

City of Austin Texas, Tuesday, March 19th 1861.

The Convention met pursuant to adjournment. Roll called. Quorum present. Prayer by the chaplain.

The Journal of yesterday was read and adopted

On motion of Mr. Moore of Henderson, Mr. Harrison of Van Zandt was admitted as a delegate from the county of Van Zandt vice Mr. Payne resigned, and the Secretary ordered to enroll his name, his credentials when received to be referred to the committee on Credentials.

By leave Mr. Wm. Chambers was allowed to record his vote in favor of the passage of "An ordinance to provide for the union of the State of Texas with the Confederate States of America."

The President submitted a communication from Captain J. J. Good.

Also the muster roll of Capt. P. H. Rice's company. Referred to the committee on Public Safety.

Mr. Shepard chairman of the committee on Citizenship made the following report.

"The committee on Citizenship have reconsidered the ordinance reported on the 12th inst. The committee, deeming the question of who are and who may become citizens of the State of so much importance that they should be settled by constitutional provisions, have instructed me to report the accompanying ordinance and recommend its passage.

"An ordinance to amend the 1st and 2nd Sections of Article 3rd of the constitution of the State of Texas." Read 1st time.

Mr. Locke, chairman of the committee on engrossed bills, reported the ordinance entitled, "An ordinance to provide in part for the military defence of the State of Texas,["'] to be correctly engrossed.

Mr. Nicholson of Dallas introduced "an ordinance to amend and repeal certain sections of the constitution therein named." Read 1st and 2nd times and referred to the committee on the Constitution.

Orders of the Day.

The report of the majority and minority of the committee on Finance, upon the ordinances reported by a majority of the committee on the 14th inst., being the special order for this hour, were taken up and read.

Mr. Flournoy moved to postpone the further consideration of the ordinances until to morrow, at 3 o'clock, P. M.

Mr. Green moved as a substitute for that motion that the committee on Finance be instructed to confer with a like committee on the part of the two houses of the legislature on the subject of finance and the United States bonds and these ordinances be postponed until the coming in of the report of said conference.

On motion of Mr. Clopton laid on the table.

The motion made by Mr. Flournoy prevailed.

Mr. Graham of Rusk, from the committee on Constitution, reported an ordinance to modify the 7th Sec. of the 7th Art. of the constitution of the State of Texas. Read 1st time.

An Ordinance to modify the 7th Section of the 7th Article of the Constitution of the State of Texas.⁷⁵

Sect. 1. Be it ordained by the people of the State of Texas in Convention assembled, That the 7th Section of the 7th Article of the Constitution of the State of Texas be and the same is hereby so modified as to authorize and empower the legislature to make provision for the payment of the milage and per diem of the members of this Convention, and to make the necessary appropriations to meet the expenses incurred by authority of said Convention.

On motion of Mr. Graham the rule was suspended and the ordinance read a 2nd time.

Mr. Gould moved to postpone the ordinance until tomorrow at 3 o'clock. Lost.

On motion of Mr. Dancy the ordinance was amended by striking out all after the word "That" in the 1st section down to the words "the legislature" and by inserting after those words the following, "be and is hereby authorized and empowered."

On motion of Mr. Gray the ordinance was further amended by inserting after the word "expenses" the words, "debts and liabilities."

On motion of Mr. Dancy the caption was amended so as to make it read "an ordinance relating to the expenses, debts and liabilities of this Convention"

Mr. Cleveland moved to postpone the ordinance until tomorrow at 3 o'clock.

On motion of Mr. Jones laid on the table.

Mr. Davidson moved to reconsider the vote laying the motion to postpone on the table.

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

The ordinance was then ordered to be engrossed.

On motion of Mr. Graham the rule was suspended, the ordinance read a 3rd time and adopted.

Mr. Locke offered the following resolution which was laid over one day under the rule.

"Resolved that the Convention will make no change in the State constitution until the same is supported by at least two thirds of the delegates of this Convention"

⁷⁵MS. in Miscellaneous Papers of the Secession Convention.

Mr. Payne introduced "an ordinance to amend the 1st Article of the Constitution of the State of Texas." Read 1st and 2nd times and referred to the committee on the Constitution.

Mr. Robertson of Washington offered the following resolution which was adopted.

"Resolved that the committee on Printing be instructed to contract for the printing of all matter ordered to be printed by the Convention, upon the basis of the contracts made by the legislature for the public printing, and that said committee be instructed to report the amount expended for printing before the adjournment of the Convention."

On motion of Mr. Cleveland the ordinance reported by the committee on Citizenship was made the special order for Tuesday next, at 3 o'clock, P. M.

Mr. Wier offered the following resolution which was adopted.

"Resolved that this Convention proceed immediately to the election of the commanding officers of the regiment of mounted volunteers, provided for by the ordinance of this Convention passed March 18th 1861."

On motion of Mr. Shepard the Convention adjourned until to night at 7 1/2 o'clock.

Tuesday March 19th 1861. 7 1/2 o'clock, P. M.

The Convention met. Roll called. Quorum present.

The election of field officers for the regiment of mounted men authorized to be raised by "the ordinance to provide in part for the military defense of the State" being next in order,

On motion of Mr. Hogg it was ordered that the same be *viva voce*.

Nominations for colonel being in order,

Mr. Nelson nominated H. A. Hamner.

Mr. Nicholson of Dallas nominated N. H. Darnell.

Mr. Wharton nominated Jno. S. Ford.

Mr. Hogg nominated F. F. Foscue.

On the 1st ballot the following delegates voted for H. A. Hamner, Messrs. Blythe, Broadus, Campbell, Wm. Chambers, Coke, Harrison, Henry, Lesueur, Nelson, Nicholson of Fannin, Payne of Hopkins, Portis, Prendergast and Scott, 14.

The following delegates voted for N. H. Darnell.

Messrs. Beebe, Chisum, Cook, Henderson, Johnson of Lamar, Nash of Dallas, Nicholson of Dallas, Obenchain, Throckmorton and Wilcox of Denton, 10.

The following delegates voted for Jno. S. Ford.

Messrs. President, Allen, Anderson of Colorado, Armstrong, Askew, Bagby, Batte, Baxter, Beazley, Black, Brahan, Brown, T. J. Chambers,

Chambers of Red River, Chambers of Titus, Chilton, Clark, Clayton, Cleveland, Cox, Dancy, Davidson, Dean, Devine, Dunham, Earley, Fall, Feeney, Ford of Caldwell, Gould, Graham of Rusk, Green, Hall, Hardeman, Hayes, Hill, Hobby, Holland, Hooker, Hoyle, Hunt, Ireland, Jones, Kelly, Koester, Lea, Lester, Locke, Lubbock, Mason, Maltby, McCall, McCraw, Miller, Montgomery, Moore of Burnet, Moore of Fayette, Montel, Moss, Nash of Kaufman, Nauendorf, Neel, Newsome, Norris, Palmer, Poag, Preston, Rainey, Robertson of Smith, Robertson of Washington, Rogers of Marion, Ross, Rugeley, Russell, Scarborough, Shuford, Scurry, Shepard, Smith of Bexar, Smith of Fannin, Stapp, Stewart of Anderson, Stewart of Gonzales, Taylor, Terry of Tarrant, Thompson, Todd, Waller, Walworth, Warren, Watkins, Wharton, Wier, Wilcox of Bexar, Wiley, Wilson of Hunt and Wilson of Tyler, 96.

The following delegates voted for F. F. Foscue.

Mesrs. Box, Clopton, Davenport, Gray, Hogg, Moore of Henderson, Rheme, Stockdale and Word, 9.

Jno. S. Ford having received a majority of all the votes cast was declared duly elected.

Nominations for lieutenant colonel being in order,

Mr. Wilcox of Bexar nominated Mr. Rainey.

Mr. Rainey withdrew his name.

Mr. Baxter nominated W. P. Lane.

Mr. Henderson nominated Jno. R. Baylor.

Mr. Graham of Rusk nominated Mr. McFarland.

Mr. Wier nominated Jno. J. Good.

On the 1st ballot the following delegates voted for W. P. Lane.

Mesrs. Askew, Baxter, Brahan, Campbell, Wm. Chambers, Cox, Davidson, Devine, Feeney, Hall, Hunt, Ireland, Koester, Mason, Moore of Fayette, Montel, Nauendorf, Preston, Rogers of Marion, Ross, Scott, Smith of Bexar, Stapp, Walworth, and Wilcox of Bexar, 23.

The following delegates voted for Jno. R. Baylor.

Mesrs. President, Beebe, Brown, T. J. Chambers, Chambers of Titus, Clayton, Cleveland, Coke, Cook, Dunham, Gray, Hardeman, Henderson, Hill, Hogg, Holland, Hooker, Lester, McCall, McCraw, Miller, Moss, Nelson, Nicholson of Fannin, Norris, Palmer, Payne of Hopkins, Porti, Prendergast, Rugeley, Russell, Stewart of Gonzales, Stockdale, Waller, Wiley, Wilson of Tyler and Word, 37.

The following delegates voted for Mr. McFarland.

Mesrs. Allen, Armstrong, Batte, Beazley, Box, Black, Blythe, Broaddus, Chilton, Clark, Clopton, Dancy, Davenport, Dean, Fall, Ford of Caldwell, Ganahl, Graham of Rusk, Hays, Henry, Hobby, Johnson of Lamar, Jones, Kelly, Lea, Locke, Maltby, Montgomery,

Moore of Burnet, Newsome, Poag, Rhome, Robertson of Washington, Shuford, Stell, Warren, Watkins and Wilcox of Denton, 39.

The following delegates voted for Jno. J. Good.

Mesrs. Anderson of Colorado, Bagby, Chambers of Red River, Chisum, Earley, Flournoy, Gould, Green, Harrison, Hoyle, Lesueur, Lubbock, Moore of Henderson, Nash of Dallas, Nash of Kaufman, Neel, Nicholson of Dallas, Obenchain, Rainey, Robertson of Smith, Runnels, Scarborough, Scurry, Smith of Fannin, Stewart of Anderson, Taylor, Terry of Tarrant, Thompson, Throckmorton, Todd, Wharton, Wier and Wilson of Hunt, 34.

No one having received a majority of the votes cast, the Convention proceeded to a 2nd ballot.

Mr. Baxter withdrew the name of W. P. Lane

Mr. Terry of Tarrant withdrew the name of Jno. J. Good.

The following delegates voted for Jno. R. Baylor.

Mesrs. President, Adams, Askew, Bagby, Beebe, Brown, Campbell, Wm. Chambers, T. J. Chambers, Chambers of Red River, Chisum, Clayton, Cleveland, Coke, Cook, Cox, Dunham, Earley, Feeney, Gray, Hardeman, Harrison, Henderson, Hill, Hogg, Holland, Hooker, Hoyle, Ireland, Lesueur, Lester, Lubbock, McCall, McCraw, Miller, Moore of Fayette, Moore of Henderson, Moss, Nash of Dallas, Neel, Nelson, Nicholson of Dallas, Nicholson of Fannin, Norris, Obenchain, Palmer, Payne of Hopkins, Portis, Prendergast, Preston, Ross, Rugeley, Runnels, Russell, Smith of Fannin, Stapp, Stewart of Gonzales, Stewart of Anderson, Stockdale, Terry of Tarrant, Thompson, Waller, Wharton, Wilcox of Denton, Wiley, Wilson of Hunt, Wilson of Tyler and Word, 68.

The following delegates voted for Mr. McFarland.

Mesrs. Allen, Anderson of Colorado, Armstrong, Baxter, Batte, Beazley, Box, Black, Blythe, Brahan, Broaddus, Chilton, Clark, Clifton, Dancy, Davenport, Davidson, Dean, Devine, Fall, Ford of Caldwell, Ganahl, Gould, Graham of Rusk, Green, Hall, Hays, Henry, Hobby, Johnson of Lamar, Jones, Kelly, Koester, Lea, Locke, Maltby, Montgomery, Moore of Burnet, Montel, Nash of Kaufman, Nauendorf, Newsome, Poag, Rainey, Rhome, Robertson of Smith, Robertson of Washington, Rogers of Marion, Scarborough, Scott, Shuford, Scurry, Shepard, Smith of Bexar, Stell, Taylor, Todd, Throckmorton, Walworth, Warren, Watkins, Wier and Wilcox of Bexar, 63.

Jno. R. Baylor having received a majority of all the votes cast was declared duly elected.

Nominations for major being next in order

Mr. Davidson nominated W. J. Herbert.

Mr. Nicholson of Fannin nominated Capt. Hamner.

Mr. Lubbock nominated Ed. Waller.

The following delegates voted for W. J. Herbert.

Mesrs. Anderson of Colorado, Baxter, Box, Brahan, Campbell, Clark, Cox, Dancy, Davidson, Dean, Devine, Fall, Ford of Caldwell, Ganahl, Hall, Hardeman, Hays, Hill, Hobby, Kelly, Lester, Maltby, Montgomery, Moore of Fayette, Montel, Rainey, Rogers of Marion, Ross, Rugeley, Scarborough, Smith of Bexar, Stell, Stewart of Anderson, Stockdale, Throckmorton, Walworth, Watkins, Wilcox of Bexar and Wilcox of Denton, 40.

The following delegates voted for Capt. Hamner.

Mesrs. Askew, Batte, Beazley, Black, Blythe, Brown, Campbell, Chambers of Red River, Chisum, Coke, Davenport, Earley, Feeney, Harrison, Henry, Hogg, Hooker, Hoyle, Hunt, Koester, Locke, McCall, McCraw, Miller, Moore of Burnet, Moore of Henderson, Nash of Dallas, Nauendorf, Neel, Nelson, Newsome, Nicholson of Dallas, Nicholson of Fannin, Norris, Obenchain, Payne of Hopkins, Poag, Prendergast, Preston, Rhome, Robertson of Washington, Smith of Fannin, Thompson, Todd, Warren and Word, 44.

The following delegates voted for Edwin Waller.

Mesrs. President, Adams, Allen, Bagby, Broaddus, T. J. Chambers, Chilton, Clayton, Cleveland, Cook, Dunham, Gould, Graham of Rusk, Gray, Green, Henderson, Holland, Ireland, Jones, Lesueur, Lubbock, Moss, Nash of Kaufman, Palmer, Portis, Robertson of Smith, Runnels, Russell, Scott, Shuford, Scurry, Shepard, Stapp, Stewart of Gonzales, Taylor, Wharton, Wier, Wiley, and Wilson of Tyler, 40.

No one having received a majority of the vote cast, the Convention proceeded to a 2nd ballot.

The following delegates voted for W. J. Herbert.

Mesrs. Armstrong, Box, Brahan, Campbell, Clark, Dancy, Davidson, Devine, Fall, Ford of Caldwell, Ganahl, Graham of Rusk, Hall, Hardeman, Hays, Hill, Hobby, Kelly, Lester, Maltby, Moore of Fayette, Montel, Rainey, Rogers of Marion, Rugeley, Scarborough, Stell, Stewart of Anderson, Stockdale, Terry of Tarrant, Throckmorton, Walworth, Watkins, Wilcox of Bexar and Wilcox of Denton, 36.

The following delegates voted for Capt. H. A. Hamner.

Mesrs. Askew, Beebe, Black, Blythe, Brown, Chambers of Red River, Chisum, Coke, Davenport, Earley, Feeney, Harrison, Henry, Hogg, Hooker, Hoyle, Hunt, Koester, Locke, McCall, McCraw, Miller, Montgomery, Moore of Burnet, Moore of Henderson, Nash of Dallas, Nauendorf, Neel, Nelson, Newsome, Nicholson of Dallas, Nicholson of Fannin, Norris, Obenchain, Payne of Hopkins, Poag, Prendergast, Preston, Rhome, Robertson of Washington, Ross, Smith of Fannin, Thompson, Todd, Warren, and Word, 47.

The following delegates voted for Edwin Waller.

Mesrs. President, Allen, Bagby, Broaddus, Wm. Chambers, T. J.

Chambers, Chilton, Clayton, Cleveland, Cook, Cox, Dean, Dunham, Gray, Green, Henderson, Holland, Ireland, Jones, Lesueur, Lea, Lubbock, Moss, Nash of Kaufman, Palmer, Portis, Robertson of Smith, Runnels, Russell, Scott, Shuford, Scurry, Shepard, Stapp, Stewart of Gonzales, Taylor, Wharton, Wier, Wiley, and Wilson of Tyler, 40.

No one having received a majority of all the votes cast the Convention proceeded to a 3rd ballot.

Mr. Davidson withdrew the name of W. J. Herbert.

Mr. Todd nominated Mr. McFarland.

The following delegates voted for Capt. Hamner:

Mesrs. Askew, Beazley, Beebe, Black, Blythe, Brown, Chisum, Coke, Cook, Earley, Feeney, Harrison, Hogg, Hooker, Hoyle, Hunt, Koester, McCall, McCraw, Miller, Moore of Fayette, Moore of Henderson, Nash of Dallas, Nauendorf, Neel, Nelson, Newsome, Nicholson of Dallas, Nicholson of Fannin, Norris, Obenchain, Payne of Hopkins, Preston, Terry of Tarrant, Thompson and Word, 36.

The following delegates voted for Edwin Waller.

Mesrs. Allen, Brahan, Broadus, Campbell, Wm. Chambers, T. J. Chambers, Clayton, Cleveland, Cox, Davidson, Devine, Gray, Hall, Henderson, Holland, Ireland, Lesueur, Lester, Lubbock, Nash of Kaufman, Palmer, Portis, Rugeley, Scott, Scurry, Smith of Bexar, Stapp, Stewart of Gonzales, Taylor, Throckmorton, Walworth, Wharton, Wier, Wiley and Wilson of Tyler, 36.

The following delegates voted for Mr. McFarland.

Mesrs. President, Anderson of Colorado, Armstrong, Baxter, Chilton, Clark, Dancy, Davenport, Dean, Fall, Ganahl, Graham of Rusk, Green, Hays, Henry, Hill, Hobby, Jones, Kelly, Lea, Locke, Maltby, Montgomery, Moore of Burnet, Montel, Rainey, Robertson of Smith, Robertson of Washington, Rogers of Marion, Ross, Runnels, Russell, Shuford, Shepard, Stewart of Anderson, Stockdale, Todd, Warren, Watkins, Wilcox of Bexar and Wilcox of Denton, 41.

No one having received a majority of the vote cast, the Convention proceeded to a 4th ballot.

Mr. Wilcox of Bexar moved to adjourn until to morrow at 3 o'clock, P. M. Lost.

The following delegates voted for Capt. Hamner.

Mesrs. President, Askew, Beazley, Beebe, Black, Brown, Chisum, Coke, Feeney, Harrison, Hill, Hogg, Hooker, Hoyle, Koester, McCall, McCraw, Miller, Moore of Henderson, Nelson, Newsome, Nicholson of Dallas, Nicholson of Fannin, Obenchain, Payne of Hopkins, Prendergast, Preston, Rhome, Stewart of Anderson, Thompson, Throckmorton and Word, 32.

The following delegates voted for Edwin Waller.

Mesrs. Allen, Bagby, Brahan, Broaddus, Campbell, Wm. Chambers, T. J. Chambers, Clayton, Cleveland, Cook, Cox, Davenport, Devine, Dunham, Gray, Hall, Henderson, Holland, Hunt, Lesueur, Lester, Lubbock, Maltby, Nash of Dallas, Nash of Kaufman, Neel, Norris, Palmer, Portis, Rugeley, Scott, Scurry, Smith of Bexar, Stapp, Stewart of Gonzales, Taylor, Wharton, Wier, Wiley and Wilson of Tyler, 40.

The following delegates voted for Mr. McFarland.

Mesrs. Armstrong, Baxter, Blythe, Chambers of Red River, Chilton, Dancy, Dean, Earley, Fall, Ganahl, Graham of Rusk, Green, Hays, Henry, Jones, Kelly, Lea, Locke, Montgomery, Moore of Burnet, Moore of Fayette, Montel, Nauendorf, Poag, Rainey, Robertson of Smith, Rogers of Marion, Ross, Runnels, Russell, Shuford, Shepard, Stell, Stockdale, Todd, Walworth, Warren, Watkins, Wilcox of Bexar and Wilcox of Denton, 39.

No one having received a majority of all votes cast, the Convention proceeded to the 5th ballot.

Mr. Nicholson of Fannin withdrew the name of Capt. Hamner.

The following delegates voted for Edwin Waller.

Mesrs. President, Askew, Beebe, Brahan, Broaddus, Brown, Campbell, Wm. Chambers, T. J. Chambers, Clayton, Cleveland, Coke, Cook, Cox, Devine, Dunham, Earley, Feeney, Ganahl, Gray, Harrison, Henderson, Holland, Howard, Hoyle, Hunt, Lesueur, Lubbock, McCall, McCraw, Moore of Henderson, Nash of Dallas, Nash of Kaufman, Neel, Nelson, Nicholson of Dallas, Nicholson of Fannin, Norris, Palmer, Payne of Hopkins, Portis, Prendergast, Preston, Rugeley, Scott, Scurry, Smith of Bexar, Smith of Fannin, Stewart of Gonzales, Taylor, Walworth, Wharton, Wier, Wiley, Wilson of Tyler and Word, 55.

The following delegates voted for Mr. McFarland

Mesrs. Armstrong, Baxter, Beazley, Black, Blythe, Chisum, Chilton, Dancy, Davenport, Davidson, Dean, Fall, Graham of Rusk, Green, Henry, Hill, Hobby, Hooker, Jones, Kelly, Koester, Lea, Lester, Locke, Maltby, Miller, Montgomery, Moore of Burnet, Moore of Fayette, Montel, Nauendorf, Newsome, Poag, Rainey, Robertson of Washington, Rogers of Marion, Ross, Runnels, Shuford, Stell, Stewart of Anderson, Stockdale, Thompson, Throckmorton, Todd, Warren, Watkins, Wilcox of Bexar and Wilcox of Denton, 49.

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

On motion of Mr. Dancy the Convention adjourned until 2 o'clock, P. M. on to morrow.