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, on Monday January 28th 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.

1On 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."

2On 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.

Messrs. 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.
M'rs. 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, lieutenant 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