CONVENTION OF TEXAS
1861

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AUSTIN PRINTING COMPANY
1912

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CONTENTS

	Page.
Prefatory note.....	5
Signs and abbreviations.....	6
Chronology	7
Journal of the Secession Convention:	
Preface	9-14
Journal of the First Session, Jan.28—Feb. 4.....	15-85
Journal of the Adjourned Session, March 2-25.....	86-251
Appendixes:	
I. Address to the people of Texas.....	252-621
II. Reports of the Committee on Public Safety:	
Nos. 1 and 8. On the acts of the commissioners to San Antonio.....	262-308, 396-398
No. 2. On the mission to Louisiana to procure arms	308-315
Nos. 3 and 4. On the acts of the commissioner to procure funds and on the Rio Grande expe- dition	316-364, 400-403
Nos. 5 and 7. On the acts of the committee dur- ing its visit to Galveston.....	364,365, 389-396
No. 6. On the acts of the commissioner to the northwest frontier	366-389
No. 9. Of the committee appointed to confer with Governor Houston.....	398-400
III. List of the delegates.....	405-408
IV. Certificates of election.....	409-452
Index	453-469
Errata	470



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PREFATORY NOTE

The fiftieth anniversary of the secession of Texas, March 2, 1911, was not marked by general public observance. The thirty-second legislature was in session at the time in the City of Austin as the eighth legislature had been in session in that city about the same time (January 21-February 9 and March 18-April 9) in 1861. The thirty-second legislature made an appropriation, the first of its kind in the history of Texas, for the publication of a volume of historical archives. The Library and Historical Commission considered it appropriate to select for the subject matter of this initial volume the Journal of the Secession Convention of Texas. This Journal appeared in the newspapers at the time the Convention was in session, but on account of an empty treasury it was not printed in book form. In importance the Secession Convention ranks with the convention that declared the independence of Texas. Its acts and proceedings have hitherto been almost inaccessible to the reader.

The Journal as recorded by the secretary of the Convention has been carefully followed. In some instances, where the secretary did not record ordinances submitted, the original drafts, and in a few cases printed copies, were found and regarded of sufficient importance to be inserted. A few reports of committees and some communications to the Convention have likewise been inserted in the Journal. In every case such additions and their source have been indicated. Wherever the original has been available it has been followed *verbatim et literatim*. However, in the case of the Journal and of documents for which the originals were not at hand the editor disregarded peculiarities of spelling, capitalization and punctuation. The signatures to the ordinance of secession are reproduced after a photograph made from the original parchment. The photograph, however, had to be retouched to produce an engraving that would give a clear impression.

STATE LIBRARY, Austin.
December 1, 1912.

ABBREVIATIONS

A list of abbreviations used in this volume :

MS.	Manuscript.
A. D.	Autograph document.
A. D. S.	Autograph document signed.
L. S.	Letter signed.
A. L. S.	Autograph letter signed.
[]	Words or letters supplied.
? ? ?	Doubtful reading, or queried information supplied.

CHRONOLOGY

- 1860, Aug. 5. The town of Henderson was burned. About this time there were many reports of incendiary fires, poisonings, negro uprisings and the like, which produced a mania of suspicion, leading to the expulsion of suspects and in a few cases to lynching. There sprang into existence committees of safety, military companies, and the K. G. C. found a ready welcome.
- Aug. 6. State election for attorney general, comptroller and treasurer.
- Aug. 18. Sam Houston in an address to "My friends in the United States" withdrew his name from the list of candidates for the presidency.
- Oct. 26-Nov. 15. Many castles of the K. G. C. were organized.
- Nov. 6. Presidential election day.
- Nov. 15-Dec. 31. Many public meetings were held at which the convening of the legislature in extra session was requested.
- Nov. 21. Sam Houston to the citizens of the frontier.
- Nov. 22-27. Indian raid in Jack county.
- Nov. 28. Sam Houston to the governors of the Southern States.
- Dec. 1. O. M. Roberts made a public address at Austin.
- Dec. 3. O. M. Roberts prepared a call for a convention.
- Dec. 3. Sam Houston to the people of Texas.
- Dec. 3. Delegate elected to State convention in district 35.
- Dec. 8. Citizens at Austin issued a call for a convention.
- Dec. 15. R. T. Wheeler published a letter respecting the crisis.
- Dec. 17. Sam Houston issued proclamation convening legislature in extra session January 21, 1861.
- Dec. 20. South Carolina seceded.
- Dec. 22. Mass meeting of Unionists at Austin.
- Dec. 22. Delegates elected in districts 3 and 48.
- Dec. 24. Delegates elected in district 15.
- Dec. 26. Delegates elected in district 19.
- Dec. 27. Sam Houston issued proclamation for an election on February 4, 1861, for seven delegates to a convention of the Southern States.
- Dec. 29. Delegates elected in district 24.
- Dec. 31. Delegates elected in district 21.
1861. Jan. 1. Delegates elected in district 38.
- Jan. 5. Printing office of *Die Union*, Galveston, destroyed by mob.
- Jan. 5. J. M. Calhoun, commissioner from Alabama, to Sam Houston.
- Jan. 7. Sam Houston to J. M. Calhoun.
- Jan. 8. Unofficial election of delegates to a State convention.
- Jan. 9. Mississippi seceded.
- Jan. 11. Alabama and Florida seceded.
- Jan. 20. Georgia seceded.
- Jan. 21. Legislature met in called session.
- Jan. 21. Legislature repealed joint resolution, authorizing the sending of delegates to a convention of the Southern States.
- Jan. 21. Sam Houston sent a message to the legislature.
- Jan. 26. Louisiana seceded.
- Jan. 28. Convention met.
- Jan. 30. Committee on public safety was appointed.
- Feb. 1. Convention adopted ordinance of secession.
- Feb. 2. Convention adopted declaration of causes which impelled Texas to secede.
- Feb. 4. Governor Houston approved joint resolution, passed January 28, by the legislature recognizing the convention.

- Feb. 4. Convention elected delegates to the Montgomery convention.
- Feb. 4. Convention adjourned until March 2nd.
- Feb. 6. Address to the people of Texas by the opponents of secession.
- Feb. 9. Legislature adjourned until March 18th.
- Feb. 9. Governor Houston issued proclamation ordering election to be held Feb. 23 for ratifying or rejecting the ordinance of secession.
- Feb. 10. O. M. Roberts issued an address advocating the adoption of the ordinance of secession by the people.
- Feb. 16. U. S. arsenal and barracks at San Antonio were seized by committee on public safety.
- Feb. 18. U. S. military posts in Texas surrendered by Gen. Twiggs.
- Feb. 19. General Twiggs was superseded by Colonel Waite.
- Feb. 21. U. S. property at Brazos Santiago seized.
- Feb. 21. Camp Cooper abandoned.
- Feb. 23. Election. For ratifying the ordinance of secession and to fill vacancies in the convention.
- Feb. 26. Camp Colorado abandoned.
- Mar. 1. General Twiggs dismissed from the service of the U. S.
- Mar. 2. Convention reassembled.
- Mar. 4. Vote on ordinance of secession counted.
- Mar. 4. Gov. Houston issued proclamation declaring Texas had seceded.
- Mar. 4. Convention adopted ordinance relative to the removal of U. S. troops from Texas.
- Mar. 5. Convention adopted ordinance uniting Texas with the Confederate States.
- Mar. 6. Gov. Houston refused to recognize the convention.
- Mar. 7. Ringgold Barracks abandoned.
- Mar. 7. Camp Verde abandoned.
- Mar. 12. Fort McIntosh abandoned.
- Mar. 14. Convention adopted ordinance to provide for the continuance of the existing State government.
- Mar. 15. Camp Wood abandoned.
- Mar. 15. Convention administered oath to State officers members of the convention.
- Mar. 16. Convention administered oath to State officers.
- Mar. 16. Sam Houston's address to the people of Texas.
- Mar. 16. Offices of Governor and Secretary of State declared vacant.
- Mar. 17. Camp Hudson abandoned.
- Mar. 18. Legislature reassembled.
- Mar. 18. Sam Houston offered a message to the legislature.
- Mar. 19. Fort Clark abandoned.
- Mar. 19. Fort Inge abandoned.
- Mar. 19. Fort Lancaster abandoned.
- Mar. 19. Oath administered to members of the legislature.
- Mar. 20. Fort Brown abandoned.
- Mar. 20. Fort Duncan abandoned.
- Mar. 21. Sam Houston's farewell address.
- Mar. 23. Fort Chadbourne abandoned.
- Mar. 23. Convention ratified permanent constitution of the Confederate States.
- Mar. 25. Convention adjourned.
- Mar. 29. Fort Mason abandoned.
- Mar. 31. Fort Bliss abandoned.
- Apr. 5. Fort Quitman abandoned.
- Apr. 9. Legislature adjourned.
- Apr. 12. Fort Sumter, S. C., fired upon.

*Journal of the Secession Convention*¹

PREFACE₂

To our fellow citizens of the State of Texas

The election of a president of the United States by the great sectional party of the North has been accomplished.

The insults, threats and aggressions which have been directed at the honor, the equality, and the happy social existence of the people of Texas and the South for the last forty years have reached a climax.

The people of Texas are justly alarmed at the impending destruction of all that is valuable to freemen.

The distinguished governor of our State has been petitioned by a large number of the citizens of Texas to convene her legislature, preliminary to a convention of the people.

¹The following appears on the title page of the volume containing the manuscript journal of the Secession Convention:

Record
of the Journal of the Convention
of the People of Texas
which assembled at the City of Austin
On the 28th day of January A.D. 1861.
And which abrogated the Articles of Annexation
between the State and the Government
of the United States of America, and annexed
the State of Texas to the Confederate
States of America.
Recorded by order of the Convention.
1861.

²This address or call was published in *The State Gazette* (Austin), December 8, 1860. It received following editorial notice: "We invite the attention of our readers to an address signed by many citizens, suggesting an election of delegates on the 8th of January next, to a Convention of the people of Texas, to meet on the 4th Monday of the same month, in this city, to express the sovereign will of the people. Its final action will of course be submitted to a popular vote at the ballot-box for ratification or rejection. Gen. Houston has already declared that he will not stand in the way of the popular wish. . . . It will be seen that Lieut. Gov. Ed. Clark is one of the signers to the address; the Hon. Robert J. Townes is another. We rejoice to see our patriotic citizens of all parties, forgetting past differences and rallying as one man in defense of the honor and safety of our State."

Another call had been prepared a few days before. Ex-Governor Roberts gives following account of it: "On December 3, 1860, after a very anxious consultation, it was determined to make a citizens' call for a convention by meetings in different parts of the State. W. P. Rogers, George M. Flournoy, and O. M. Roberts were selected to draw up the call to be introduced and passed in the said meetings. Where-

Our State constitution has provided that on "extraordinary occasions" the governor "shall have power to convene the legislature."

The legislatures of a number of our sister Southern States have already been called. The evidences of alarm, indignation and resentment, together with a most earnest desire to counsel for their own safety, have come up from the people in every quarter of our State.

Governor Houston has not yet seen proper to convene our legislature; there is reason to hope that he will yet do so.³

A legislature cannot express as a convention may the sovereign will of the people of the State of Texas

The constitution does not give either the governor or the legislature the *power* to call a convention. Their doing so would be a mere consent that the people might act. The people have the right to act as expressly provided in our State constitution without such consent. Art. 1st of the Bill of Rights declares "All political power is inherent in the people, and all free governments are founded on their authority and instituted for their benefit; and they have at all times the inalienable right to alter, reform, or abolish their form of government in such manner as they may think expedient."

Should the legislature be now called, it could not probably assemble before some time in January, and then it would be too late to provide for a convention, which could not meet until about or after the time of the inauguration of Abraham Lincoln as president of the United States.

If the people proceed now to the election of delegates to a convention (which they have the unquestioned right to do) the legislature will doubtless ratify what the people have done.

Governor Houston very fully recognizes the right of the people to act primarily in this matter, in his letter to the citizens of Huntsville, of November,⁴ 1860, wherein he justly says, "Has the time come? If it has, the people who have to bear the burthens of revolution must

upon them, with John S. Ford, repaired to Judge Roberts's office, where he with their assistance drew up the call, copies of which were sent to different points throughout the State and there adopted in mass-meetings and promulgated, so as to give it general notice over the State."—(*A Comprehensive History of Texas*, II, 87.)

The Roberts call (*loc. cit.*) is briefer than the address here printed. it enumerates with greater detail why the assembling of a convention at an early date is necessary, and recommends the same plan for the election of the delegates. Its main point of difference is its silence on the subject of submitting the action of the convention to a vote of the people.

The authority of the secretary of the Convention for including in the Journal the data contained in this preface was conferred by a resolution offered by Mr. Chilton and adopted March 16, 1861.

The proclamation of Governor Houston, convening the legislature in extra session on January 21, 1861, is dated December 17, 1860.

Governor Houston's letter to the citizens of Huntsville, dated November —, 1860, is printed in the *True Issue* (La Grange), November 29, 1860.

themselves effect the work." It is then clear that he will abide the expression of the people's will.

Therefore, partaking of the feeling of solicitude common to our fellow citizens, and believing that concert of action is universally desired, and it being necessary that some basis should be set forth to ensure such concert, the undersigned citizens of Texas, residing in different portions of the State, having had an opportunity of conversing with a large portion of our fellow citizens of the State, and pretending only to an authority equal to that of a similar number of our fellow citizens in any locality, and prompted alone by a most earnest and we trust patriotic desire for concert of action,⁵

Suggest:

That an election of delegates be held on the 8th day of January, A. D. 1861, or as soon thereafter as practicable, when any county may not be able to hold an election on that day, to assemble in a convention of the people of Texas at the city of Austin, on the 4th Monday in January A. D. 1861, or as soon thereafter as practicable.

That said election be ordered unofficially by the chief justice of each county or district, or in case of his failure or refusal to act forthwith, then by any one or more of the county commissioners, or in case of the refusal of the latter to act forthwith, then by a committee of five citizens of such county or district.

That the qualifications of electors shall be the same, and as near as practicable the manner of holding such election be the same, as that provided for by the laws of the State of Texas of force governing elections for members of the legislature.

That the returns of said elections be made to the person or persons ordering the same, as soon after the same shall have been held as practicable; and that the certificate of election be issued immediately by such person or persons to whomsoever shall have received the largest number of votes polled.

And where there is under the new apportionment a representative district composed of more than one county, the votes polled shall be returned to the person or persons ordering an election in the county of said district, the chief justice of which is, under said apportionment bill, made the returning officer of such district; and the certificates of election shall be issued by such person or persons.

That said election be upon the basis of the new apportionment bill, approved February 6th, A. D. 1860, except that there be no representation for the senators provided for in said apportionment, but

⁵This paragraph is quoted by Roberts (*loc. cit.*, 89), but its sense is destroyed by careless proofreading. The list of signers to the address as quoted by Roberts omits eleven names and misspells a number of those given.

that each county or district elect two delegates for each member of the house of representatives to which it may be entitled; so that the number of said delegates shall be just double the number of members in the house of representatives in said legislature.

That the action of said convention be submitted to the people for ratification or rejection at the ballot box at the earliest practicable time after its adjournment

We trust that the newspapers throughout the State will publish this mode of action and urge its adoption.

We hope that those counties where a slight change of programme will be necessary will not regard such change as inoperably objectionable, for we can assure all that the above has been deemed to accord more with the general wish than any particular plan yet proposed by any county, and is arrived at from full and free consultation with a number of persons from all sections of the State.

We further recommend to our fellow citizens that they at once put forward candidates for said convention.

D. M. Prendergast, Limestone Co.	R. T. Brownrigg.
John Gregg, Freestone Co.	J. C. Higgins, Bastrop Co.
L. K. Preston, Galveston.	A. H. Parrish.
A. A. Kemble, Waxahatchie.	J. E. Rector.
W. S. Oldham, Washington Co.	J. E. McCord, Hays Co.
J. B. Banks, Travis Co.	Jas. P. Neal, Travis Co.
Jas. H. Fry, Webberville.	Wm. Lee Chalmers, Travis Co.
Jesse Billingsley, Bastrop Co	Geo. W. Guess, Dallas.
Roger Q. Mills, Navarro Co.	Morris R. Reagan.
C. M. Winkler, Do.	Jno. A. Green.
C. Reich, Guadalupe Co.	Geo. J. Durham.
Clement R. Johns, Hays Co.	W. C. Pitts.
Geo. W. White, Travis Co.	Ed. Clark.
T. D. Moseley.	T. J. Chambers, Chambers Co.
C. H. Randolph, Houston Co.	W. N. Hardeman.
George Flournoy.	Junius W. Smith, Tarrant Co.
Joseph Lee.	Wm. Byrd.
Jno. R. Baylor, Parker Co.	Jno. A. Wharton, Brazoria Co.
George Baylor, Do.	B. S. Whitaker, Lampasas Co.
S. Crosby.	M. L. Cooksey, Do.
W. J. Darden, Colorado Co.	T. C. Jackson, Do.
Wm. P. Stapp, Calhoun Co.	R. J. Moore, Do.
W. W. Apperson.	John Burleson, Do.
Louis Horst.	S. Fletcher, Do.
Jno. B. Costa.	Mark Bean, Do.
Thomas Green.	J. P. Gibson, Do.

Thos. Moore, Burnet Co.	Edward Bailey,	Do.
H. E. McCulloch, Guadalupe Co.	T. N. Waul.	
S. G. Sneed, Sr., Travis Co.	Wm. Carleton.	
C. E. Burns, Robertson Co.	J. H. Lightfoot.	
T. D. Robertson, Do.	James E. Harrison.	
P. H. Smith, Do.	Robert J. Townes, Travis Co.	
A. T. Rainey, Anderson Co.	A. R. Crozier,	Do.
Jno. J. Good, Dallas Co.	J. M. Steiner,	Do.
Jno. T. Pruitt, Travis Co.	C. Kyle, Hays Co.	
R. M. Bomar, Caldwell Co.	M. D. Graham, Rusk Co.	

(The foregoing address was generally adopted and acted upon by the people of the State, and may be regarded as the origin of the plan of the election of the delegates who afterwards composed the convention. In the meantime the governor of the State convened the legislature in extraordinary session on Monday Jany. 21st 1861, one week preceding the meeting of the convention; upon its assembling the legislature passed the following)

Joint Resolution

concerning the Convention of the People of Texas, called in pursuance of the Bill of Rights.

Whereas the people of Texas, being much concerned for the preservation of the rights, liberties, and powers of the State and its inhabitants, endangered by the political action of a majority of the States, and the people of the same have, in the exercise of powers reserved to themselves in the bill of rights, called a convention, composed of two members for each representative in the legislature from the various districts established by the apportionment law of 1860, to assemble on the 28th day of January, 1861, at the city of Austin, which convention, by the terms of the call, made by numerous assemblages of citizens in various parts of the State, was, when elected and assembled, to have power to consider the condition of public affairs, to determine what shall be the future relations of this State to the Union, and such other matters as are necessarily and properly incident thereto; and in case it should be determined by said convention, that it is necessary for the preservation of the rights and liberties aforesaid, that the sovereignty of Texas should resume the powers delegated to the Federal Government in the constitution of the United States, and by the articles of annexation, then the ordinance of said convention resuming said delegated powers and repealing the ratification by the people of Texas of said articles of annexation should be submitted to a vote of the qualified electors of this State for their ratification or rejection; therefore,

1. Be it resolved by the Legislature of the State of Texas, That the Government of the State of Texas hereby gives its assent to and approves of the convention aforesaid.

2. That this resolution take effect and be in force from and after its passage.

Approved Feby. 4th 1861. by the Governor "With a protest against the assumption of any powers on the part of said convention, beyond the reference of the question of a longer connection of Texas with the Union to the people"

Upon the passage of the Joint Resolution in the senate the vote stood.

For the resolution, Mesrs. Blanch, Britton, Chambers, Duggan, Dulany, Erath, Fall, Gentry, Grimes, Guinn, Harman, Herbert, Hyde, Lott, Martin, Miller, Parsons, Pitts, Potter, Quinan, Schleicher, Shepard, Stockdale, Walker and Whaley, 25.

Against the resolution, Mesrs. Hart, Paschal, Rains, Throckmorton and Townes, 5.

In the house of representatives the vote stood,

Yeas, Mesrs. Speaker (M. D. K. Taylor), Anderson, Baxter, Barclay, Benevides, Billingsley, Branch, Bryan, Buckley, Caddell, Craig, Crawford, Crooks, Culberson, Cumbey, Dale, Darnell, Davis of Bastrop, Davis of Hays, Dennis, Duncan, Ellett, Flewellin, Francis, Franklin, Foscue, Hall, Harrison of Cherokee, Harrison of Van Zandt, Hartley, Henderson, Houghton, Hubbard, Hubert, Lewis of Montgomery, Lewis of Robertson, Lewter, Lynch, Mabry, Manley, Maverick, Maxey, Morris, McCutcheon, McKnight, Middleton, Mills, Munson, Navarro, Nelson, Parker, Perry, Pirkey, Redwine, Robinson, Ross, Rose, Shannon, Shelton, Short, Smith, Speights, Stewart, Waelder, Walworth, Warfield, Waterhouse, Whitfield, Wortham and Wrede, 70.

Nays, Mesrs. Camp, Clark, Edwards, Epperson, Norton, Owens, Redgate, Taylor of Fannin, and Whitmore, 9.⁶

⁶A list of the names with nativities, ages, time of immigration, residences, occupations and postoffices of the senators and representatives of the eight legislature is printed in the *Journal of the House of Representatives, Eight Legislature*, 722-729. The vote in the senate was taken January 28, 1861, (*Journal of the Senate of Texas, Extra Session of the Eighth Legislature*, 51). The vote in the house of representatives had been taken earlier on the same day. There are several discrepancies in the lists of yeas and nays as set forth above and those recorded in the house journal (*Journal of the House of Representatives... , Extra Session of the Eighth Legislature*, 61).

FIRST SESSION

City of Austin Texas
Monday January 28th 1861.

The Convention composed of delegates from the several representative districts of the State of Texas, elected by the free, sovereign and independent people, under the authority recognized by the 1st section of the bill of rights of the State constitution, to represent the sovereignty of the State in convention assembled, met in the City of Austin in the hall of the house of representatives, tendered to them by a vote of the House of Representatives,² on Monday January 28th A. D. 1861, 2 o'clock P. M.

On motion of Mr. Rogers of Harris, Mr. Jno. D. Stell of Leon county was appointed president *pro tempore* of the Convention.

The Convention being called to order prayer was offered by the Rt. Rev. Alexander Gregg, bishop of the Protestant Episcopal Church of the diocese of Texas.

W. L. Chalmers and H. H. Haynie were requested to act as secretaries "pro tem," and C. A. Hopkins and A. T. Logan as sergeants at arms "pro tem."

On motion of Mr. Oldham, Mr. Claiborne Rector was enrolled as a delegate from the county of Wilson for the present.

Mr. Scott offered the following resolution,

"Resolved that a committee to consist of persons be appointed to examine the credentials of all such persons as claim to be members of this Convention, and that they report at "

Mr. Holt moved to fill the 1st blank in the resolution with "Ten." Lost.

On March 9, 1861, the Convention adopted an ordinance, entitled "An ordinance to provide for the enrollment, publication, and preservation of the ordinances of the Convention." Section 5 provided "That it shall be the duty of the Secretary of this Convention to record the journals of the proceedings of this Convention in a well bound book to be kept for that purpose, and by him, to be deposited in the office of the secretary of state for safe preservation." The volume selected by the secretary is a leather bound book of four hundred pages, measuring 11 x 17 inches. The entire journal is in the handwriting of the secretary, and covers pages 1-223.

Of the original papers of the Secession Convention only a small portion has been found. They are filed in Box No. 258, labeled "Convention of 1861," in the Department of State. They consist of the election certificates of the delegates to the Convention, included in Appendix IV below; drafts of ordinances, applications for appointment to office in the military service, recommendations of applicants, and tenders of the service of individuals and of companies. Reference will be made to these original documents as "Miscellaneous Papers of the Secession Convention."

On January 23rd, the House adopted following resolution:

Resolved, That the use of the hall of the House of Representatives as well as fuel and stationery be tendered to the Convention, which will meet on next Monday, each day while said Convention may be in session, at and after the hour of 2 o'clock, P. M.—(*Journal of the House of Representatives. . . Extra Session of the Eighth Legislature*, 45).

On motion of Mr. Ochiltree the 1st blank in the resolution was filled with "five," and at the end of the resolution was added the words "7 o'clock tonight"

Mr. Davidson moved to amend by adding, "and to ascertain and report to this Convention the number of votes polled in the several representative districts of this State for delegates composing this Convention".

The resolution and amendment were on motion of Mr. Cleveland postponed for the present.

Mr. Green offered the following resolution which was adopted.

"Resolved that the roll be called and certificates of election be handed to the Secretary, and that if a majority appear in form then the Convention proceed to permanent organization."

On motion the following names were then enrolled as delegates for the present, with the privilege of submitting their credentials when received to the committee on Credentials. F. P. Price, Jasper county, A. G. Clopton, Cass county, A. T. Rainey, Anderson county, M. D. Graham, Rusk county, James Hooker, Hunt county, E. P. Nicholson, Dallas county, E. Earley, Grayson county, James Walworth and Jno. S. Ford, Cameron Co.

Mr. Maxey moved that the Convention go into an election of a permanent presiding officer.

Mr. Jennings offered the following resolution as a substitute for the motion,

"Resolved that the permanent officers of this Convention shall consist of a president, secretary, 1st assistant secretary, 2nd assistant secretary, sergt. at arms, assistant sergt. at arms, doorkeeper and assistant doorkeeper, to be elected by ballot."

And the resolution was adopted.

The election of a president being first in order, Mr. Gray nominated the Hon. O. M. Roberts of Smith county.

Mr. Fields nominated the Hon. Wm. B. Ochiltree of Harrison county, who respectfully declined and moved that the Hon. O. M. Roberts be declared the president of the Convention by acclamation. Carried.

On motion of Mr. Rainey a committee of three were appointed by the President "pro tem" to wait upon Mr. Roberts and conduct him to the chair.

Mesrs. Rainey, Flournoy and Gray were appointed the committee.

On taking the chair the President remarked, "*I bow to the sovereignty of the people of my State. All political power is inherent in the people. That power, I assert, you now represent. We have been congregated in obedience to the public will, by the spontaneous and*

voluntary concert of the people of this State, to consider and dispose of questions equally as momentous and more varied than those that were solved by our revolutionary forefathers of '76! The crisis upon us involves not only the right of self government, but the maintenance of a great principle in the law of nations—the immemorial recognition of the institution of slavery wherever it is not locally prohibited—and also the true theory of our general government as an association of sovereignties, and not a blended mass of people in one social compact. However grave the issues now presented may be, I trust this body will be fully adequate to their solution, in such manner as to preserve the rights of the State. While not insensible to the great honor conferred upon me by this body of distinguished citizens, I am aware that my selection is attributable more to my position in the judiciary of the State than to my experience or knowledge of parliamentary deliberations. It is an indication to the world that this movement of the people of Texas has not originated in any revolutionary spirit of social disorder, and I doubt not that the moderation and wisdom of your deliberations and acts will demonstrate it."

The election for secretary being next in order,

Mr. Hogg nominated J. Pat. Henry.

Mr. Nicholson nominated R. H. Lundy.

Mr. Armstrong nominated R. T. Brownrigg.

Mesrs. Ireland, Rogers of Harris and Stockdale were appointed tellers.

On the 1st ballot Mr. Henry received 30 votes, Mr. Lundy received 20 votes and Mr. Brownrigg received 93 votes.

R. T. Brownrigg having received a majority of all the votes cast was declared duly elected secretary to the Convention.

Nominations for 1st assistant secretary being next in order

Mr. Stockdale nominated John Burlage

Mr. Hardeman nominated M. S. Dunn.

Mr. Wiley nominated W. D. Schoolfield

Mr. Green nominated T. E. Moseley.

On the 1st ballot Mr. Burlage received 47 votes, Mr. Dunn 25 votes, Mr. Schoolfield 57 votes and Mr. Moseley 8 votes

There being no election the Convention proceeded to a 2nd ballot when Mr. Burlage received 44 votes, Mr. Dunn 10 votes, Mr. Schoolfield 80 votes and Mr. Moseley 2 votes.

Mr. Schoolfield having received a majority of all the votes cast was declared duly elected 1st assistant secretary to the Convention.

On motion of Mr. Graham the resolution offered by Mr. Scott together with the amendment thereto offered by Mr. Davidson were taken up and the amendment laid on the table.

On motion of Mr. Graham the vote filling the 2nd blank in the resolution with "7 o'clock P. M." was reconsidered and the blank filled with "their earliest convenience"

The resolution as amended was then adopted.

Mesrs. Scott, Graham of Rusk, Nat. Terry, Wiley and Devine were appointed the committee.

Mr. Brown offered the following resolutions which were adopted.

"Resolved that the rules of the present house of representatives, so far as applicable, be adopted for the government of the Convention.

"Resolved that the galleries of the House be reserved for the use of spectators, and that no person be allowed on the floor of the Hall except members and officers of the Convention, the governor, lieut. governor, heads of departments, judges of the supreme and district courts, members and officers of the legislature, and reporters of the press."

On motion of Mr. Brown, Mr. Plasters was requested to act as doorkeeper until one was elected.

Mr. Oldham moved to adjourn until 2 o'clock, P. M. tomorrow. Lost.

Mr. Nat. Terry moved to adjourn until 8½ o'clock, P. M. Lost.

On motion of Mr. Ochiltree the Convention adjourned until 7½ o'clock tonight.

7½ o'clock, P. M.

The Convention met Roll called Quorum present.

The election of a 2nd assistant secretary being next in order

Mr. Nat. Terry nominated R. H. Lundy

Mr. Coke nominated John Burlage

On the 1st ballot Mr. Lundy received 70 votes and Mr. Burlage 63 votes

Mr. Lundy having received a majority of all the votes cast was declared duly elected 2nd assistant secretary to the Convention.

The election of sergeant at arms being next in order.

Mr. Fields nominated B. F. Durham

Mr. Nelson nominated J. W. Johnson

Mr. Oldham nominated A. T. Logan

Mr. Davidson nominated Antonio Manchaca.

On the 1st ballot Mr. Durham received 42 votes, Mr. Johnson 33 votes, Mr. Logan 47 votes, Mr. Manchaca 17 votes and Mr. Hopkins 2 votes. No election.

Mr. Nelson then withdrew the name of Mr. J. W. Johnson, and the Convention proceeded to a 2nd ballot, when Mr. Durham received 65 votes, Mr. Logan 67 votes and Mr. Manchaca 6 votes. No election.

Mr. Davidson then withdrew the name of Mr. Manchaca, and the Convention proceeded to the 3rd ballot, when Mr. Durham received 72 votes and Mr. Logan received 71 votes.

Mr. Durham having received a majority of all the votes cast was declared duly elected sergeant at arms to the Convention.

On motion of Mr. Robertson of Washington, Mr. Logan was declared by acclamation assistant sergeant at arms to the Convention.

On motion of Mr. Stell the Convention took a recess of an hour and a half.

(During the recess the audience was entertained by the Rev. Dr. George Carter, in an address, which for closeness of logic, beauty of diction, anecdote and pathos, all present coincided in the opinion, was rarely equalled, never excelled.)

The recess having expired the Convention was called to order by the President.

The election of a doorkeeper being next in order.

Mr. Chilton nominated J. W. Johnson

Mr. Brown nominated Wilson Randle

Mr. Brown withdrew the name of Mr. Randle, and on his motion Mr. Johnson was declared by acclamation the doorkeeper to the Convention.

On motion of Mr. Chilton, Mr. Randle was declared by acclamation assistant doorkeeper to the Convention.

On motion of Mr. Rainey the President was authorized to appoint two messengers or pages to wait upon the Convention.

Mr. Stell offered the following resolution,

“Resolved that a committee of three be appointed by the President to wait upon his Excellency and inform him that this Convention is now organized, and ready to receive any communication that he may desire to make to this body.”

On motion of Mr. Jennings the resolution was postponed for the present.

Mr. Portis offered the following resolution

“Resolved that a committee, to consist of one from each judicial district represented in this Convention, upon Federal Relations be appointed by the President of this Convention.”

Pending which on motion of Mr. Chilton, the Convention adjourned until 2 o'clock, P. M. to morrow.

Tuesday January 29th 1860.

The Convention met pursuant to adjournment. Prayer by the Revd. Mr. Johnson of Titus County Roll called Quorum present

Mr. Scott, chairman of the committee on Credentials, made the following report.

To the Hon. O. M. Roberts

President etc.

The committee on Credentials respectfully submit the following report. Upon the examination of the credentials of delegates and from satisfactory evidence before the committee, we find the following delegates regularly elected and entitled to seats in this Convention. From,

District No. 1. Jefferson, Chambers etc—T. J. Chambers and Wm. Chambers

District No. 2. Liberty and Polk—Chas. L. Cleveland and Jas. M. Maxey.

District No. 3. Tyler and Hardin—W. A. Allen, N. B. Charleton and Philip Work.

District No. 4. Jasper and Newton—W. M. Neyland, F. B. Price.

District No. 5. San Augustine and Sabine—C. Dean and Jas. M. Burroughs.

District No. 6. Shelby—A. W. O. Hicks and L. F. Casey

District No. 9. Houston—Jno. I. Burton and Jno. R. Hays.

District No. 10. Anderson—A. T. Rainey and J. G. Stewart.

District No. 11. Trinity, Houston and Anderson—Jno. Box.

District No. 12. Cherokee—T. J. Jennings, Jos. L. Hogg, P. G. Rhome and J. M. Anderson.

District No. 13. Rusk—M. D. Graham, W. C. Kelly, A. P. Gallo-way, J. R. Armstrong.

District No. 14. Panola—D. Field, T. G. Davenport and W. R. Poag

District No. 15. Harrison—W. T. Scott, Gil. McKay, A. Pope and W. B. Ochiltree.

District No. 17. Smith—O. M. Roberts, G. W. Chilton, O. Lofton and J. C. Robertson.

District No. 18. Cass—A. G. Clopton, J. H. Rogers

District No. 19. Titus—J. F. Johnston, W. C. Batte and Jno. G. Chambers.

District No. 20. Cass, Titus and Bowie—H. R. Runnels, W. S. Todd, W. Warren and R. H. Ward.

District No. 21. Upshur—W. F. Locke, S. W. Beasley, J. S. New-some and S. E. Black.

District No. 24. Hopkins—W. T. Blythe, R. S. Askew and W. M. Payne.

District No. 26. Wood—J. D. Rains and A. P. Shuford.

District No. 27. Van Zandt, Kaufman and Henderson—L. W. Moore, W. R. Payne, J. Chisum and Wm. Nash.

- District No. 28. Hunt—Jas. Hooker and W. A. Mattox.
- District No. 29. Fannin—A. G. Nicholson and G. Smith.
- District No. 30. Fannin and Hunt—E. Earley and J. Wilson
- District No. 31. Grayson—W. W. Diamond, Jesse Marshall and J. G. Thompson.
- District No. 32. Collin—J. W. Throckmorton and Sam Bogart.
- District No. 34 and 35. Galveston and Brazoria—E. B. Nichols, Jno. Muller, R. C. Campbell and Jno. A. Wharton.
- District No. 36. Harris—P. W. Gray, Thos. S. Lubbock, Wm. P. Rogers and Wm. McCraven.
- District No. 37. Montgomery, Grimes and Brazos—J. W. Hutchison, R. J. Palmer, J. H. Dunham and Wm. McIntosh.
- District No. 38. Walker—A. P. Wiley and L. A. Abererombie
- District No. 39. Leon and Madison—Jno. D. Stell and Robert S. Gould.
- District No. 40. Freestone, Limestone and Falls—Chas. Stewart, W. W. Peck, D. M. Prendergast and John Gregg.
- District No. 41. Navarro and Hill—Joseph A. Clayton and J. P. Weir.
- District No. 42. Ellis, Johnson and Parker—A. T. Obenchain, A. C. Hoyle, T. C. Neil and A. Bradshaw.
- District No. 43. Tarrant—J. E. Cook and Nat. Terry.
- District No. 44. Dallas—E. P. Nicholson, Pleasant Taylor and W. S. J. Adams.
- District No. 46. Cooke, etc.—Jas. J. Diamond.
- District No. 47. Matagorda, Wharton and Fort Bend—John Rugley and B. F. Terry.
- District No. 48. Austin—Edwin Waller and D. Y. Portis.
- District No. 49. Colorado—A. H. Davidson and T. S. Anderson.
- District No. 50. Fayette—J. S. Lester and Thos. C. Moore.
- District No. 51. Washington—J. B. Robertson and W. S. Oldham
- District No. 52. Washinton and Fayette—J. E. Shepard and Jno. W. Dancy.
- District No. 53. Burleson and Robertson—J. H. Feeney and A. S. Broadbuss.
- District No. 54. Bastrop—T. B. J. Hill and W. G. Miller.
- District No. 55, 56, 57. Travis, Williamson and Milam—H. N. Burdett, George M. Flournoy, Jno. A. Green, E. Thomasson, Thos. P. Hughes and C. M. Lesneur.
- District No. 58. Caldwell, Hays and Blanco—Spencer Ford and J. C. Watkins.
- District No. 59. Bell and Lampasas—Jno. Henry Brown and E. Sterling C. Robertson.

District No. 60. McLennan and Bosque—Richard Coke and A. Nelson.

District No. 61. Coryell, Commanche, etc—J. M. Norris and T. C. Frost.

District No. 62. Calhoun, Victoria, Jackson and De Witt—Fielding Jones, J. J. Holt, W. R. Scurry and F. S. Stockdale.

District No. 63. Lavacca—Ben Williams and B. F. Moss.

District No. 64. Gonzales—A. N. Mills and W. H. Stewart.

District No. 65. Guadalupe—Jno. Ireland, W. P. Hardeman.

District No. 66. Comal—Thos. Koester, W. F. Preston.

District No. 67. Gillespie, Kerr, etc—E. M. Ross, Chas. Ganahl.

District No. 68. Burnet, Llano, etc—Thos. Moore and Thos. McCraw.

District No. 69. Goliad, Refugio and San Patricio—Pryor Lea and A. M. Hobby

District No. 70. Karnes, Bee, etc—John Littleton, Jno. Donalson and Robt. Graham.

District No. 71. Bexar—Thos. J. Devine, R. W. Brahan, S. S. Smith and Jno. A. Wilcox.

District No. 72. Bexar, Medina, etc—Chas. De Montel and A. Nauendorf.

District No. 73. Cameron—J. S. Ford and Jas. Walworth.

District No. 75. Starr and Zapata—E. R. Hord and Noah Cox.

District No. 76. Webb, Nueces, etc.—P. N. Luckett and H. A. Maltby

District No. 78. Wilson, etc—Claiborne Rector.

Your committee would represent that district No. 2 is entitled to but two delegates, and we find that three are returned with credentials from the two counties of Tyler and Hardin composing the district. We recommend that the three be entitled to seats in the Convention with the right to cast but two votes. In district No. 19 John G. Chambers, Joshua F. Johnson and W. C. Batte are returned with proper credentials, when the district under apportionment is entitled to but two delegates. We recommend in this case that Mr. Johnson be allowed one vote and Mesrs. Batte and Chambers one vote. In district No. 15 we find four delegates with proper credentials to seats in the Convention, when the district is entitled to but three; we recommend that the four be allowed to take seats in the Convention with the right to cast but three votes. In district No. 70 we find that Jno. Littleton, John Donalson and Robt. Graham are entitled to seats in the Convention, when the district is entitled to but two delegates. Your committee would also recommend that the delegates from this district be permitted to take seats in the Convention with the right to cast but two votes. In districts Nos. 55, 56, and 57 we find that

six delegates have been elected, though not strictly in the manner indicated by the call. The county of Travis constitutes district No. 55; the counties of Travis and Williamson district No. 56; and the counties of Williamson and Milam district No. 57. The three districts are entitled to six delegates all that are claimed or returned but they were elected as follows: three from the county of Travis, which is entitled to two in its own right and two in conjunction with Williamson; two from the county of Williamson which is entitled to two in conjunction with Travis and two in conjunction with Milam; and one from the county of Milam which is in conjunction with Williamson entitled to two. In view of the fact that the representation is complete in point of number and all parties seem to be satisfied with the manner in which the representation is offered, the committee recommends that the delegates as reported be allowed seats and votes accordingly. We make the same recommendation in regard to the counties of Galveston and Brazoria which are entitled to four delegates, three of whom were elected from Galveston and one from Brazoria county. All of which is respectfully submitted.

On motion of Mr. Ochiltree the rule was suspended and the report taken up.

Mr. Green moved to amend the report as to the representation in the Convention from the 56th representative district

On motion of Mr. Scott the Secretary of the Convention was required to alter the report of the committee so as to make it represent the true facts of the case in relation to the representation in the Convention from the counties of Travis, Williamson, Milam, Galveston and Brazoria. "And the report stands recorded as amended."

Mr. Chilton moved to adopt the report with the exception embraced in Mr. Scott's motion. Lost.

Mr. Nat Terry moved that all the delegates reported be entitled to seats and votes. Lost.

On motion of Mr. Johnson of Titus county the report was amended so as to give Mr. Johnson one vote and his two colleagues the other vote to which the county of Titus was entitled.

Mr. Cleveland moved to amend by adding at the end of the report the recommendation that each delegate be entitled to one vote.

On motion laid on the table and the report adopted as it stands of record.

Mesrs. P. T. Herbert and Russell Howard presented their credentials as delegates elect from the county of El Paso to the Convention, and were on motion admitted to seats in the Convention and their names enrolled as such.

Mr. Terry of Tarrant offered the following resolution

"Resolved that the President appoint a committee of three to wait

on his Excellency the Governor and inform him that the Convention is now organized and has proceeded to business.['']

Mr. Lea offered the following as a substitute

“Resolved that three committees each of three members be appointed to inform the Executive and each branch of the Legislature respectively that the Convention is organized and desires concert and harmony between this body and those officials. The latter as ordinary functionaries of the State government, and the former as an extraordinary representation of the people of Texas in their sovereignty.['']

Mr. Devine offered the following as a substitute for the substitute.

“Resolved that a committee of five be selected by the President whose duty shall be to wait on the Executive of the State and confer with him on subjects connected with our federal relations.”

On motion of Mr. Graham the original resolution and substitutes were referred to a committee of three to be appointed by the Chair.

Mesrs. Graham of Rusk, Devine and Hogg were appointed said committee.

On motion of Mr. Oldham the resolution relating to the same subject, offered by Mr. Stell on yesterday, was taken up and referred to the same committee.

On motion of Mr. Ochiltree, Mr. Stell was added to the committee.

On motion of Mr. Davidson, Mr. Oldham was added to the committee.

On motion of Mr. Jennings, Mr. Campbell was added to the committee.

On motion of Mr. Mills, Mr. Lea was added to the committee

Mr. Cleveland offered the following resolution

“Resolved that a committee of fifteen be appointed to draft and report the ‘Articles of Secession’[’]”

On motion of Mr. Oldham, laid on the table.

Mr. Armstrong offered the following resolution which was adopted.

“Resolved that each committee raised by this Convention be authorized and required to elect its own chairman[’]”

Mr. Lock offered the following resolution which was adopted.

“Resolved that the President appoint the following committees, to wit:

“A committee of one from each judicial district, represented in the Convention, on Federal Relations

“A like committee to present business to this Convention for its consideration.

“A committee on Finance,

“A committee on Resolutions and a committee on Public Safety[’]”

On motion of Mr. Flournoy the Convention took a recess of fifteen minutes

At the expiration of the time the Convention was called to order, when the President announced the following as the committee on Federal Relations, authorized by the resolution last adopted, viz: Messrs. Wharton, Flournoy, Shepard, Devine, Hicks, Ochiltree, Gray, Todd, Hogg, Stockdale, Herbert, Hord, Gregg, T. J. Chambers, Lea, Nat Terry, Moore, Montel, Coke and Marshall.

The following committee was appointed to present business for the consideration of the Convention, viz: Waller, Ireland, Broadus, Smith of Bexar, Neyland, Locke, Campbell, Runnels, Hays, Mills, Howard, Walworth, Stell, Charleton, Nicholson of Dallas, Hughes, Ross, Frost, Thompson and Maltby.

Mr. Ochiltree offered the following resolutions.

“Resolved that the following oath be administered to the President of the Convention, viz: ‘I do solemnly swear that I will faithfully and impartially discharge and perform the duties incumbent on me as President of the Convention of the State of Texas, according to the best of my skill and ability, and that to the said State I will true allegiance bear. So help me God.’

“Resolved further that the President when sworn shall administer an oath in substance such as the foregoing to each of the members and to each of the subordinate officers of this Convention[’]”

Mr. Hicks moved to lay the resolutions upon the table. Lost.

Mr. Mills moved the previous question which was ordered.

The resolutions were then adopted.

Mr. Waller moved that the members and officers of the Convention be sworn at the same time.

On motion of Mr. Robertson of Washington the vote adopting the resolution was reconsidered, and the resolutions were referred to a committee of “five” to be appointed by the Chair.

Mr. Nat Terry offered the following resolution which on his motion was referred to the same committee.

“Resolved by this Convention that the Speaker of the House of Representatives administer the oath to the President of the Convention.[’]”

Mr. Wharton offered the following resolution

“Resolved that without determining now the manner in which this result should be effected, it is the deliberate sense of this Convention that the State of Texas should separately secede from the Federal Union.[’]”

On motion of Mr. Flournoy the previous question was ordered upon the adoption of the resolution, and the resolution was adopted by the following vote.

Yeas, Mesrs. Anderson of Cherokee, Anderson of Colorado, Armstrong, Askew, Abercrombie, Adams, Allen, Burton, Box, Black, Blythe, Beazley, Bradshaw, Broaddus, Burdett, Brown, Batte, Brahan, Wm. Chambers, Thos. J. Chambers, Cleveland, Casey, Charleton, Chilton, Chambers of Titus, Clopton, Chisum, Campbell, Cook, Coke, Clayton, Diamond of Cooke, Diamond of Grayson, Donalson, Dean, Davenport, Dancy, Devine, Davidson, Durham, Field, Feeney, Flournoy, Frost, Ford of Caldwell, Ford of Cameron, Graham of Bee, Graham of Rusk, Galloway, Gray, Gould, Gregg, Green, Ganahl, Hicks, Hays, Hogg, Hooker, Hutchison, Hoyle, Holt, Hardeman, Hobby, Hord, Herbert, Howard, Hill, Ireland, Jennings, Jones, Koester, Kelly, Lofton, Locke, Littleton, Thos. S. Lubbock, Luckett, Lester, Lea, Lesueur, Maxey, McCraw, Moore of Henderson, Montel, McKay, Moore of Burnett, Muller, McCraven, McIntosh, Moore of Fayette, Maltby, Moss, Miller, Mills, Marshall, Neyland, Newsome, Nicholson of Dallas, Nichols, Neal, Nelson, Norris, Nauendorf, Ochiltree, Obenchain, Oldham, Peck, Pope, Poag, Payne of Hopkins, Payne of Henderson, Prendergast, Palmer, Price, Preston, Portis, Rainey, Rhome, Roberts (President), Robertson of Smith, Rogers of Marion, Runnels, Rogers of Harris, Rugeley, Robertson of Washington, Robertson of Bell, Rector, Ross, Reagan, Stewart of Anderson, Scott, Smith of Fannin, Stell, Stewart of Falls, Shepard, Stockdale, Scurry, Stewart of Gonzales, Smith of Bexar, Todd, Terry of Tarrant, Terry of Fort Bend, Taylor, Thompson, Work, Ward, Warren, Wilson, Wharton, Wiley, Wier, Waller, Watkins, Williams of Lavacca, and Walworth, 152.³

Nays, Mesrs. Bogart, Hughes, Rains, Shuford, Throckmorton and Thomasson, 6 .

On motion of Mr. Mills, Mr. Johnson of Titus was excused from voting on the resolution.

Mr. Brown offered the following resolution, which was adopted.

“Resolved that the Sergeant at Arms under the direction of the President be instructed to employ two negro men to wait upon the Convention.[’’]

Mr. Nelson moved the appointment of a committee of three to wait upon the Revd. Mr. Bayless, and request him to act as Chaplain for the Convention, while he was in this city. Carried.

³The total number of names in the foregoing list is 155. However, 152 is probably correct; it is the result published in *The State Gazette*, February 2, 1861. The Journal of January 30 states that Mr. Poag was not present when the vote was taken; the names of others may have been added in the same manner as his.

The name of John H. Reagan in this list and the statement made in the Journal of January 30 that he was present on the 29th—the second day of the Convention—should be noted, since he made and repeated the statement that he did not arrive in Austin until the morning of the third day (*The Quarterly of the Texas State Historical Association*, III, 279, and Reagan’s *Memoirs*, 104.).

Mesrs. Nelson, Jones and Maxey were appointed the committee.

The following communication was taken from the President's table and read—

Hon. O. M. Roberts

President of the State Convention.

Feeling a deep interest in the honor, welfare, and prosperity of our beloved State, we beg leave to present to the Convention, now controlling her destinies, upon the passage of the ordinance of secession, a banner, symbolizing her resumption of State sovereignty.

Respectfully

Bettie Buckner
Maggie Ragsdale
Ruth T. Davidson
Lillie Bouldin

City of Austin Texas

Jany. 29, 1861.

Mr. Rogers of Harris offered the following resolution which was adopted

“Resolved that a committee of ‘five’ be appointed to receive from the ladies of Austin a flag to be tendered by them to this Convention.[”]

The following persons were appointed the committee Mesrs. Rogers of Harris, Flournoy, Donalson, Luckett, and Robertson of Washinton.

On motion of Mr. Jennings the Convention adjourned until tomorrow at 2 o'clock, P. M.

City of Austin Texas,

Wednesday January 30, 1861.

The Convention met pursuant to adjournment. Roll called. quorum present. Prayer by the Revd. Mr. Bayless.

The President announced that he had appointed Julius Brown and C. A. Hopkins pages to the Convention on yesterday.

The following gentlemen were admitted as permanent and duly accredited delegates in this Convention upon presentation of their credentials which appeared in proper form, viz: A. J. Nicholson from District No. Fannin county. J. N. Fall and Wm. Clark jr, from District No. Nacogdoches county. H. H. Edwards from District No. Nacogdoches and Angelina counties. Elbert Earley from District No. Fannin and Hunt counties. L. H. Williams, Geo. W. Wright, Wm. H. Johnson from District No. Lamar county.

Mr. Rainey presented his credentials which were received and appeared in proper form.

The following delegates not present on yesterday when the vote was taken were allowed to record their votes upon the resolution offered by Mr. Wharton, declaring separate State secession the present correct policy in the opinion of this Convention on the part of the State of Texas, viz:

Yeas, Mesrs. Poag, Earley, Nicholson of Fannin, Wilcox and Edwards, 5.

Nays, Mesrs. Clark and Fall, 2.

Making the vote upon the resolution 157 yeas, 8 nays.

Mr. Jno. H. Reagan having been admitted to his seat on yesterday presented his credentials which were in proper form, from district No. 11 composed of the counties of Anderson, Houston and Trinity.

The President announced the following standing committees under the resolution offered by Mr. Locke on yesterday.

Committee on Public Safety. Mesrs. 1. Robertson of Smith, 2. Brown, 3. Rogers of Marion, 4. Armstrong, 5. Rainey, 6. Ford of Cameron, 7. Rogers of Harris, 8. Norris, 9. Wilcox, 10. Thompson, 11. Miller, 12. Green, 13. Cleveland, 14. Hooker, 15. Luckett.

Committee on Finance. Mesrs. 1. Nichols, 2. Stewart of Gonzales, 3. Scott, 4. Gould, 5. Smith of Fannin, 6. Smith of Bexar, 7. Batte, 8. Terry of Fort Bend, 9. Dean.

Committee on Resolutions. Mesrs. 1. Wiley, 2. Poag, 3. Dancy, 4. Diamond of Cooke, 5. Ford of Caldwell, 6. Ganahl, 7. Hutchison, 8. Jennings, 9. McCraven, 10. Mills, 11. Nauendorf, 12. Obenchain, 13. Chilton, 14. Neyland, 15. Montel.

And the following as the committee to which was referred the resolutions relative to the oaths proposed to be administered to the members and officers of the Convention, viz: Mesrs. Ochiltree, Robertson of Washington, Anderson of Cherokee, Wiley and Johnson of Titus.

Mr. Chilton offered the following resolution,

“Resolved that we have learned with pleasure that the Hon. Jno. McQueen, commissioner from the sovereign State of South Carolina to the State of Texas, has reached the City of Austin, and that we hereby invite him to a seat upon the President’s stand during the session of this Convention, and that a committee of three be appointed to inform him of this action.[”]

Mr. Mills moved to refer the resolution to a special committee of two.

Mr. Muller moved the previous question which was ordered.

The motion of Mr. Mills failed.

Mr. Dancy moved to lay the resolution on the table. Lost.

The resolution was then adopted.

Mr. Rogers of Harris offered the following resolution.

“Resolved that such of the soldiers of the Revolution of Texas as are in this city be invited to seats within the bar of the House, provided they are in favor of another revolution.[’”]

On motion of Mr. Green the resolution was laid on the table.

The following communication was received from the Speaker of the House of Representatives.

Texas Capitol
Jany 30, 1861.

Hon. O. M. Roberts

President of the State Convention.

Sir.

At the request of the House of Representatives, I have the honor to transmit herewith an Ordinance of the Alabama State Convention, dissolving the union between the State of Alabama and other States united under a compact styled [“]the Constitution of the United States of America.”

The letter of William M. Brooks, President of the Alabama Convention, and that of Governor Houston transmitting the same is also herewith enclosed.

Very respectfully,

M. D. K. Taylor.

Executive Department
Austin Jany 24 1861

To Hon Ed Clark

President of the Senate

Sir

I have the honor to transmit herewith a communication purporting to be from the Hon Wm M Brooks, President of the Alabama State Convention, with the request that when the same is read it be transmitted to the Speaker of the House of Representatives.

Sam Houston

Montgomery, Alabama,
January 11th, 1861.

To His Excellency

Governor of the State of Texas.

Sir:

By order of the Convention of the People of Alabama, I have the honor herewith to transmit to you a copy of the Ordinance this day passed, “To dissolve the union between the State of Alabama and the

other States united under the compact styled 'The United States of America.' "

I have the honor to be very respectfully

William M. Brooks,
President of the Convention.

An Ordinance to dissolve the union between the State of Alabama and other States united under the compact styled "The Constitution of the United States of America"

Whereas, the election of Abraham Lincoln and Hannibal Hamlin to the offices of president and vice-president of the United States of America, by a sectional party, avowedly hostile to the domestic institutions and to the peace and security of the people of the State of Alabama, preceded by many and dangerous infractions of the constitution of the United States by many of the States and people of the Northern section, is a political wrong of so insulting and menacing a character as to justify the people of the State of Alabama in the adoption of prompt and decided measures for their future peace and security, therefore:

Be it declared and ordained by the people of the State of Alabama, in Convention assembled, That the State of Alabama now withdraws, and is hereby withdrawn from the Union known as "the United States of America," and henceforth ceases to be one of said United States, and is, and of right ought to be a Sovereign and Independent State.

Sec. 2. Be it further declared and ordained by the people of the State of Alabama in Convention assembled, That all the powers over the Territory of said State, and over the people thereof, heretofore delegated to the Government of the United States of America, be and they are hereby withdrawn from said Government, and are hereby resumed and vested in the people of the State of Alabama.

And as it is the desire and purpose of the people of Alabama to meet the slaveholding States of the South, who may approve such purpose, in order to frame a provisional as well as permanent Government upon the principles of the Constitution of the United States,

Be it resolved by the people of Alabama in Convention assembled, That the people of the States of Delaware, Maryland, Virginia, North Carolina, South Carolina, Florida, Georgia, Mississippi, Louisiana, Texas, Arkansas, Tennessee, Kentucky and Missouri, be and are hereby invited to meet the people of the State of Alabama, by their Delegates, in Convention, on the 4th day of February, A. D., 1861, at the city of Montgomery, in the State of Alabama, for the purpose of consulting with each other as to the most effectual mode of securing concerted and harmonious action in whatever measures may be deemed most desirable for our common peace and security.

And be it further resolved, That the President of this Convention, be and is hereby instructed to transmit forthwith a copy of the foregoing Preamble, Ordinance, and Resolutions to the Governors of the several States named in said resolutions

Done by the people of the State of Alabama, in Convention assembled, at Montgomery, on this, the eleventh day of January, A. D. 1861.

William M. Brooks,
President of the Convention.*

The following communication was received from the House of Representatives

Austin Jany. 30th 1861.

Hon. O. M. Roberts

President of the State Convention

Sir:

In obedience to a resolution of the House of Representatives I herewith transmit to your honorable body a special communication received in the House to day from his Excellency Gov. Houston, relative to certain resolutions passed by the Legislature of Tennessee together with said resolutions

I have the honor to be
W. L. Chalmers
Chf. Clk. H. of R.

Executive Department, Austin Texas
January 30th 1861.

Gentlemen of the Senate

And House of Representatives.

I have the honor to transmit to your honorable bodies the Joint Resolutions adopted by the Legislature of the State of Tennessee in reference to certain resolutions adopted by the State of New York.

In these perilous times it is proper that the Representatives of the people of Texas should meet at the threshold every assault upon their liberties, and whether that assault comes in the form of threats or actual invasion it should alike be repelled.

Having called you together to provide for an expression of the sovereign will of the people at the ballot box, I also deem it my duty to declare that while the freemen of Texas are deliberating upon this question no impending threat of coercion from the people of another State should be permitted to hang over them without at least meeting

*Hon. J. M. Calhoun, commissioner from the State of Alabama, visited Austin about January 5, 1861. Finding neither the Legislature nor the Convention in session, he addressed himself to Governor Houston. His letter to Governor Houston and the reply of the latter are printed in the Journal of the Senate, Extra Session of the Eighth Legislature, 31-37.

the condemnation of their Representatives. Whatever that sovereign will may be when fairly expressed it must be maintained. Texas as one man will defend it. While the Executive would not counsel foolish bravado, he deems it a duty we owe to the people to declare that even though their action shall bring upon us the consequences which now seem impending we will all, be our views in the past or present what they may, be united.

Sam Houston

Joint Resolution

Adopted by the Legislature of Tennessee.

Resolved by the General Assembly of the State of Tennessee, That this General Assembly has heard with profound regret of the resolutions recently adopted by the Legislature of the State of New York, tendering men and money to the President of the United States, to be used in coercing certain sovereign States of the South into obedience to the Federal Government.

Resolved, That this General Assembly receives the action of the Legislature of New York as the indication of a purpose upon the part of the people of that State to further complicate existing difficulties, by forcing the people of the South to the extremity of submission or resistance; and so regarding it, the Governor of the State of Tennessee is hereby requested to inform the Executive of the State of New York, that it is the opinion of this General Assembly that whenever the authorities of that State shall send armed forces to the South for the purpose indicated in said resolutions, the people of Tennessee, uniting with their brethren of the South will, as one man, resist such invasion of the soil of the South at any, hazard and to the last extremity.

W. C. Whitthorne, Speaker H of R
Tazwell W. Newman Speaker of Sen.

Mr. Jennings moved to refer the resolutions to the committee on Public Safety

Mr. Green moved to amend by inserting the committee on Federal Relations. Lost.

The motion of Mr. Jennings then prevailed.

Mr. Ford of Caldwell offered the following resolutions

"Resolved 1st, That this Convention will on the day of at the hour of elect seven delegates to represent the State of Texas in a convention of the States which have seceded and which may hereafter secede from the government formerly known as the United States of America to meet in the City of Montgomery in the State of Alabama on the 4th day of Feby. A. D. 1861.

"2nd. That said delegates are hereby instructed to use their efforts for the formation of a provisional government for the seceded States to go into operation before the 4th day of March A. D. 1861, and to offer in behalf of the people of Texas to said convention the constitution of the late United States as a suitable basis of such provisional government; provided that said provisional government and the tenure of all offices and appointments under it shall expire within one year from the 4th day of February A. D. 1861, or when a permanent government shall have been organized

"3rd. That said delegates are further instructed to use their efforts to procure the formation of a Southern Confederacy of the seceding States, and that for said purpose they urge upon said convention the formation of a constitution and plan of permanent government for said Confederacy which when formed shall be referred to the several States for their ratification or rejection

"4th. That it is the deliberate sense of this Convention that each State represented in said convention shall be entitled to one vote upon all matters which may be acted on by said convention

"5th. That in case the convention contemplated by these resolutions does not meet at the time and place specified in these resolutions, then the delegates elected by this Convention be and they are hereby accredited to any other convention of the seceding States having for its object the formation of a Southern Confederacy."

On motion of Mr. Terry of Tarrant laid on the table.

Mr. Maxey offered the following resolution

"Resolved, That it is the sense of this Convention that when the ordinance of secession is passed it shall be referred to the people of the State for their ratification.['']

On motion of Mr. Jennings the resolution was laid on the table.

Mr. Wiley offered the following resolutions

"Resolved that this Convention forthwith appoint three commissioners to attend the convention of the Southern States at the City of Montgomery, Alabama, to tender said convention assurances of our cordial sympathy in its proceedings, and also of the co-operation of Texas in extending and strengthening a Southern Confederacy, as soon as her people can act authoritatively in the premises, and that said commissioners be instructed to urge upon said convention the propriety of styling the constitution it may adopt 'The Constitution of the *Southern* United States'; and also providing therein for the admission of any of the slave-holding States which may hereafter ratify the same, *by a vote of its people*; and recognizing their senators and representatives, respectively, in the present congress of the United States, as duly qualified to represent them, respectively, in the

Southern United States, and also providing for the continuance in office, under the new federal government, of the existing federal officers in each of the slave-holding States that may hereafter come into the Union of the Southern United States.[']

Mr. Gray offered the following resolution as a substitute for the foregoing

“Resolved that the people of Texas are in favor of the speedy formation of a federal union with other slave-holding States.”

On motion of Mr. Scurry the resolution and substitute were laid on the table.

Mr. Graham from the committee to which were referred the resolutions relative to waiting on the Governor made the following report.

To the Hon O. M. Roberts

President of the Convention

The special committee appointed for the purpose of considering the resolution and substitutes proposing to raise a committee to wait upon the Governor have discharged that duty, and beg leave to report the accompanying resolutions as a substitute and recommend their adoption.

“Resolved that a committee of five be appointed by the President whose duty it shall be to wait on the Executive of the State and confer with him on subjects connected with our federal relations; and also that a like committee of five be appointed by the President to inform the Legislature now in session that this Convention is organized and ready for business.

“Resolved 2nd, that it is the desire of this Convention to act in harmony with the different Departments of our State Government.”

On motion of Mr. Graham the rule was suspended, the resolutions taken up and adopted.

The President appointed the following persons the committee. Messrs. Reagan, Gray, Rogers of Harris, Stell and Devine

Mr. Rogers of Harris offered the following resolution which was adopted.

“Resolved that a committee on Foreign Relations composed of seven persons be appointed by the President of this Convention”

Mr. Beazley offered the following resolutions

1st. “Resolved that it is the request of this Convention that the House of Representatives grant it the use of this Hall during business hours until this Convention shall have concluded its deliberations

2nd. “That the Secretary of this Convention prepare a copy of the same and present it to the Hon. M. D. K. Taylor, Speaker of the

House of Representatives, with a request that he lay the same before that body."

On motion of Mr. Nelson laid on the table.

The President announced the following as the committee to wait upon the Hon. Jno. McQueen, commissioner from the State of South Carolina. Messrs. Chilton, Wilcox and Lubbock.

On motion of Mr. Ochiltree the Convention took a recess of twenty minutes.

At the expiration of the time the Convention was called to order.

The committee appointed to wait upon the Hon. Jno. McQueen reported that duty performed, when he was introduced to the Convention with appropriate honor and invited to a seat on the President's left.

Mr. T. J. Chambers, chairman of the committee on Federal Relations, made the following report

To the President of the Convention of the State of Texas.

The undersigned chairman of the committee on Federal Relations has been instructed by the committee to report and recommend the accompanying "Ordinance to dissolve the union of the State of Texas with the government of the United States of America, and to resume all the powers delegated to that government and her position of equality among the nations of the earth"

Upon the adoption of this part of the ordinance there was complete unanimity in the committee, but the chairman regrets to have to report that the same unanimity could not prevail upon the adoption of the second section, for the submission of the ordinance to the people for their ratification. There was a minority of the committee and with them the chairman who believed that the circumstances in which we are placed, and the danger by which we are surrounded, demand that the ordinance should be adopted by the Convention in such form as to infuse into it immediate and effective vitality.

All of which is respectfully submitted.

T. J. Chambers, Chrmn.

An Ordinance to dissolve the union between the State of Texas and the other States, united under the compact styled "The Constitution of the United States of America."

Sec. 1. Whereas, The Federal Government has failed to accomplish the purposes of the compact of union between these States in giving protection either to the persons of our people upon an exposed frontier or to the property of our citizens; and whereas the action of the Northern States of the Union, and the recent development in federal affairs, make it evident that the power of the Federal Govern-

ment is sought to be made a weapon with which to strike down the interests and prosperity of the Southern people, instead of permitting it to be as it was intended our shield against outrage and aggression: Therefore

We the people of the State of Texas in Convention do declare and ordain, that the ordinance adopted by our Convention of delegates on the 4th day of July A. D. 1845, and afterwards ratified by us, under which the Republic of Texas was admitted into union with other States and became a party to the compact styled "The Constitution of the United States of America" be and is hereby repealed and annulled; that all the powers which by said compact were delegated by Texas to the Federal Government are revoked and resumed; that Texas is of right absolved from all restraints and obligations incurred by said compact and is a separate sovereign State.

Sec. 2. This ordinance shall be submitted to the people of Texas for ratification or rejection by the qualified voters on the 23rd day of February A. D. 1861, and unless rejected by a majority of the votes cast shall take effect and be in force on and after the 2nd day of March, A. D. 1861.

Done by the people of the State of Texas in Convention assembled at Austin, this day of , A. D. 1861.

The Ordinance was read 1st time.

Mr. Ochiltree, from the committee on Federal Relations, made the following minority report.

To the President of the Convention.

The minority of the committee on Federal Relations concur fully with the majority in recommending the adoption of the ordinance reported by the said committee; but we ask leave respectfully to dissent from the resolution accompanying the ordinance, which proposes to refer said ordinance to a vote of the people for ratification or rejection. The minority are of the opinion that the best interests of the people of the State would be served by giving an immediate operation to the ordinance of secession.

W. B. Ochiltree
A. W. O. Hicks
Wm. S. Todd
P. T. Herbert.

Mr. Scott moved a suspension of the rules in order that the reports might be taken up for action.

On motion of Mr. Rainey the Convention adjourned until 7 ½ o'clock P. M. to meet in secret session.

Jany 30th/61, 7 ½ o'clock, P. M.

In Secret Session.

The Convention met pursuant to adjournment. Roll called. Quorum present.

On motion of Mr. Rogers of Harris the Hon. Royal T. Wheeler was admitted into the secret session of the Convention.

On motion of Mr. Oldham Lt. Gov. Ed. Clark was admitted into the secret session of the Convention

By leave Mr. Chilton introduced the petition of the "Tyler Dragoons" which was referred to the committee on Public Safety.

By leave Mr. Brown introduced an ordinance to secure the friendship and cooperation of the Choctaw, Chickasaw, Cherokee, Creek and other Indian nations.

On motion of Mr. Brown the ordinance was referred to the committee on Public Safety without reading.

By leave, Mr. Reagan from the committee to wait upon the governor made the following report.

To the President of the Convention of the people of Texas.

The committee appointed to confer with the Executive of the State on the condition of our federal relations, report that they waited on the Governor and informed him of our official character and the purport of our visit. He received us with due respect, expressed his thanks for this action of the Convention, and assured us that he would communicate his views in writing on to-morrow by 11 o'clock A. M. as he understood that the Convention met in the afternoon. On our delivering to him a copy of the resolutions under which we acted, and enquiring whether the answer he had given was to be understood as his definite answer to our visit for conference, he replied that it was for the present, and that he would communicate further in writing to-morrow. The committee propose to wait on the Governor for his communication at the time designated.

Jno. H. Reagan

P. W. Gray

Jno. D. Stell

Thos. J. Devine

W. P. Rogers.

By leave, Mr. Stell chairman of the committee to present business for the consideration of this Convention reported "An Ordinance to provide for the appointment of Delegates from the State of Texas to a Convention of the Southern Seceded States,[""] and recommended it to the favorable consideration of the Convention.

The ordinance was read 1st time.

The motion of Mr. Scott, to suspend the rules for the purpose of taking up the reports of the majority and minority of the committee upon Federal Relations, and "The Ordinance to dissolve the Union between the State of Texas and the other States united under the compact styled 'the Constitution of the United States of America'[""] reported thereby, being next in order, carried. And the reports and ordinance were taken up and read.

The Convention then proceeded to the consideration of the ordinance.

Mr. Wiley offered "An Ordinance to dissolve the existing union between the State of Texas and other States, under a compact entitled 'United States of America' and to establish a new constitution of Government" as a substitute.

An ordinance to dissolve the existing union between the State of Texas and other States under a compact entitled 'Constitution of the United States of America' and to establish a new constitution of Government

Sec. 1. We the people of the State of Texas by our duly elected delegates in Convention assembled do declare and ordain, and it is hereby declared and ordained that the union by a written compact between the State of Texas and the other States, under the name of the United States of America, having failed to answer the ends of its formation, is hereby dissolved, and that Texas is and of right ought to be a free and independent State, that her citizens and people are absolved from all allegiance to the United States or the government thereof, and that as a free and independent State she has full power to do all acts and things which independent States may of right do.

Sec. 2. In order to avoid as much as possible the inconvenience consequent upon the transition from the Federal Union to the position of an independent State, it is further declared and ordained that all parts of the existing State constitution and laws, not repugnant to the foregoing ordinance and the provisions following, shall continue in full force and effect as far as the same may be applicable to our changed condition; and that all the officers of the existing State government shall hold their offices and perform the duties thereof for and during their respective terms, provided nevertheless that each of said officers shall be bound by oath or affirmation to support the ordinance of secession and constitution of government adopted by the Convention; and no officer of the existing State government shall proceed in the discharge of the duties of his office until he has taken said oath or affirmation to be administered as herein provided. viz: To the Governor by the Lt. Governor, as soon as practicable

after this ordinance and constitution take effect, and to all other officers by any officer authorized by law to administer oaths; and in case the Governor for a week, or any other officer for the period of [a] whole month after this ordinance and constitution take effect, neglect or fail to take said oath or affirmation his office shall be deemed and held vacant and the same filled and the duties thereof discharged as though he were dead or had resigned The said oath or affirmation shall be administered in the form following, to wit: "I (A. B.) do solemnly swear or affirm (as the case may be) that I will support the ordinance of secession and the constitution of government ratified by the people of Texas on the day of in the year 1861. So help me God."

Sec. 3. Immediately after the adjournment of this Convention, the Governor of this State, or in case of his fault the Lieut. Governor, shall issue his proclamation directing the chief justices of the several counties of this State, and the several chief justices are hereby required to cause polls to be opened in their respective counties at the established precincts on the day of Feby. 1861, for the purpose of taking the sense of the people of Texas upon the ordinance of secession and constitution of government adopted by this Convention, and also upon any constitution of general government for the slave-holding States that may be adopted by the convention to assemble at the City of Montgomery, Alabama, on the 4th day of Feby. A. D. 1861, and the votes of all persons entitled to vote under the existing laws shall be received. Each voter shall express his opinion "viva voce" either for the ratification of the ordinance of secession and constitution of State government or for the rejection of the ordinance of secession and constitution of State government, and at the same time the vote shall be taken in like manner for the ratification of any constitution of general government for the Southern United States that may be adopted at Montgomery, Alabama, with a view to make Texas a party thereto, or for the rejection thereof, and each issue submitted to the people shall be decided by a majority of the votes cast thereon. The election shall be conducted in conformity to existing laws regulating elections, and the chief justices of the several counties shall promptly and carefully make triplicate returns of said polls, one of which shall be transmitted to the Secretary of State, one to the Lieut. Governor, and the other deposited in the clerk's office of the county court. In case any chief justice shall make default herein, any one or more of the county commissioners are authorized to perform the duties enjoined upon the chief justices, and in case of their default then the people may assemble at the various precincts on the day of election, appoint presiding offi-

cers or managers and make returns as herein provided. Upon the receipt of said returns upon the day of March A. D. 1861, (if the returns be not sooner made), it shall be the duty of the Governor or in case of his default the Lieut. Governor, in the presence of such persons as may choose to attend, to compare the votes given for the ratification or rejection of the ordinance of secession and constitution of State government, and also the votes given for the ratification or rejection of any constitution of general government for the Southern United States that may be adopted at Montgomery, Alabama, and if it should appear from the returns that a majority of the votes given is for the ratification of the ordinance of secession and constitution of State government adopted by the Convention, then it shall at once be the duty of the Governor, or in case of his default the Lieut. Governor, to make proclamation of the fact, and thenceforth the ordinance of secession and constitution of State government adopted by this Convention shall take effect; and if it shall also appear from the returns that a majority of the votes given is for the ratification of the constitution of general government for the *Southern* United States that may be adopted at Montgomery, Alabama, then it shall be in like manner the duty of the Governor, or in case of his default, the Lieut. Governor to make proclamation of the fact, and thenceforth Texas shall be one of the Southern United States, with a written federal constitution to take effect at the same time with the ordinance of secession and constitution of State government; the authority for each act being the sovereign will of the people of Texas. In the event of the ratification by the people of Texas of the ordinance of secession and constitution of State government and federal government of the Southern United States, the Governor of this State or in his default the Lieut. Governor is authorized and required to transmit to the executive of the Southern United States duplicate copies of the ordinance of secession and constitution of State government of Texas properly authenticated, also properly authenticated statements of the number of votes given for the ratification of the federal constitution of the Southern United States, and the number for the rejection, one of which copies shall be transmitted by mail, and one copy by special messenger in time to reach the seat of government of the Southern United States on or before the day of May next.

On motion of Mr. Field the ordinance offered by Mr. Wiley was laid on the table.

The question recurring upon the ordinance offered by the committee on Federal Relations, Mr. Gregg moved to strike out the 2nd Section.

Pending which motion on motion of Mr. Wharton the Convention adjourned until tomorrow at 11 o'clock, A. M., to meet in secret session.

City of Austin Texas
Thursday, Jany. 31st 1861.

In Secret Session.

The Convention met pursuant to adjournment, at 11 o'clock A. M. Roll called. quorum present.

Mr. Hord presented the credentials of Mr. F. W. Latham, which were received, and Mr. Latham took his seat in the Convention.

Mr. Davidson moved to add Mr. Ganahl to the committee on Public Safety, which was carried

Mr. Jennings moved to add Mr. Latham to the same committee, which was carried.

On motion of Mr. Anderson of Colorado, Mr. Oldham was added to the same committee

On motion of Mr. Chilton, Mr. W. L. Chalmers and Mr. H. H. Haynie were requested to act as Secretaries to the Convention during the temporary absence of the Secretary, occasioned by a family bereavement.

On motion of Mr. Gregg, Mr. Reagan was added to the committee on Federal Relations

By leave, Mr. Maxey submitted the following report,

"The committee charged with the duty of informing the Revd. W. H. Bayless of his election as chaplain of the Convention, beg leave to report that they have performed that duty and the Revd. Gentleman has signified his acceptance of the same."

By leave, Mr. Gregg offered the following resolution,

"Resolved that the committee on Finance be instructed to confer with such committees as the House and Senate may appoint concerning an appropriation of such funds as the State government may have in possession, and such as it may raise by the ordinary modes of taxation and that the same committee be instructed to report to the Convention a statement of the available means of the State and what appropriations have been made[']" Adopted.

Mr. Chilton offered the following preamble and resolutions,

"Whereas it is the opinion of this Convention that the capacity of a free government for self-reliance depends much upon its capacity for supplying all the reasonable demands of its citizens, and whereas the future may devolve upon the State of Texas a dependence upon her internal resources, and whereas further it is the duty of the leg-

islative department of every government to provide such laws as will foster every branch of industry within its limits, therefore

“Be it resolved, That we most respectfully recommend to the Legislature of this State now in session the propriety of enacting some law giving adequate protection to and extending the fostering care of the State over the manufacturing interests and enterprise of Texas.[’ ’]”

Referred to the committee on Resolutions.

Mr. Muller offered the following resolution

“Resolved that a committee of seven be appointed on ‘Commerce, Revenue and Navigation[’ ’]” Adopted.

The question pending when the Convention adjourned last night, viz: the motion to strike out the 2nd section of the ordinance of secession, was taken up.

On motion of Mr. Flournoy the Convention adjourned until 2 ½ o’clock, P. M.

Thursday Jan’y 31/61. 2 o’clock, P. M.

The Convention met. Roll called. Quorum present.

Mr. Davidson moved that some delegate be appointed to receive the flag to be presented to the Convention by the ladies. Carried.

The president appointed Jno. A. Wharton to perform that duty.

On motion of Mr. Rogers of Harris the President administered an oath of secrecy to the delegates and officers during the secret sessions, until the seal of secrecy should be removed.

Mr. Nash asked and obtained leave to record his vote in favor of Mr. Wharton’s resolution relative to secession.

The question pending, when the Convention adjourned, viz: the motion to strike out the 2nd section of the ordinance of secession, was again taken up.

Mr. Ireland moved to substitute the motion to strike out the 2nd section by the following to come in at the end of the 1st section “and that this ordinance shall take effect and be in force from and after its passage.

“Sec. 2. to read as follows, ‘That this ordinance shall be submitted to the people of Texas for rejection by the qualified voters on the 23rd day of February A. D. 1861, and unless rescinded by a majority of votes cast, shall remain in effect and be in force from and after its passage.’[’ ’]”

Mr. T. J. Chambers offered the following as a substitute for the substitute, and for the 2nd section of the ordinance.

Sec. 2. Be it ordained that the powers delegated to the government of the United States of America, and now resumed, be de-

posited in the existing government of the State, to be exercised according to the division of powers established in the constitution of the State.

Sec. 3. Be it ordained that there shall be an election held on the 23rd day of February next for a governor and members of the legislature of the State in accordance with the last apportionment and the existing laws, and under such further regulation as the present legislature may deem expedient, and the said governor and members of the legislature to be thus elected shall enter upon the discharge of their respective duties on the 2nd day of March next, and continue in the exercise of their powers until they may be superseded by others to be elected and installed according to the existing laws; provided the action of this Convention shall be ratified by a majority of the members elected. And in order that the will of the people may be ascertained each voter shall endorse on his ticket the word 'ratified' if it be his will to sustain the action of the Convention, and if his will be to reject the action of the Convention then he shall endorse on his ticket the word 'rejected'; and if a majority of the votes cast shall be in favor of rejecting the action of this Convention, then the members elected shall assume the character of a convention, clothed with full powers to execute the will of the people: and in the meantime this ordinance shall be the supreme law of the land.

Sec. 4. Be it ordained that there shall be elected on the 1st day of February next by a joint vote of this Convention and the present Legislature seven delegates to represent the State of Texas in a convention to be composed of delegates from as many slave States as have already or may hereafter dissolve their connection with the government of the United States and may desire to cooperate in the adoption of measures for their common safety and defence, and to agree upon a basis of a new confederacy of slave States, provided that the State of Texas shall not be bound as a member of said confederacy until the constitution thereof shall be ratified by the people of Texas.

Sec. 5. Be it ordained that the present Legislature is hereby authorized and enjoined to watch over and provide for the safety of the State, and to see that it suffer no detriment at the hands of its enemies until another legislature be duly installed, and for this purpose it is authorized to adjourn and assemble at will, to pass all laws necessary to carry into full effect the powers heretofore delegated but now withdrawn from the Federal Government, and in the name of the State to contract such debts and to bind the State therefor,

not to exceed five millions of dollars as may be necessary for the defence of the country.

Done at the Capitol in the City of Austin this the 30th day of Jany. A. D. 1861.

On motion of Mr. Robertson of Smith the main question was ordered, being the motion to strike out the second section of the ordinance, the same was put and the vote stood thus

Yeas, Messrs. Campbell, Casey, Wm. Chambers, T. J. Chambers, Clopton, Davenport, Dean, Field, Feeny, Herbert, Hicks, Holt, Luckett, Maltby, McKay, Mills, Ochiltree, Peck, Poag, Pope, Rogers of Marion, Scott, Taylor, Todd, Ward, Warren and Wier, 29.⁵

Nays, Messrs. President, Abererombie, Adams, Allen, Anderson of Cherokee, Anderson of Colorado, Armstrong, Askew, Batte, Beasley, Box, Burroughs, Burdett, Burton, Black, Blythe, Bradshaw, Brahan, Broadus, Brown, Chambers of Titus, Charleton, Chilton, Chisum, Clark, Clayton, Cleveland, Coke, Cook, Dancy, Davidson, Devine, Diamond of Cooke, Diamond of Grayson, Donalson, Dunham, Edwards, Earley, Fall, Flournoy, Ford of Caldwell, Ford of Cameron, Frost, Galloway, Ganahl, Gould, Graham of Bee, Graham of Rusk, Gray, Green, Gregg, Hardeman, Hays, Hill, Hobby, Hogg, Hooker, Hord, Howard, Hoyle, Hughes, Hutchison, Ireland, Jennings, Johnson of Lamar, Johnson of Titus, Jones, Kelly, Koester, Lesueur, Lea, Lester, Littleton, Lock, Lofton, Lubbock, Maxey, McCraven, McCraw, McIntosh, Miller, Moore of Burnett, Moore of Fayette, Moore of Henderson, Montel, Moss, Muller, Nash, Nauendorf, Neel, Nelson, Newsome, Neyland, Nichols, Nicholson of Dallas, Nicholson of Fannin, Norris, Obenchain, Oldham, Palmer, Payne of Hopkins, Payne of Henderson, Portis, Prendergast, Preston, Price, Rainey, Rains, Reagan, Rector, Rhome, Robertson of Bell, Robertson of Smith, Robertson of Washington, Rogers of Harris, Ross, Rugeley, Runnels, Shufford, Scurry, Shepard, Smith of Bexar, Smith of Fannin, Stell, Stewart of Anderson, Stewart of Falls, Stewart of Gonzales, Stockdale, Terry of Fort Bend, Terry of Tarrant, Thomasson, Thompson, Throckmorton, Waller, Walworth, Watkins, Wharton, Wilcox, Wiley, Williams of Lavacea, Williams of Lamar, Wilson, Work and Wright, 143. [Correct total 145.]

So the Convention refused to strike out the 2nd section of the ordinance

The following communication was taken from the President's table and read

⁵While only 27 names appear in the list above, *The State Gazette* (Austin), February 9, 1861, also reports the total as being 29.

Austin Jany. 31st 1861.

To the Hon. O. M. Roberts

President of the Convention of Texas.

Sir,

I have the honor to inform you that I have been appointed a commissioner by the Convention of South Carolina for the purpose of laying the Ordinance of Secession of that State before your Convention, and respectfully inviting your cooperation in the formation with us and other seceding States of a Southern Confederacy.

I herewith enclose you my commission as such and respectfully suggest that it will afford me great pleasure to appear before your Convention and discharge the duties of my commission at any time, after to day, that will comport with the convenience and pleasure of your body.

I have the honor to be

Jno. McQueen.

Mr. Reagan offered the following resolution which was adopted.

“Resolved that the President appoint a committee of “five” to wait upon the commissioner from South Carolina, and inform him that his communication of this date has been received and that it will be the pleasure of this Convention to receive him or any communication he may desire to make on to morrow at 2 ½ o’clock, P. M.[’]”

On motion the Convention adjourned until 8 o’clock, P. M.

Thursday Jany 31st 1861. 8 o’clock, P. M.

The Convention met. Roll called. Quorum present.

Mr. Taylor asked and obtained leave to change his vote on the motion to strike out the 2nd section of the ordinance of secession.

Mr. Scarborough, delegate elect from Cameron and Hidalgo counties, came forward, presented his credentials and took his seat.

Mr. Davidson offered a resolution relative to the arms and arsenal of the State which was referred to the committee on Public Safety

Mr. Rainey proposed to amend the ordinance of secession as follows, after the word “Union” in the 4th line insert the following words, “is violative of the compact between the States and the guarantees of the Federal Constitution” and after the word “and” in the same line insert “Whereas”. Adopted.

Mr. Scurry offered the following resolution by leave,

“Resolved that S. Hart and P. T. Herbert be appointed commissioners to Arizona,” which was referred to the committee on Public Safety.

By leave Mr. Ochiltree offered the following resolution,

“Resolved that it is the opinion of the people of the State of Texas, through their delegates in Convention assembled expressed, that the principle embraced in what is known as the ‘Monroe Doctrine’ is of the most vital importance to the State of Texas, and will be of equal importance to any confederation of the slave States hereafter to be established, and that our delegates hereafter to be appointed to represent the State of Texas in a convention of the seceding States to be held in the City of Montgomery on the day of next be required to present said matter to the consideration of said convention, and to urge upon the same the enforcement of said doctrine.”

Referred to the committee on Federal Relations

The President announced Mesrs. Reagan, Ochiltree, Gregg, Frost and Abercrombie a committee to wait on the commissioner from South Carolina.

On motion of Mr. Ireland the doors of the Convention were thrown open.

Mr. Brown offered the following amendment to the 1st Section 6th line of the ordinance after the words “the Southern people” insert the words “Texas and her sister slave-holding States.”. Adopted.

Mr. Nelson offered the following resolution which was adopted.

“Resolved that this Convention will proceed to vote upon the ordinance of secession without debate tomorrow at 12 o’clock, M.[’]”

Mr. Howard proposed to amend the ordinance as follows: Add to Sec. 2nd the following proviso, “Provided that in the representative district of El Paso said election may be held on the 18th day of Feby. A. D. 1861.[’]” Adopted.

Mr. Gray offered the following amendment: Insert [“]Sec. 3. All rights of property or contracts acquired or vested under the constitution of the United States or laws or treaties in pursuance thereof or under the laws of the State, which are not incompatible with this Ordinance shall remain as valid as before its adoption.[’]”

On motion of Mr. Nelson the previous question was ordered, which being the engrossment of the ordinance, the same was put and carried.

Mr. Devine made the following report from the committee appointed to wait on the Governor

Committee room Jany. 31st/61.

To the President of the Convention

The committee appointed to confer with the Governor upon the subject of our federal relations report that we have waited on him according to appointment, and have received as the result of our

conference the accompanying communication in writing from him, and herewith report the same for the consideration of the Convention.

Jno. H. Reagan,
Jno. D. Stell,
P. W. Gray,
W. P. Rogers,
Thos. J. Devine.

Executive Department
Austin Texas, Jany. 31st/61.

To Messrs. Reagan, Gray, Rogers, Stell and Devine.

Committee of the Convention.

Gentlemen,

The Executive has had the honor to learn at your hands of the passage of a resolution by the Convention assembled expressing a desire on the part of that body "to act in harmony with the different departments of the State government" upon matters touching our federal relations

Through the action of the Legislature of the State of Texas, a co-ordinate department of the government, the Executive has received official information that the Convention assembled has been recognized as possessing powers within the scope of the call under which its delegates were elected, the same to be submitted to a vote of the people at the ballot box for their ratification or rejection; not only does this action on the part of the Legislature commend the Convention to my consideration, but the high character and respectability of the delegates composing it, commands my respect.

I can assure you, gentlemen, that whatever will conduce to the welfare of our people will have my warmest and most fervent wishes, and when the voice of the people of Texas has been declared through the ballot box, no citizen will be more ready to yield obedience to its will or risk his all in its defence than myself. Their fate is my fate. Their fortune is my fortune. Their destiny my destiny, be it prosperity or gloom, as of old I am with my country.

For the courtesy paid me by the Convention and for the kind sentiments expressed by the committee receive my thanks, and you can assure the Convention of the readiness of the Executive to act in harmony with the Convention in securing an expression of the popular will in the matter touching our federal relations and that he will cheerfully confer with any committee appointed for that purpose

Very respectfully

Sam Houston.

Mr. Wiley proposed to amend the ordinance by adding at the end of the 1st section the following, "And that her citizens and people

are absolved from all allegiance to the United States or the government thereof"

On motion the Convention adjourned until 11 o'clock, A. M. on to morrow.

City of Austin Texas,
Friday, Feby. 1st 1861.

The Convention met pursuant to adjournment. Roll called. quorum present. prayer by the chaplain.

On motion of Mr. Stell the reading of the Journal was dispensed with for the present

The President announced Mesrs. Muller, Rhome, Hobby, Latham, Casey, McCraven and Edwards a committee on Commerce, Revenue and Navigation

Mesrs. Rogers of Harris, Runnels, Ireland, Lea, Scurry, Terry of Tarrant and Burroughs a committee on Foreign Relations.

Mr. Portis offered the following resolution which was adopted.

"Resolved that the Governor, Lieut. Governor, Judges of the Supreme and District courts be invited to seats within the bar of the Convention.[""]

Mr. McCraven moved that a committee be appointed to wait upon the Governor and Lieut. Governor and invite them to seats within the bar of the Convention. Carried.

The President appointed Mesrs. McCraven, Hogg, Coke, Chilton and Casey said committee.

Mr. Flournoy offered the following resolution which was adopted.

"Resolved that a committee of five be appointed by the President to arrange chairs for the Governor, Lieut. Governor, Chief and Associate Justices of the Supreme Court, Speaker of the House of Representatives and Judges of the District and Federal courts.[""]

On motion of Mr. Runnels, Mr. Clopton was added to the committee on Foreign Relations instead of Mr. Runnels.

The President appointed Mesrs. Flournoy, Wiley, Rogers of Marion, Graham of Rusk, and Maxey a committee to arrange seats for the Supreme Judges, Speaker of the House of Representatives, Senators and Representatives

The Governor was then announced who received and accepted an invitation to a seat on the right of the President.

The hour having arrived for the special order, viz: the ordinance of secession was taken up, read a 3rd time and passed by the following vote.

Yeas, Mesrs. President, Abercrombie, Adams, Allen, Anderson of Colorado, Anderson of Cherokee, Armstrong, Askew, Batte, Beazly,

Box, Burroughs, Burton, Burdett, Black, Blythe, Bradshaw, Brahan, Broaddus, Brown, Campbell, Casey, Wm. Chambers, T. J. Chambers, Chambers of Titus, Charlton, Chilton, Chisum, Clayton, Clark, Cleveland, Clopton, Coke, Cooke, Dancy, Davenport, Davidson, Dean, Devine, Diamond of Cooke, Diamond of Grayson, Donalson, Dunham, Edward, Earley, Fall, Field, Feeney, Flournoy, Ford of Caldwell, Ford of Cameron, Frost, Galloway, Ganahl, Gould, Graham of Bee, Graham of Rusk, Gray, Green, Gregg, Hardeman, Hays, Herbert, Hicks, Hill, Hobby, Hogg, Holt, Hooker, Hord, Howard, Hoyle, Hutchison, Ireland, Jennings, Jones, Kelly, Koester, Lesueur, Latham, Lea, Lester, Littleton, Locke, Lofton, Lubbock, Luckett, Maltby, Marshall, Maxey, McCraw, McCraven, McIntosh, McKay, Miller, Mills, Moore of Burnet, Moore of Fayette, Moore of Henderson, Montel, Moss, Muller, Nash, Nauendorf, Neel, Nelson, Newsome, Neyland, Nichols, Nicholson of Dallas, Nicholson of Fannin, Norris, Obenchain, Ochiltree, Oldham, Palmer, Payne of Henderson, Payne of Hopkins, Peck, Poag, Pope, Portis, Prendergast, Preston, Price, Rainey, Reagan, Rector, Rhome, Robertson of Bell, Robertson of Smith, Robertson of Washington, Rogers of Harris, Rogers of Marion, Ross, Rugeley, Runnels, Scarborough, Scott, Scurry, Shepard, Smith of Bexar, Smith of Fannin, Stell, Stewart of Anderson, Stewart of Falls, Stewart of Gonzales, Stockdale, Taylor, Terry of Fort Bend, Terry of Tarrant, Thomasson, Thompson, Todd, Waller, Walworth, Ward, Warren, Watkins, Wharton, Wier, Wilcox, Wiley, Williams of Lavacca, Wilson and Work, 166.

Nays, Mesrs. Hughes, Johnson of Lamar, Johnson of Titus, Rains, Shuford, Throckmorton, Williams of Lamar, and Wright 8.

On motion of Mr. Reagan the ordinance was ordered to be engrossed on parchment and presented for the signature of delegates at 8 o'clock, P. M.

A flag was then presented to the Convention by the ladies of Travis county through Mr. George Flournoy, delegate from Travis county, and received by Mr. John A. Wharton of Brazoria county.

On motion the Convention adjourned until 2 ½ o'clock P. M.

2 ½ o'clock, P. M.

The Convention met. Roll called. quorum present.

On motion of Mr. Moore of Fayette, Mr. Jesse Burnham was admitted to a seat within the bar of the Convention.

Mr. Jennings offered the following resolution which was adopted.

“Resolved that the President of this Convention without delay communicate copies of the ordinance of secession to the Governor and Legislature, and request their cooperation in submitting it to the people of Texas for their concurrence and ratification.[”]

Mr. Lea offered the following resolution which was adopted.

“Resolved that the committee on Federal Relations is instructed to draft and report an ordinance prescribing the mode of an election to be held for ratification or rejection of the ordinance of secession and of declaring the result.[’’]

Mr. Ochiltree chairman of the committee for that purpose introduced Genl. Jno. McQueen, commissioner from the State of South Carolina

Genl. McQueen upon being introduced to the Convention said,

“Mr. President and Gentlemen of the Convention. I have been honored with a commission by the Convention of the State of South Carolina to repair to your State and lay before your Convention an ordinance of the State of South Carolina, by which she seceded from the confederacy and dissolved all connection with the federal government of the United States. And also to tender to you the sincere sympathy of the people of South Carolina in the great and momentous movement in which we are all engaged, and in which our interests are identical and our honor is alike involved. I am also instructed respectfully to suggest to you, in the event of your secession to cooperate with us and other seceding Southern States in the formation of a confederacy in which the constitution of the United States is to be taken as a basis, and that you send delegates to a convention to be held at Montgomery in the State of Alabama, on the 4th day of this month to establish a government for such seceding States.

“Having thus been honored by your body with an opportunity of discharging the special objects of my mission, I shall not presume to trespass upon your patience with any suggestions of mine as to your duty to your State. Indeed, had I no scruples upon the propriety of doing so, I should certainly decline it being too well satisfied that the honor and interests of Texas are much more secure in your own hands. But I trust I may not be intrusive if I refer for a moment to the circumstances which prompted South Carolina in the act of her own immediate secession, in which some have charged a want of courtesy and respect for her Southern sister States. She had not been disturbed by discord or conflict in the recent canvass for president or vice-president of the United States. She had waited for the result in the calm apprehension that the Black Republican party would succeed. She had, *within* a year, invited her sister Southern States to a conference with her on our mutual impending danger. Her legislature was called in extra session to cast her vote for president and vice-president, through electors, of the United States and before they adjourned the tele-

graphic wires conveyed the intelligence that Lincoln was elected by a sectional vote, whose platform was that of the Black Republican party and whose policy was to be the abolition of slavery upon this continent and the elevation of our own slaves to an equality with ourselves and our children, and coupled with all this was the fact that, from our friends in our sister Southern States, we were urged in the most earnest terms to secede at once, and prepared as we were, with not a dissenting voice in the State, South Carolina struck the blow and we are now satisfied that none have struck too soon, for when we are now threatened with the sword and the bayonet by a Democratic administration for the exercise of this high and inalienable right, what might we meet under the dominion of such a party and such a president as Lincoln and his minions.

"It is from under such dominion that South Carolina respectfully invites you to unite in forming a government with a homogeneous people, identical in interest with you, and whose effort it will be to perpetuate the institutions of our fathers.

"We are not unmindful of your illustrious history when fresh from the fields of victory and glory in which you established your own independence you presented a spectacle unexampled in the history of the world. With a territory sufficiently extensive for empires, with a soil rich in the production of everything necessary for the happiness of man, and with a climate as lovely as can be found on any spot of the habitable globe, without money and without price, you united your destiny with a sisterhood, whose duty it was to foster and protect you, and yet from our common enemy you received in return but neglect and insult, and even arson and poison, that your hearthstones might be violated and your wives and little ones tortured and murdered.

"In conclusion I will simply add that it is a source of highest gratification to me, from what I have witnessed since I have been with you, and the intelligence and spirit in your honorable body, to be able to report on my return to South Carolina, and on the wayside, through six now independent, sovereign, Southern States, that your own noble State of Texas, in her own way, and at her own time will very soon be added to their number, and ready to unite with them in a Southern Confederacy, to perpetuate the institutions of our ancestry, who transmitted them to us, that we should have in them but an usufruct, and transmit them, untarnished, to our posterity.

"Allow me again Mr. President and Gentlemen of the Convention, to tender you my sincere thanks and gratitude for the honor you have bestowed upon me, and the kindness you have extended to me both publicly and privately since I have had the pleasure of associating with you and to assure you that they will most kindly be

remembered by me and I am sure appreciated by the State I represent."

On motion of Mr. Reagan the commission and accompanying documents of the commissioner from South Carolina were ordered to be filed with the papers of the Convention, and on motion of Mr. Chilton referred to the committee on Business.

Mr. Campbell offered the following preamble and resolutions, which were referred to the committee on Public Safety.

"Whereas there is reason to believe that the State of Louisiana has in her charge and under her control a large supply of arms not necessary to her own immediate wants, therefore,

"Be it resolved that a commissioner be appointed and commissioned by the President of this Convention to repair to the State of Louisiana and in behalf of this State solicit of the governor of the State of Louisiana the use of such arms and munitions as he may consider it convenient and adapted to the requirements of the present emergencies in which we are placed.

"Be it further resolved that the commissioner be also instructed to solicit of the governor of said State of Louisiana the piece of artillery surrendered by the Santa Fe expedition and recaptured near the city of Mexico by the American forces, which piece of artillery this State desires to reclaim as a memorial of an unfortunate but commendable enterprize."

Mr. Neyland offered the following resolution which on motion was laid on the table.

"Resolved that this Convention will adjourn to morrow night at 12 o'clock, and that a new convention consisting of ninety members, one for each representative district in the lower house of the State legislature, be elected on the 23rd day of Feby. next, to assemble at the City of Austin on the 2nd day of March, 1861.['']

Mr. Ireland offered the following resolution which on motion was referred the committee on Public Safety.

"Resolved that it is the opinion of this Convention that the troops now in the service of the United States in Texas should be mustered into the service of the State of Texas for the time being.['']

Mr. Herbert offered the following resolution which was referred to the committee on Commerce

"Resolved that from and after the passage of the ordinance of secession upon the part of this State, it shall be the duty of all persons holding offices for the collection of revenue under the Federal Government in this State to be installed as officers of the State of Texas, and make their returns to the treasurer of the State of Texas.['']

Mr. Anderson of Cherokee introduced "An ordinance providing for State officers continuing in office until otherwise provided.['']" Read 1st time and referred to the committee on Business.

Mr. McKay offered the following resolution which was referred to the committee on Federal Relations.

"Resolved that all federal officers in this State are requested to resign, except post masters"

Mr. Muller moved that a committee of five be appointed on Postal Affairs. Carried.

Mr. Stewart of Gonzales offered the following resolution which was adopted.

"Resolved that the Convention expresses its deep sorrow for the serious illness of the Hon. J. C. Wilson which has prevented his attendance on the Convention to which he had been elected as a delegate, and we place upon our Journals our acknowledgments of his distinguished service in behalf of the great Southern cause. And the Secretary is requested to furnish him with a copy of this resolution.['']"

Mr. Chilton introduced a resolution relative to the rendition of fugitives from Mexico Read 1st time and referred to the committee on Federal Relations

Mr. Brown offered the following resolution which was adopted.

"Resolved that a committee of five be appointed to prepare and report for the consideration of the Convention an address setting forth the causes which impel Texas to secede from the Federal Union.['']"

Mr. Locke offered the following resolution which was referred to the committee on Business.

"Resolved that it is the sense of this Convention that there should be an article incorporated into the constitution of the Southern Confederacy to be formed at Montgomery, Alabama, that will prohibit any State therein from abolishing slavery.['']"

Mr. Chilton offered the following resolution which was referred to the committee on Finance

"Resolved that the Legislature of the State be, and is requested to appropriate out of such monies not otherwise appropriated the sum of two thousand five hundred dollars, or so much thereof as may be necessary for the contingent expenses of this Convention, and that the Treasurer be required by law to pay out the same upon the order of the President of this Convention.['']"

On motion, Mesrs. Diamond of Cooke, Robertson of Bell and Graham of Rusk were added respectively to the committees of Public Safety, Finance and Commerce.

By request Mesrs. Reagan and Scurry addressed the Convention.

The President announced Mesrs. Muller, Davidson, Stell, Ward and Davenport a committee on Postal Affairs.

On motion the Convention adjourned until 7 1/2 o'clock P. M.

Feby. 1st 1861. 7 1/2 o'clock, P. M.

The Convention met. Roll called. quorum present.

Mr. Wharton offered the following resolution which was adopted.

“Resolved that Edwin Waller, the only signer of the Texan declaration of independence present as a delegate to this Convention, be honored by permission to sign the ordinance of secession next after the President, and that he be invited to a seat by the side of the President of the Convention during this evening's session.[’’]

Mr. Nat Terry offered the following resolution which was referred to the committee on Public Safety.

“Resolved by the Convention that five military commissioners be elected by this Convention whose appointment shall continue as long as the emergency lasts, or they shall be superseded by the appointment of others, who when elected shall constitute a permanent military board with full discretionary powers on all subjects rightfully appertaining to military affairs.[’’]

Mr. Adams presented a communication from the Dallas Light Artillery tendering their services to the Convention, which was referred to the committee on Public Safety.

Mr. Hughes offered the following resolution which was referred to the committee on Resolutions.

“Resolved that the chief justice of each county in the State, or in the event of his failure or refusal so to do, then any one or more of the county commissioners, shall order an election of delegates to be held upon the 23rd day of February A. D. 1861, in such counties as may compose a representative district not already represented by delegates upon this floor, under such rules and provisions as may have heretofore been prescribed for county elections by the statutes of the State of Texas.

“Resolved further that if any vacancy should occur by death or resignation of any of the members of this body before said 23rd day of February the same regulations shall be observed.[’’]

The Convention then proceeded to sign the ordinance of secession, under the motion of Mr. Reagan submitted this morning, which was done by the members signing as their names were called from the roll, when the following members signed the ordinance to wit:

O. M. Roberts, Presdt.^e
Edwin Waller
L. A. Abercrombie

W. S. J. Adams
W. A. Allen
James M. Anderson of Cherokee

T. S. Anderson	Elbert Early
James R. Armstrong	Jno. N. Fall
Rich. L. Askew	Drury Field
Wm. C. Batte	John H. Feeney
S. W. Beasley	George Flournoy
John Box	Spencer Ford
Jas. M. Burroughs	John S. Ford
John I. Burton	Thomas C. Frost
S. E. Black	Amos P. Gallaway
W T Blythe	Charles Ganahl
Amzi Bradshaw	Robert S. Gould
Robert Weakley Brahan	Robert Graham
A. S. Broaddus	Malcom D. Graham
Jno. Henry Brown	Peter W. Gray
Robert C. Campbell	Jno. A. Green
Lewis F. Casey	John Gregg
Wm. Chambers	Wm. P. Hardeman
T. J. Chambers Chairman of the Committee on Federal Relations	John R. Hayes
John Green Chambers	Philemon T. Herbert
N. B. Charlton	A. W. O. Hicks
Geo. W. Chilton	Thos. B. J. Hill
Isham Chisum	Alfred M. Hobby
William Clark, Jr	Jos. L. Hogg
J. A. Clayton	J. J. Holt
Charles Leander Cleveland	James Hooker
A. G. Clopton	Edward R. Hord
Richd Coke	Russell Howard
James E. Cook	A. Clark Hoyl
Jon W. Dancy	Thos. P. Hughes
Thos. G. Davenport	J. W. Hutcheson
A. H. Davidson	Jno. Ireland
C. Deen	Thos. J. Jennings
Thos. J. Devine	F. Jones
Jas. J. Diamond	William C. Kelly
Wm. W. Diamond	Th. Koester
Jno. Donelson	C. M. Lesueur
Joseph H. Dunham	F. W. Latham
H. H. Edwards	Pryor Lea
	James S. Lester
	John Littleton

*The spelling and arrangement of the original signatures attached to the engrossed ordinance of secession have been followed. The ordinance of secession is engrossed on a sheet of parchment 29 x 25 inches. The lower three-fifths of the sheet is filled with the signatures, which are arranged in six columns.

M. F. Locke	A. T. Rainey
Oliver Loftin	John H. Reagan
Thos. Sallus Lubbock	C. Rector
P. N. Luckett	P. G. Rhome
Henry A. Maltby	E. Sterling C. Robertson
Jesse Marshall	John C. Robertson (of Smith)
James M. Maxey	J. B. Robertson of Independence
Wm. McCraven	William Peleg Rogers
Thomas M. McCraw	James Harrison Rogers
Wm. McIntosh	Edward M. Ross
Gilchrist McKay	Jno. Rugeley
Wm. Goodloe Miller	H. R. Runnels
Albert N. Mills	E. B. Scarborough
Thomas Moore	William T. Scott
Thos. C. Moore	William Read Scurry
Lewis W. Moore	James E. Shepard
Charles de Montel	Sam S. Smith
B. F. Moss	Gideon Smith
John Muller	John D. Stell
Thos. J. Nash	Jno G. Stuart of Anderson
A. Nauendorf	Charles Stewart of Falls
T. C. Neel	William H. Stewart of Gonzales
Allison Nelson	F. S. Stockdale of Calhoun
James F. Newsom	B. F. Terry of Fort Bend
W. M. Neyland	Nathl Terry, Tarrant Co.
E. B. Nichols	E. Thomason
E. P. Nicholson	James G. Thompson
A. G. Nicholson	W. S. Todd
James M. Norris	Jas. Walworth
Alfred T. Obenchain	R. H. Ward
W. B. Ochiltree	William Warren
W. S. Oldham	Jas. C. Watkins
R. J. Palmer	Jno. A. Wharton
W. M. Payne	Joseph P. Wier
W. K. Payne	Jno. A. Wilcox
William M. Peck	A. P. Wiley of Walker
W. R. Poag	Ben Williams of Lavaca
Alexander Pope	Jason Wilson
David Y. Portis	Philip A. Work
D. M. Prendergast	Henry Newton Burditt ^r
Walter F. Preston	P. Taylor ^r
F. P. Price	Edward Dougherty ^r

These three names are included with those signed February 1, but they stand at the end of the list. In the printed lists and in the Journal they are located where an alphabetical arrangement would place them. The Journal shows that Mr. Dougherty signed February 4th.

Attest

(4)

R. T. Brownrigg

Sec'y to the Convention

Wm. Dunn Schoolfield

Asst Secy

Jas. W. Henderson

John R. Henry

James M. Harrison

R. W. Lunday

(5)

Asst Secy

Noah Cox

March 2nd 1861.^s

Chas. A. Russell

(1)

T. J. Word

J. A. Chambers of Red River

Eli. H. Baxter, Jr

(6)

(2)

D M Stapp

M. J. Hall

Geo. H. Bagby

William Nash

W. Hunt

(3)

Tignal W. Jones

W. A. Montgomery

W. A. Mattox

J. L. L. McCall

Sam A. Willson

Mr. Nicholson of Dallas offered the following resolution which was adopted.

"Whereas the Convention having just finished the important duty of signing the ordinance of secession it is highly proper and appropriate to invoke the blessings of the Great Jehovah upon us as a sovereign people, therefore resolved that the Rt. Revd. Alexander Gregg be invited to the stand for this purpose.['']

Mr. Davidson offered the following resolution which on motion of Mr. Ochiltree was laid on the table.

"Resolved that the committee on Resolutions be instructed to inquire into the expediency of repealing so much of the 33rd Section of the 7th Article of the constitution as provides that the aggregate amount of debts contracted by the legislature shall never exceed the sum of one hundred thousand dollars and to report by resolution or otherwise at their earliest convenience.['']

Mr. Wiley offered the following resolution which was adopted.

"Resolved that 5000 copies of the ordinance of secession with the signatures of the members be printed and circulated among the people of the State.['']

On motion of Mr. Robertson of Smith the Convention went into secret session.

*The delegates whose names follow this date served only during the adjourned session of the Convention. They signed the ordinance on or after March 2nd. The signatures appear at the bottom of the columns of signatures indicated by the numbers in parenthesis. By examining the certificates of election it will be seen that several of the delegates, elected to fill vacancies, signed the ordinance, although their predecessors had signed before resigning.