

On motion of Mr. Davidson the Convention adjourned until Monday morning at 9 o'clock.

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City of Austin Texas, Monday, March 25th 1861.

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

The Journal of Saturday was read and adopted.

Mr. Brown offered the following resolution which was adopted.

“Resolved that a committee of three be appointed to present the Lone Star flag, heretofore presented to this Convention by a portion of the ladies of Travis county, to the governor of the State, with a request that it may be preserved in the executive department, to be annually hoisted on the 2nd day of March, and other important anniversaries in the annals of this State.”

The President appointed Messrs. Brown, Lesueur and Davidson said committee.

Mr. Terry of Tarrant offered the following resolution which was adopted.

“Resolved that the members of the committee of Public Safety, including the officers who were with them, who remained in session during the recess of the Convention, be allowed per diem pay and mileage for the distance traveled by each on business for the Convention during recess.”

Mr. Anderson of Colorado introduced the following ordinance:

Whereas there is good reason to believe that many of the U. S. soldiers now in Texas and who have been in said State for many years are anxious to continue in the military service of the South in Texas; therefore,

Resolved that the governor of this State is hereby authorized and required to appoint three recruiting officers, to wit: one major and two captains, who shall repair immediately to points in Texas to be designated by the governor, and to enlist as many of said soldiers into the military service of the State as may desire to enlist, preparatory to permanent enlistment into the regular service of the Confederate States.

2nd. The quartermaster of the State shall furnish subsistence to said recruits from the time of said enlistment;

3rd. After said enlistment shall have been made and reported to the governor, he shall organize the recruits into companies, mounted or infantry, at his discretion, appoint officers for the same, and order

them to such points in the State as he may deem best for the protection of the same.

4th. That all persons now within the jurisdiction of the State of Texas, including the officers and soldiers of the U. S. of America, be and they are hereby absolved from all obligations to support said government of the U. S. or the constitution and laws thereof.

Read 1st time.

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

Mr. Robertson of Washington moved to amend by adding "Provided the legislature of this State shall have full power to alter, abolish or continue the policy herein created, at its pleasure; and provided further that whenever the government of the Confederate States shall take charge of this subject all rights accruing under this resolution shall end and have no force"

Mr. Wier moved the previous question.

Mr. Nelson moved to lay the ordinance and amendments on the table. Lost by the following vote:

Yeas, Mesrs. President, Allen, Bagby, Batte, Baxter, Beazley, Box, Black, T. J. Chambers, Chambers of Titus, Clark, Clayton, Coke, Davenport, Dean, Dunham, Fall, Feeney, Gray, Hall, Harrison, Holland, Henry, Hicks, Hogg, Howard, Hoyle, Kelly, Locke, Moore of Henderson, Neel, Nelson, Newsome, Nichols, Nicholson of Fannin, Palmer, Payne of Hopkins, Prendergast, Robertson of Bell, Scott, Smith of Fannin, Stell, Wier, Wiley, Wilson of Tyler and Word, 46.

Nays, Mesrs. Anderson of Colorado, Armstrong, Burditt, Brahan, Brown, Chilton, Chisum, Clopton, Cox, Dancy, Davidson, Ganahl, Graham of Rusk, Hays, Hobby, Hunt, Jones, Lesueur, Lea, Lubbock, Mason, Maltby, McCraw, Montgomery, Moore of Burnet, Montel, Nash of Kaufman, Nauendorf, Poag, Portis, Rainey, Robertson of Smith, Robertson of Washington, Rogers of Marion, Rugeley, Runnels, Russell, Scarborough, Shuford, Scurry, Shepard, Stewart of Gonzales, Stockdale, Taylor, Terry of Tarrant, Throckmorton, Waller, Walworth and Wharton, 49.

The main question was then ordered, which was the engrossment of the ordinance.

The Convention refused to engross the ordinance by the following vote:

Yeas, Mesrs. Anderson of Colorado, Armstrong, Bagby, Batte, Burditt, Brahan, Brown, Chilton, Chisum, Dancy, Davenport, Ganahl, Graham of Rusk, Green, Hays, Hobby, Howard, Hunt, Jones, Lea, Lubbock, Mason, Maltby, McCraw, Moore of Burnet, Montel, Nash of Kaufman, Nauendorf, Neel, Portis, Robertson of Smith, Robertson of

Washington, Rugeley, Runnels, Russell, Scarborough, Scurry, Shepard, Smith of Bexar, Stewart of Gonzales, Stockdale, Taylor, Terry of Tarrant, Throckmorton, Waller, Walworth, Wharton and Word, 48.

Nays, Mesrs. President, Allen, Baxter, Beazley, Box, Black, T. J. Chambers, Chambers of Titus, Clark, Clayton, Clopton, Coke, Cox, Davenport, Dean, Dunham, Edward, Fall, Feeney, Gray, Hall, Harrison, Henderson, Henry, Hicks, Hogg, Holland, Hoyle, Kelly, Lesueur, Locke, Montgomery, Moore of Henderson, Nash of Dallas, Nelson, Newsome, Nichols, Nicholson of Fannin, Palmer, Payne of Hopkins, Prendergast, Rogers of Marion, Scott, Smith of Fannin, Stell, Wier, Wiley and Wilson of Tyler, 48.

Mr. Terry of Tarrant introduced the following ordinance "An ordinance touching the pay of judges, who are members of this Convention.[''] Read 1st time.

Mr. Terry moved a suspension of the rules in order to put the ordinance upon its 2nd reading. Lost.

Mr. Jennings introduced "An ordinance specifying the ordinances of the Convention which shall be subject to legislative action." Read 1st time.

On motion of Mr. Jennings the rule was suspended, ordinance read a 2nd time and ordered to be engrossed.

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

Mr. Locke, chairman of the committee on engrossed bills, made the following report:

The committee on engrossed bills have examined the following ordinances, and find the same correctly engrossed, to wit:

"An ordinance to ratify the constitution of the Confederate States of America.['']

"An ordinance to amend the 1st and 2nd Secs. of Art. 3 of the constitution of the State of Texas."

"An ordinance amending the constitution of the State of Texas, so as to adapt the same to the present political condition and relations of said State."

"An ordinance concerning certain commissioners and officers appointed by authority of this Convention." and

"An ordinance relating to the laws of the State of Texas."

All of which is respectfully submitted.

Mr. Lea introduced an ordinance concerning the suits, records and papers which pertain to the federal courts in Texas. Read 1st time.

Mr. Terry moved a suspension of the rule to put the ordinance upon its 2nd reading. Carried.

The ordinance was ordered to be engrossed by the following vote.

Yeas, Mesrs. President, Allen, Anderson of Colorado, Armstrong, Bagby, Beazley, Box, Black, Brahan, Brown, T. J. Chambers, Chambers of Titus, Chisum, Clark, Coke, Cox, Dancy, Davenport, Davidson, Dean, Dunham, Edwards, Feeney, Ganahl, Graham of Rusk, Gray, Green, Harrison, Hays, Henry, Henderson, Hobby, Howard, Hoyle, Hunt, Jones, Kelly, Lea, Locke, Lubbock, Mason, McCraw, Montgomery, Moore of Burnet, Moore of Henderson, Montel, Nash of Kaufman, Nauendorf, Neel, Nelson, Newsome, Nichols, Norris, Palmer, Portis, Prendergast, Robertson of Bell, Robertson of Washington, Rogers of Marion, Rugeley, Runnels, Scarborough, Scurry, Shepard, Smith of Bexar, Smith of Fannin, Stell, Stewart of Gonzales, Stockdale, Terry of Tarrant, Throckmorton, Waller, Wharton, Wier and Word, 76.

Nays, Mesrs. Baxter, Clayton, Hall, Hicks, Hogg, Jennings, Lesueur, Maltby, Nash of Dallas, Nicholson of Fannin, Rainey, Rhime, Scott, Wiley and Wilson of Tyler, 15.

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

Mr. Brown, chairman of the select committee, made the following report,

“The undersigned committee, appointed for that purpose, have presented to the governor for preservation in the executive department the Lone Star flag presented to the Convention by a portion of the ladies of Travis county, with the wish of the Convention that it might be annually hoisted on the 2nd day of March and other important anniversaries in the history of our State. The governor received the banner and in reply said ‘it should be sacredly preserved’ and delivered to his successor in office for the purposes named.”

Mr. Shepard from the committee on enrollment reported as correctly and duly enrolled and signed by the President and Secretary of the Convention :

“An ordinance to confer jurisdiction over the forts, navy yards, arsenals and light houses in the State of Texas upon the Confederate States of America;” also

“An ordinance relating to the expenses, debts and liabilities of this Convention;” also

“An ordinance to amend the 1st and 2nd Sections of Art. 3 of the constitution of the State of Texas;” and also

“An ordinance to ratify the constitution of the Confederate States of America.[”]

And the following ordinances correctly and duly enrolled and signed by the Vice President and Secretary of the Convention.

“An ordinance amending the constitution of the State of Texas,

so as to adapt the same to the present political condition and relations of said State[']

“An ordinance specifying the ordinances of the Convention which shall be subject to legislative action.[']”

“An ordinance concerning the suits, records and papers which pertain to the federal courts in Texas.”

“An ordinance relating to the laws of the State of Texas,[']” and

“An ordinance concerning certain commissioners and officers appointed by the authority of the Convention.”

Mr. Green offered the following resolution which was adopted.

“Resolved that the President of this Convention, or in case of his absence, the Vice President thereof, after the adjournment thereof, may correct and sign the Journals of this day's proceedings, and shall also sign any resolutions or ordinances adopted by this Convention that may be correctly enrolled. .

“Resolved further that this Convention do now adjourn ‘sine die.’[']”

Before the vote was put, Mr. Henderson offered the following resolution which was adopted.

“Resolved that the thanks of this Convention are hereby tendered to the President, Vice President and other officers for the impartial and dignified manner in which they have transacted the business of this Convention.”

The resolutions offered by Mr. Green were then adopted, and the Convention adjourned “sine die.”

City of Austin Texas, Tuesday March 26, 1861.

Read and approved

Jno. D. Stell

Vice President