

they are hereby recommended to take prompt and efficient measures to organize and arm each one or more companies of infantry or cavalry to be held in readiness as minute men to protect the rights and interests of the State.['']

Mr. Hutcheson offered the following resolution

“Resolved that a committee of five be appointed to take into consideration the best plan of reducing the expenses of this Convention, or any other body which may meet hereafter for the purpose of carrying into effect and vitality the ordinance to be voted on on the 23rd day of Feby. and to do and perform all things necessary upon the ratification by the people of the ordinance of secession, and that said committee report on Monday next.”

On motion of Mr. Broaddus laid on the table

Mr. Cook offered the following resolution which was adopted

“Resolved that this Convention tenders to the Hon. Louis T. Wigfall, John Hemphill and John H. Reagan the thanks of the people of Texas for the fidelity, zeal and ability with which they have served the State of Texas in the last congress of the United States of America.['']

Mr. Luckett offered the following resolution which was adopted,

“Resolved that the President of this Convention be requested to transmit a copy of the ordinance of secession with such accompanying communication as he may deem proper to our senators and representatives in the United States congress and to each of the governors of the slave-holding States.['']

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

“Resolved that from and after this time a majority of the whole number of delegates of this Convention shall constitute a quorum, and shall be authorized to transact business.['']

On motion of Mr. Wharton the Convention adjourned until 2 o'clock, P. M., on Monday next.

Austin Texas, Monday.

February 4th A. D. 1861.

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

On motion of Mr. Nelson the reading of the Journals was dispensed with for the present.

On motion of Mr. Ochiltree secrecy was removed from the proceedings, except the reports of the committee on Public Safety and the action of the Convention thereon

On motion of Mr. Wileox, Mr. Davidson was added to the committee on Foreign Relations

On motion of Mr. Wiley, Mr. Waller was added to the committee on Printing.

The following communication was submitted by the President to the Convention, as having been received by him from the Hon. Jno. W. A. Sanford, commissioner from the sovereign and independent State of Georgia to the State of Texas, with the request that the same be laid before the Convention.

Convention of Georgia.

Milledgeville, Jany. 22nd 1861.

Resolved that in the opinion of this Convention it is the right and the duty of Georgia to secede from the present Union and to cooperate with such of the other States as have or shall do the same for the purpose of forming a Southern Confederation upon the basis of the constitution of the United States.

Resolved that a committee of seventeen be appointed by the Chair to report an ordinance to assert the right and fulfil the obligation of the State of Georgia to secede from the Union.

A true extract from the minutes

Attest, A. R. Lamar, Secy.

An ordinance to dissolve the Union between the State of Georgia and the other States united with her under a compact of government entitled the constitution of the United States of America.

We the people of the State of Georgia in Convention assembled do declare and ordain and it is hereby declared and ordained that the ordinance adopted by the State of Georgia in convention on the 2nd day of Jany. in the year of our Lord seventeen hundred and eighty-eight, whereby the constitution of the United States of America was assented to, ratified and adopted, and also all acts and parts of acts of the general assembly of this State, ratifying and adopting amendments of the said constitution, are hereby repealed, rescinded and abrogated.

We do further declare and ordain that the union now existing between the State of Georgia and other States under the name of the United States of America is hereby dissolved, and that the State of Georgia is in the full possession and exercise of all those rights of sovereignty which belong and appertain to a free and independent State.

Geo. W. Crawford

President of the Convention

Attest

A. R. Lamar, Secretary.

Mr. Nelson offered the following resolution which was adopted.
 "Resolved that the President appoint a committee of three to wait

on Genl. Jno. W. A. Sanford, commissioner from the sovereign State of Georgia, and know when it will suit his convenience to visit this body.['']

Messrs. Nelson, Rogers of Marion and McCraven were appointed the committee.

On motion of Mr. Stell the ordinance of secession of the State of Georgia was referred to the committee on Foreign Relations.

Mr. Todd offered the following resolution,

“Resolved that from and after the 4th Monday in this month there be a suspension of the supreme and district courts of this State until the commencement of the fall terms.['']”

On motion of Mr. McCraven laid on the table.

Mr. Stell, chairman of the committee to which was referred the subject of the size and expense of the present organization of the Convention, made the following report.

“Your committee are of the opinion that our organization should be so changed as to declare that a majority of the Convention should be a quorum, competent to transact the business of the Convention, instead of two-thirds as it now stands; therefore your committee most respectfully submit the following resolution and recommend its adoption.

“Resolved that a majority of this Convention shall be competent to the transaction of business instead of two-thirds.['']” Adopted.

On motion the Convention went into secret session.

In Secret Session.

Mr. Robertson of Smith, chairman of the committee on Public Safety, reported the following resolution and recommended its adoption.

“Resolved that the standing committee on Public Safety shall continue in session during the recess of the Convention, that they hold their meetings at such times and places as in their judgment the public interest requires, that said committee may grant leave of absence to its members, provided such leave of absence shall not reduce the members left to a less number than nine: .

“Resolved that said committee shall keep a full and accurate journal of their acts, in a well bound book, and report the same to the Convention on the reassembling thereof on the 2nd day of March next.['']”

The resolutions were adopted.

On motion of Mr. Rainey the secret session terminated and the doors of the Convention were thrown open.

On motion of the chairman, under instructions from the committee, Mr. Lubbock was added to the committee on Public Safety.

Mr. Nelson, chairman of the select committee appointed to wait on Genl. Jno. W. A. Sanford, the commissioner from the State of Georgia to this State, reported that duty performed, and that if it would meet the wishes of that body the commissioner would immediately visit the Convention.

Genl. Sanford was then introduced with appropriate ceremony and proceeded to address the Convention as follows, viz:

Mr. President and Gentlemen of the Convention.

The State of Georgia has specially deputed me to announce to your honorable body that she has in the exercise of her sovereignty formally and solemnly abrogated and annulled the ordinance by which she became a member of the Federal Union. In making this announcement I deem it unnecessary to enter into a detailed exposition of the causes which have impelled her to this course of conduct. I shall therefore content myself with briefly adverting to the fact that her Northern confederates have for many years pretermitted no opportunity of annoying her upon the subject of negro slavery until, emboldened by her last forbearance, they have publicly proclaimed their determination of waging an unceasing warfare against its further extension and longer toleration. The explicit avowal of this determination by a party, whose increased strength and recent elevation to power have placed in their hands the means of carrying this threat into execution, presented to Georgia the alternative of either assuming a position which would place her beyond the control of those who had unjustly refused to recognize her equality in the common territory and the right of property in slaves, or of tamely submitting to the inauguration of a policy studiously designed to overthrow an institution inseparably interwoven with her social organization, and indispensably necessary to the advancement of her material interest and prosperity. Never but once since her colonization has she been called on to decide a question so momentous and vast in its consequences, and, now as in the days of ministerial oppression, she has not hesitated to pronounce for freedom and independence. For the purpose of surely and effectually accomplishing this object, she has unconditionally revoked the powers which she had delegated to others in trust for specific ends, and resumed the unrestrained exercise of her sovereignty. I rejoice to know that Georgia stands not solitary and alone in the performance of this heroic act. Others of her sister States have for like cause acted in like manner. Some have preceded and others have followed her action, and I trust one and yet another will continue to follow until all are embraced in the same family group and placed under the protecting aegis of that constitution which we all have loved so well and still love, but which alas!

we have in vain tried to save from the sacrilegious hands of the ruthless despoiler. It is, however, not my purpose to recall the past, or to recite the wrongs which you have suffered, or to suggest their fitting remedy. These have, in an especial manner, been the subject matter of your deliberations, and you have maturely considered them and decided them as became wise and patriotic men. I congratulate you, Gentlemen, upon this auspicious result of your labors. You have been pleased to refer your decision to the judgement of your people. When it shall have received their sanction, as doubtless it will, a great question arises in regard to your future position. Accustomed as have been the people of the Southern States to live in undisturbed amity with each other, they still ardently desire to be associated together under the same general government. Their interests, their pursuits, their laws, their institutions, their customs are the same and the same destiny awaits each and all. The hearts of Southern fathers and Southern mothers, of Southern brothers and sisters, relatives, and friends have followed you to this distant land, and though saddened by the wide interval between you and them, they become less sad as hope and faith bid them look forward to the time when all will again live under this same form of government, and be protected by its strong arm.

Not only all the higher and better feelings of our nature, but considerations arising from the difficulties and dangers which surround us, indicate the wisdom and urge the necessity of our adopting the measure. Deeply and solemnly impressed as I am with the very great importance of a re-union of the Southern States, I cannot but indulge the hope that no unhallowed ambition or selfish purpose will array itself in opposition to a policy so indispensably necessary to the prosperity, happiness and safety of all. United among ourselves, a world in arms cannot conquer or subjugate us. A beneficent Providence has in unlimited profusion placed in our midst all the means necessary to national power and national greatness, all the elements of more speedy advancement and higher civilization than was ever enjoyed by the human race. If, therefore, these blessings have not been unworthily bestowed upon us, we shall, at no distant day, exhibit the spectacle of a people more prosperous in their pursuits, wiser in their laws, and happier in the form and administration of their government than any nation that the sun in his long journey of ages has ever shone upon.²¹¹

Mr. Wiley, from the select committee for that purpose appointed, submitted the following report.

“The select committee, to which was referred sundry resolutions

²¹¹Commissioner Sanford's report to Governor Crawford was favorable to Texas (*War of the Rebellion*, IV, 1, p. 133).

in relation to the election of delegates to the Montgomery convention of slave-holding States, beg leave to report the following resolution.

“Resolved that this Convention proceed forthwith to elect by ballot four delegates to represent the State of Texas in said convention in order that the views and interests of the people of Texas may be consulted with reference to the constitution and provisional government that may be established by said convention”

Mr. Campbell moved to amend by striking out *four* and inserting *seven*.

Mr. Wilcox offered the following as a substitute for the resolution and amendment.

“We the people of Texas in Convention assembled do declare and resolve, and it is hereby declared and resolved,

“1st. That this Convention will *forthwith proceed to the election* by ballot of seven delegates whose duty it shall be when elected to represent the State of Texas in a convention of those States which have seceded or may hereafter secede from the government formerly known as the United States of America.

“2nd. That this Convention receives and adopts the suggestions that the convention hereby contemplated shall meet and hold its sessions in the city of Montgomery in the State of Alabama, and *that* the time of said meeting shall be the 1st Monday and 4th day of Feby. A. D. 1861.

“3rd That this Convention accepts the suggestion that each of the States seceding from the government of the late United States, and concurring in the formation of a Southern confederacy by said convention, shall be entitled to one vote in said convention upon all questions which may be voted upon therein, and that each State send as many delegates to said convention as are equal in number to the senators and representatives to which it is entitled in the congress of the United States under the late census.

“4th That this Convention instruct said delegates to use all proper means to secure the ‘formation of a provisional government of union’ for such States as have seceded or may hereafter secede from the government of the late United States so as the same may be organized and go into operation as speedily as possible, and towards that end they are hereby instructed to submit to said convention on the part of the people of Texas the constitution of the late United States of America as a basis and outline of such provisional government for the said seceding States; provided that said provisional government and the tenure of all officers and appointments accruing under it shall cease and determine in one year from the 1st Monday or 4th day of Feby. A. D. 1861, or whenever a permanent government shall have been organized, as may be agreed upon.

“5th That this Convention do further instruct said delegates that they use all proper means to the end that the convention of the seceding States shall proceed forthwith to consider and propose a constitution and plan for a permanent government establishing a Southern confederacy among those States which have seceded or may hereafter secede, which constitution and plan of government shall be referred back to the people for their ratification or rejection.”

On motion of Mr. Green the proposed substitute of Mr. Wilcox was laid on the table.

Mr. Gray offered the following as a substitute for the amendment offered by Mr. Campbell.

“Amend by adding to the resolution the following, viz: 2nd. Resolved that Messrs. Louis T. Wigfall, John Hemphill and John H. Reagan be additional delegates from this State in said convention, and be requested to attend the same as soon after the 2nd day of March next as practicable”

On motion of Mr. Field laid on the table.

Mr. Chilton moved to lay the amendment offered by Mr. Campbell on the table. Lost by the following vote.

Yeas, Messrs. Abercrombie, Adams, Allen, Askew, Batte, Black, Blythe, Broaddus, Wm. Chambers, Chambers of Titus, Charleton, Chisum, Clark, Clopton, Coke, Cook, Dunham, Feeney, Field, Gould, Graham of Bee, Green, Herbert, Hooker, Hughes, Hutcheson, Kelly, Lea, Lester, Locke, Maxey, Mills, Moore of Fayette, Moore of Henderson, Nelson, Newsom, Neyland, Palmer, Payne of Henderson, Pope, Portis, Price, Robertson of Washington, Runnels, Shepard, Stewart of Anderson, Terry of Tarrant, Thomason, Todd, Waller, Ward, Warren, Wiley, and Work, 54.

Nays, Messrs. Anderson of Colorado, Armstrong, Beazley, Box, Burroughs, Burton, Bradshaw, Brahan, Brown, Campbell, Casey, T. J. Chambers, Chilton, Davidson, Dean, Devine, Diamond of Cooke, Diamond of Grayson, Donelson, Edwards, Early, Flournoy, Ford of Caldwell, Ford of Cameron, Frost, Galloway, Ganahl, Graham of Rusk, Gray, Gregg, Hardeman, Hayes, Hicks, Hill, Hobby, Hogg, Holt, Howard, Hoyle, Ireland, Jennings, Johnson of Titus, Jones, Lesueur, Latham, Littleton, Lubbock, Luckett, Maltby, McCraven, McCraw, McKay, Miller, Moore of Burnet, Montel, Moss, Muller, Nauendorf, Nash, Nichols, Nicholson of Dallas, Nicholson of Fannin, Norris, Obenchain, Ochiltree, Oldham, Payne of Hopkins, Peck, Poag, Prendergast, Preston, Rainey, Reagan, Rector, Robertson of Bell, Robertson of Smith, Rogers of Harris, Rogers of Marion, Ross, Rugeley, Scott, Scurry, Smith of Bexar, Stell, Stewart of Falls, Stewart of Gonzales, Stockdale, Taylor, Terry of Fort Bend, Throckmorton,

Walworth, Watkins, Wharton, Wier, Wilcox, Williams of Lavaca, Williams of Lamar, and Wright, 98.

Mr. Nelson offered the following as a substitute for the resolution and proposed amendment.

“Resolved that this Convention proceed to the election of one commissioner to the convention proposed to be held at Montgomery, Alabama, by the seceded States.[”]

On motion of Mr. Davidson laid on the table.

The amendment offered by Mr. Campbell to strike out *four* and insert *seven* was then adopted by the following vote.

Yeas, Messrs. Anderson of Colorado, Armstrong, Box, Burroughs, Burton, Bradshaw, Brahan, Brown, Campbell, Casey, Wm. Chambers, T. J. Chambers, Chilton, Coke, Dancey, Davidson Dean, Devine, Diamond of Cooke, Diamond of Grayson, Donelson, Edwards, Early, Fall, Feeney, Flournoy, Ford of Caldwell, Ford of Cameron, Frost, Galloway, Ganahl, Graham of Bee, Graham of Rusk, Gray, Gregg, Harde- man, Hays, Hicks, Hill, Hobby, Hogg, Holt, Howard, Hoyl, Ireland, Jennings, Johnson of Lamar, Jones, Lesueur, Latham, Littleton, Lub- bock, Luckett, Maltby, McCraven, McCraw, McKay, Miller, Moore of Burnet, Montel, Moss, Muller, Nash, Nauendorf, Nichols, Nichol- son of Fannin, Nicholson of Dallas, Norris, Obenchain, Ochiltree, Old- ham, Peek, Prendergast, Preston, Rainey, Reagan, Rector, Robertson of Smith, Rogers of Harris, Rogers of Marion, Ros, Rugeley, Runnels, Scarborough, Scott, Smith of Bexar, Stell, Stewart of Falls, Stewart of Gonzales, Stockdale, Taylor, Terry of Fort Bend, Walworth, Wat- kins, Wier, Wilcox, Williams of Lavaca, Williams of Lamar, and Wright, 99.

Nays, Messrs. Abercrombie, Adams, Allen, Askew, Batte, Beazley, Black, Blythe, Broaddus, Chambers of Titus, Charleton, Chisum, Clark, Clopton, Cook, Dunham, Field, Gould, Green, Herbert, Hooker, Hughes, Hutcheson, Kelly, Lea, Le ter, Locke, Maxey, Mills, Moore of Fayette, Moore of Henderson, Nelson, Newsom, Neyland, Palmer, Payne of Henderson, Poag, Pope, Portis, Price, Robertson of Wash- ington, Shepard, Stewart of Anderson, Terry of Tarrant, Thomason, Throckmorton, Todd, Waller, Ward, Warren, Wiley, and Work, 52.

Mr. Stockdale moved to strike out the word “delegate” wherever it occurred in the resolution and insert the word “commissioner” in lieu thereof.

Mr. Nelson moved to lay the resolution as amended on the table.

Lost by the following vote,

Yeas, Messrs. Adams, Allen, Askew, Batte, Beazley, Burton, Bur- oughs, Blythe, Broaddus, Chambers of Titus, Charleton, Chisum, Clarke, Clopton, Coke, Cook, Field, Feeney, Gould, Gray, Gregg, Herbert, Hill, Hughes, Hutcheson, Lester, Locke, McCraw, McKay,

Miller, Mills, Moore of Burnet, Moore of Fayette, Moore of Henderson, Nelson, Newsom, Neyland, Palmer, Payne of Hopkins, Peck, Poag, Pope, Portis, Prendergast, Price, Robertson of Bell, Robertson of Washington, Scott, Shepard, Thomason, Throckmorton, Todd, Waller, Ward, Warren, Wharton and Work, 57.

Nays, Messrs. President, Abercrombie, Anderson of Colorado, Armstrong, Box, Black, Bradshaw, Brahan, Brown, Campbell, Casey, Wm. Chambers, T. J. Chambers, Chilton, Davidson, Dean, Devine, Diamond of Cooke, Diamond of Grayson, Donelson, Dunham, Edwards, Earley, Fall, Flournoy, Ford of Caldwell, Frost, Galloway, Ganahl, Graham of Bee, Graham of Rusk, Green, Hardeman, Hayes, Hicks, Hobby, Hogg, Holt, Hooker, Howard, Hoyle, Ireland, Jennings, Jones, Kelly, Lesueur, Lea, Littleton, Lubbock, Luckett, Maltby, Maxey, McCraven, Montel, Moss, Muller, Nash, Nauendorf, Nichols, Nicholson of Dallas, Nicholson of Fannin, Norris, Ochiltree, Oldham, Payne of Henderson, Preston, Rainey, Reagan, Rector, Robertson of Smith, Rogers of Harris, Rogers of Marion, Ross, Rugeley, Runnels, Scarborough, Scurry, Smith of Bexar, Stell, Stewart of Anderson, Stewart of Falls, Stewart of Gonzales, Stockdale, Taylor, Terry of Tarrant, Walworth, Watkins, Wier, Wilcox, Wiley, and Williams of Lavacca, 91.

Mr. Scott moved to reconsider the vote adopting the amendment offered by Mr. Campbell. Lost.

The motion offered by Mr. Stockdale was then put, and lost.

Mr. Lea proposed to amend by adding.

“The commission composed of said delegates will be in consultation with that convention as to the public common safety until the final separation of this State from that union. After such separation of this State, the commission will be in cooperation with that convention as to all subjects in its charge with such power as may be necessary and proper for temporary arrangements among the seceded States to promote their safety and prosperity until the organization of a constitutional confederacy among them or some of them, and for preparation of a constitution for such confederation to be submitted to each State for its several adoption or rejection; and the commission may act as occasion may require at any time by any number of its members in attendance at such convention of States wherever it may be assembled.

“3rd. The constitution and treaties and other laws of the union of the United States of America will be the general basis, subject to exceptions for such temporary arrangements, and permanent constitution among seceded States.

“4th. The commission will report to the Convention of this State to be assembled on the 2nd day of March next so that the Convention

may then know the condition of affairs confided to the commission, and similar reports will be subsequently made for current information until the completion of such business.”

On motion of Mr. Anderson of Colorado, laid on the table.

Mr. Locke moved the previous question which was ordered, and the resolution as amended was adopted by the following vote.

Yeas, Messrs. Anderson of Colorado, Armstrong, Askew, Batte, Box, Blythe, Bradshaw, Brahan, Broadus, Brown, Campbell, Casey, Wm. Chambers, T. J. Chambers, Chambers of Titus, Chilton, Coke, Davidson, Dean, Devine, Diamond of Cooke, Diamond of Grayson, Donelson, Dunham, Earley, Fall, Feeney, Ford of Caldwell, Ford of Cameron, Frost, Galloway, Ganahl, Gould, Graham of Bee, Graham of Rusk, Gray, Green, Gregg, Hardeman, Hayes, Hicks, Hobby, Hogg, Holt, Hooker, Hord, Howard, Hoyle, Ireland, Jennings, Jones, Kelly, Lesueur, Lea, Littleton, Locke, Lubbock, Luckett, Maltby, Maxey, McCraven, McCraw, Moore of Burnet, Montel, Moss, Nauendorf, Nichols, Nicholson of Dallas, Norris, Obenchain, Oehiltree, Oldham, Payne of Hopkins, Peck, Poag, Prendergast, Preston, Rainey, Reagan, Rector, Robertson of Bell, Robertson of Smith, Rogers of Harris, Ross, Rugeley, Scurry, Smith of Bexar, Stell, Stewart of Anderson, Stewart of Falls, Stewart of Gonzales, Stockdale, Taylor, Terry of Tarrant, Todd, Walworth, Ward, Watkins, Wharton, Wier, Wilcox, Wiley, and Williams of Lavacca, 102.

Nays, Messrs. Abererombie, Adams, Allen, Beazley, Burton, Black, Charleton, Chisum, Clark, Clopton, Cook, Dancy, Edwards, Fall, Field, Herbert, Hill, Hutcheson, Lester, McKay, Miller, Mills, Moore of Fayette, Moore of Henderson, Newsom, Nicholson of Fannin, Palmer, Payne of Henderson, Pope, Portis, Price, Robertson of Washington, Scott, Shepard, Thomason, Waller, Warren, and Work, 38.

Mr. Jennings moved to reconsider the vote just taken.

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

Nominations being next in order.

Mr. Moore of Burnet nominated Mr. John H. Reagan.

On motion of Mr. Wilcox, Mr. Reagan was elected by acclamation.

On motion of Mr. Herbert, Mr. Wigfall was declared elected by acclamation.

Mr. Stockdale nominated W. R. Scurry.

Mr. Cook nominated Thos. J. Devine.

Mr. Rainey nominated Wm. B. Oehiltree.

Mr. Rogers of Harris nominated W. S. Oldham.

Mr. Locke nominated H. R. Runnels.

Mr. Wilcox nominated T. N. Maul.

Mr. Adams nominated Nat. M. Burford.

Mr. Shepard nominated John Hemphill.

Mr. Hobby nominated John Gregg.

Mr. Anderson of Colorado nominated M. D. Graham.

Mr. Rugeley nominated A. C. Horton.

Mr. Shepard nominated Math. Ward.

Mr. Dean nominated F. B. Sexton.

Mr. Wm. Chambers nominated Jno. A. Wharton, who declined

Mr. Ochiltree nominated Pendleton Murrah,

Mr. Todd nominated Jno. T. Mills.

Mr. Jennings nominated Jos. L. Hogg.

Mr. Hughes nominated Jno. A. Wilcox.

Mr. McCraven nominated Peter W. Gray, who declined.

Mr. Anderson of Colorado renominated Mr. Gray.

Mr. Waller nominated A. P. Wiley.

Mr. Wharton nominated Robt. C. Campbell.

Mr. Wier nominated Wm. H. Parsons.

Mr. Campbell nominated Guy M. Bryan and Hugh McLeod.

Mr. Waller nominated Jno. A. Wharton, who again declined.

Mr. Robertson of Washington nominated Geo. W. Crawford.

Messrs. Robertson of Washington, Norris and Holt were appointed tellers.

On motion of Mr. Wharton the Convention adjourned until 7 ½ o'clock, P. M.

Monday, Feby. 4th/61. 7 ½ o'clock, P. M.

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

On motion of Mr. Reagan the vote electing him by acclamation was reconsidered.

On motion the vote electing Louis T. Wigfall by acclamation was also reconsidered.

The Convention then proceeded to ballot with the following result.

On the 1st Ballot.

Mr. Reagan received 113 votes, Mr. Wigfall 119 votes, Mr. Hemp-hill received 76 votes, Mr. Scurry 45 votes. Mr. Devine 50 votes, Mr. Ochiltree 52, Mr. Oldham 61, Mr. Runnels 48, Mr. Waul 73, Mr. Bur-ford 19, Mr. Gregg 60, Mr. Graham 51, Mr. Horton 12, Mr. Ward 18, Mr. Sexton 22, Mr. Murrah 17, Mr. Mills 12, Mr. Hogg 22, Mr. Wil-cox 19, Mr. Gray 40, Mr. Wiley 7, Mr. Campbell 33, Mr. Parsons 14, Mr. McLeod 6, Mr. Bryan 4, Mr. Wharton 3, Mr. Crawford 10, Mr. Daney 1, Mr. Chilton 2, Mr. Maverick 1, Scattering 1, Sam Houston 1, Mr. Hicks 3, Mr. Flournoy 3, Mr. Stockdale 1, Mr. Roberts 1, Mr. Wheeler 1, Mr. Rainey 1, Mr. Foscue 2, Mr. Bee 1, Mr. Rogers of Marion 1, Mr. Frank Lubbock 1, Mr. T. J. Chambers 2, Mr. Pope 1, and Mr. Scott 1. One hundred and fifty-one votes polled.

Mesrs. Wigfall, Reagan and Hemphill having received a majority of all the votes cast were declared elected as three of the seven delegates, and the Convention proceeded to the 2nd ballot.

The names of Mesrs. Runnels, Mills, Hogg and Wiley having been withdrawn.

On the 2nd ballot Mr. Scurry received 27 votes, Mr. Devine 51, Mr. Ochiltree 47, Mr. Oldham 65, Mr. Waul 77, Mr. Burford 18. Mr. Gregg 71, Mr. Graham 43, Mr. Horton 10, Mr. Ward 10, Mr. Sexton 8, Mr. Murrah 3, Mr. Wilcox 17, Mr. Gray 28, Mr. Campbell 21, Mr. Parsons 12, Mr. McLeod 3, Mr. Bryan 4, Mr. Crawford 12, Mr. Rogers of Harris who was nominated by Mr. Moore of Fayette 22, and Scattering 29. One hundred and forty-eight votes polled.

Mr. Waul having received a majority of all the votes cast was declared elected.

The names of Mesrs. Burford, Horton, Ward, Sexton, Murrah, Wilcox, Gray and Parsons were then withdrawn, when the Convention proceeded to the 3rd ballot, whereupon Mr. Scurry received 33 votes, Mr. Devine 45, Mr. Ochiltree 65, Mr. Oldham 67, Mr. Gregg 77, Mr. Graham 42, Mr. Campbell 12, Mr. McLeod 3, Mr. Bryan 4, Mr. Crawford 4, Mr. Rogers of Harris 10, Scattering 18. One hundred and thirty-three votes polled.

Mesrs. John Gregg and W. S. Oldham having received a majority of all the votes cast were declared elected.

The names of Mesrs. Rogers of Harris, Bryan, McLeod, and Campbell were then withdrawn, when the Convention proceeded to a 4th ballot. Mr. Scurry received 11 votes, Mr. Devine 29, Mr. Ochiltree 57, Mr. Graham 23, Mr. Crawford 3, and Scattering 2. One hundred and twenty-five votes polled. No election.

The names of Mesrs. Graham, Scurry and Crawford were then withdrawn, when the Convention proceeded to a 5th ballot. Mr. Ochiltree received 77 votes, Mr. Devine 39, Scattering 3. One hundred and nineteen votes polled.

Mr. Ochiltree having received a majority of all the votes cast was declared elected.

And the President [was] instructed to commission Mesrs. Louis T. Wigfall, John H. Reagan, John Hemphill, T. N. Waul, John Gregg, W. S. Oldham, and Wm. B. Ochiltree as delegates to the Montgomery convention of slave-holding States, from the State of Texas.

On motion of Mr. Robertson of Bell the Convention went in to secret session.

On motion of Mr. Flournoy the delegates elect to the Montgomery convention were admitted into the secret session of the Convention.

Mr. Robertson of Bell presented the petition of Capt. R. B. Halley tendering to the State the services of the Salado mounted troops.

Referred to the committee on the Public Safety.

Mr. Rogers of Harris, chairman of the committee on Foreign Relations, made the following Report. viz:

"The committee to which was entrusted the following resolutions. viz:

"1st. A resolution as to the propriety of sending commissioners to the Territories of Arizona and New Mexico for certain purposes therein specified, and

"2nd. A resolution as to the propriety of sending commissioners to the Choctaw, Chickasaw, Seminole, Creek, Cherokee and other Indian nations for certain purposes therein specified, respectfully report that they have had the same under consideration and beg leave to submit the following ordinance and ask its adoption.

"An ordinance to secure the friendship and co-operation of the people of the Territories of Arizona and New Mexico, and also of the Choctaw, Chickasaw, Creek, Seminole and Cherokee nations of Indians.["]

On motion of Mr. Nelson the ordinance was amended by adding the name of Chas. A. Hamilton as commissioner to the Indian tribes.

On motion of Mr. Coke the ordinance was further amended by adding. "And that the President of this Convention be instructed to correspond immediately with the proper authorities of the States of Mississippi and Arkansas requesting them to appoint commissioners from said States to cooperate with the Texas commissioners in their mission to the Indian nations.["]

Mr. Payne of Hopkins moved to strike out Arkansas and insert Alabama.

On motion of Mr. Field laid on the table.

The ordinance as amended was then adopted.¹²

Mr. Rogers of Harris offered the following resolution,

"Resolved that the Secretary be authorized to pay Mr. Geo. G. Simeox the sum of fifty dollars, to be paid out of the contingent fund of the Convention when appropriated, for his services in enrolling on parchment the Ordinance of Secession.["]

On motion of Mr. Ford of Caldwell referred to the committee on Finance.

Mr. Nichols offered the following resolution which was adopted.

"Resolved that should it be required for the defense of this State, or to secure the public safety, between the time of the adjournment of this Convention and the 2nd day of March next, the President of this Convention upon being advised of the fact by the committee of

¹²This ordinance is No. 3 of the ordinances as printed. Only three ordinances were passed during the first session of the Convention.

Public Safety, is hereby authorized to pledge the faith of the State for any sum or sums of money so required; provided that the aggregate amount for which such pledge is given shall not exceed the sum of one hundred thousand dollars; such sum or sums as may be so obtained shall only be disbursed by the President for the use aforesaid, and for that only upon the requisition of said committee of Public Safety, and the said committee is hereby required to take proper vouchers for and keep accurate accounts of all such disbursements.

“Resolved that the committee of Safety is hereby authorized to use for the defence of the State and to ensure the public safety any sum or sums of money which may be appropriated by the Legislature now in session, for the use of this Convention, whether the same be authorized to be drawn by the President or any other officer of this Convention, which shall be disbursed and accounted for in pursuance of the requirements of the preceding resolution. [’’]

Mr. Terry of Tarrant offered the following resolution

“Resolved that this Convention will send a commissioner to each of the border States of Kentucky, Maryland and Missouri, said commissioners to be appointed by the President of this Convention”

The resolution was amended by adding the States of Tennessee, Arkansas, Virginia and North Carolina.

On motion of Mr. Campbell the resolution was postponed until the 2nd day of March next.

Mr. Terry of Tarrant offered the following resolution.

“Resolved that the officers of this Convention who are not members be paid for their services up to this date out of any contingent fund which may have been or may hereafter be appropriated by the legislature for the use of this Convention at the following rate pr. day, viz. secretary , asst. secretary , 2nd asst. secretary , sergt. at arms , asst. sergt. at arms , doorkeeper , asst. doorkeeper and two pages each .

On motion of Mr. Jennings the blanks in the resolution were ordered to be filled with the amounts paid by the house of representatives for similar services, which is five dollars pr. day except pages.

On motion of Mr. Anderson of Colorado the pages were ordered to be paid at the rate of two dollars and a half pr. day, and the resolution as amended was adopted.

Mr. Coke offered the following resolution which was adopted

“The people of Texas by their delegates in Convention assembled do hereby resolve that the returning officers of this State shall order elections to be held to fill all vacancies that now exist or that may hereafter occur by death, resignation or otherwise in this Convention, and that all such elections shall be held on the 23rd day of Feby. A.

1861, in the usual mode now prescribed by law for electing members to the Legislature, except that the returns of said election shall be made on the third day after said election day to the President of this Convention.[""]

Mr. Earley offered the following resolution

"Resolved that the people of Texas cherish a warm admiration for and sympathy with those friends of the constitution and equality of the States who although living north of the border line of slavery have in defiance of an overpowering fanaticism stood and still stand by the rights of the South when threatened by federal aggression.[""]

On motion of Mr. Gould referred to the committee on Foreign Relations.

Mr. Robertson of Smith offered the following resolution which was adopted,

"Resolved that Jno. D. Stell of Leon county be appointed President pro tem of this Convention, whose duties and powers shall be the same as those of the President, in the event of the President's absence, resignation or death.[""]

Mr. Rainey offered the following resolution

"Resolved that it is the sense of this Convention that, when the ordinance of secession takes effect on the 2nd day of March next, Texas will immediately unite with the other States which have seceded in the formation of a Southern confederacy, and that the President of this Convention transmit this resolution to the governors of the slave-holding States with the ordinance of secession.[""]

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

Mr. Shepard offered the following resolution.

"Resolved that the ordinance providing for sending seven delegates to the Montgomery convention shall not be so construed as to give more power than to form a provisional government."

Laid on the table.

Mr. Gregg offered the following resolution,

"Resolved that it is the sense of this Convention that as few changes should be made in our State constitution and laws as can be made in order to fit our government for the condition of separation from the United States."

On motion of Mr. Chilton, postponed until the 2nd of March.

Mr. Stell offered the following resolution which was adopted

"Resolved that the Secretary of this Convention will hold his office until the business for which it assembled shall be fully completed, and that during the contemplated recess his official duties will be under the supervisory direction of the President of this Convention."

Mr. Wiley offered the following resolution, which was laid on the table

“Resolved that the delegates to the Montgomery convention be instructed to urge upon that convention among other things the propriety of styling the constitution it may adopt, ‘the constitution of the Southern United States.’[’]”

Mr. Brown offered the following resolutions which were adopted, “Resolved that the Secretary of the Convention after its adjournment be instructed to transmit to the members of the Convention by mail as speedily as possible such printed documents as may remain in the printer’s hands after said adjournment.

“Resolved that the President of this body be and he is hereby authorized during the recess of the same to receive and have filed to be submitted to the Convention on its re-assembling the muster rolls of all volunteer companies, battalions or regiments as may be tendered or transmitted to him from any part of this State, accompanied by a tender of their services through him to the State of Texas.”

Mr. Portis offered the following resolution which was adopted

“Resolved that the thanks of this Convention be tendered to the President and other officers for the able and impartial manner in which they have discharged the duties of their respective offices”

Mr. Ochiltree moved that secrecy be removed from the journals of the Convention except such portions as related to the committee on Public Safety. Carried.

Mr. Dougherty asked and obtained leave to have his vote recorded in favor of the adoption of “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,” and also in favor of submitting said ordinance to the people for their ratification or rejection on the 23rd day of Feby. A. D. 1861.

By leave Mr. Brown had the following remarks spread upon the Journal of the Convention as the reasons which influenced his vote in favor of submitting the ordinance to a vote of the qualified electors of the State for their ratification or rejection

Mr. President, individually I am and have been ever since the election of Lincoln an unswerving advocate of the secession of Texas and the formation of a Southern confederacy. I believe three-fourths of the people of the counties of Bell and Lampasas, which I in part represent, were in favor of that course at the time I was elected, and are so now; but from the provisions of the call, the positions taken by many delegates in the canvass in favor of referring, and the more important fact that so many pains were taken to mislead the people before the election, and unfairly prejudice them against the proposed convention, I believe that sound public policy and future harmony among the great mass of the people dictate that the question should

be fairly passed upon by the people of the State divested of all extraneous issues. Thousands of true and honest men having had more or less hope of some adjustment, and others, under mistaken views as to its practicability having favored a combined movement of the whole South before separation, now that all these plans have failed and separate State secession is demonstrated as the only safe course, desire to record their votes in favor of secession. I want to afford all such men an opportunity of doing so. They will prove by their votes on the 23rd day of Feby. that they are at heart as true to the cause of the South as those who from the first became convinced that separate State secession followed by the formation of a Southern confederacy was the only path of safety. Such a result is greatly to be desired by all. For these reasons as a delegate I voted for referring the question to the ballot box; while as an individual I should have voted for unconditional secession.

John Henry Brown.

Mr. Robertson of Smith moved that the Convention do now adjourn until the 2nd day of March next, to re-assemble at the City of Austin at that time.

The President addressed the Convention as follows, viz:

Gentlemen of the Convention.

I thank you for the kindness and liberality extended to me as your presiding officer. My want of experience in parliamentary usages has required an indulgence which you have most generously extended. Your deliberations have been characterized by courtesy and conciliation. The ordinance has been submitted to the people for ratification or rejection. Let us go home and appeal to them to sustain our action by their votes; and when we reassemble on the 2nd of March let us bring back with us the voice of a united people, in favor of an immediate action to sustain the rights of the people of Texas and of the South at all hazards, and to the last extremity. I now pronounce the Convention adjourned until the 2nd day of March next.¹³

¹³On February 6th an address to the people was issued by members of the Legislature and delegates to the Convention who opposed secession. It was signed by senators M. D. Hart, I. A. Paschal, Emery Rains, and J. W. Throckmorton, by representatives M. L. Armstrong, Sam Bogart, L. B. Camp, William A. Ellett, B. H. Epperson, John Hancock, J. L. Haynes, J. E. Henry, T. H. Mundine, A. B. Norton, J. M. Owens, Sam J. Redgate, Robert H. Taylor, and G. W. Whitmore, and delegates Johnson of Titus, Raines and Shuford of Wood, Williams, Wright and Johnson of Lamar (*Southern Intelligencer* [Austin], February 13, 1861).

About February 10, O. M. Roberts, President of the Convention, also issued an address to the people, in which he briefly reviewed the action of the Convention and urged upon them the ratification of the Ordinance of Secession (*The State Gazette* [Austin], February 16, 1861.)