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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. 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. 18. Cass—A. G. Clopton, J. H. Rogers
District No. 30. Fannin and Hunt—E. Earley and J. Wilson.
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. Hutchinson, R. J. Palmer, J. H. Dunham and Wm. McIntosh.
District No. 38. Walker—A. P. Wiley and L. A. Abercrombie
District No. 40. Freestone, Limestone and Falls—Chas. Stewart, W. W. Peck, D. M. Prendergast and John Gregg.
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. 46. Cooke, etc.—Jas. J. Diamond.
District No. 47. Matagorda, Wharton and Fort Bend—John Rug- eley 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. Daney.
District No. 53. Burleson and Robertson—J. H. Feeney and A. S. Broaddus.
District No. 58. Caldwell, Hays and Blanco—Spenceer Ford and J. C. Watkins.
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. 63. Lavaca—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. 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. 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.

Messrs. 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.

Messrs. 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: Mesrs. 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, Broaddus, 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.

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."[7]

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.

The 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 Washington.

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

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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 Earl- ley from District No. Fannin and Hunt counties. L. H. Williams, Geo. W. Wright, Wm. H. Johnson from District No. Lamar county.