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are absolved from all allegiance to the United States or the govern-
ment thereof.”

On motion the Convention adjourned until 11 o’clock, A. M. on
to morrow.

City of Austin Texas,
Friday, Feby. 1st 1861.

The Convention met pursuant to adjournment. Roll called, quorum
present. prayer by the chaplain.

On motion of Mr. Stell the reading of the Journal was dispensed
with for the present

The President announced Mers. Muller, Rhome, Hobby, Latham,
Casey, McCraven and Edwards a committee on Commerce, Revenue
and Navigation

Mers. Rogers of Harris, Runnels, Ireland, Lea, Scurry, Terry of
Tarrant and Burroughs a committee on Foreign Relations.

Mr. Portis offered the following resolution which was adopted.

“Resolved that the Governor, Lieut. Governor, Judges of the Su-
preme and District courts be invited to seats within the bar of the
Convention.”]

Mr. McCraven moved that a committee be appointed to wait upon
the Governor and Lieut. Governor and invite them to seats within
the bar of the Convention. Carried.

The President appointed Merss. McCraven, Hogg, Coke, Chilton
and Casey said committee.

Mr. Flournoy offered the following resolution which was adopted.

“Resolved that a committee of five be appointed by the President
to arrange chairs for the Governor, Lieut. Governor, Chief and Asso-
ciate Justices of the Supreme Court, Speaker of the House of Repre-
sentatives and Judges of the District and Federal courts.”]

On motion of Mr. Runnels, Mr. Clopton was added to the commit-
tee on Foreign Relations instead of Mr. Runnels.

The President appointed Mers. Flournoy, Wiley, Rogers of
Marion, Graham of Rusk, and Maxey a committee to arrange seats
for the Supreme Judges, Speaker of the House of Representatives,
Senators and Representatives

The Governor was then announced who received and accepted an
invitation to a seat on the right of the President.

The hour having arrived for the special order, viz: the ordinance
of secession was taken up, read a 3rd time and passed by the follow-
ing vote.

Yeas, Mersrs. President, Abercrombie, Adams, Allen, Anderson of
Colorado, Anderson of Cherokee, Armstrong, Askew, Batte, Beazly,


On motion of Mr. Reagan the ordinance was ordered to be engrossed on parchment and presented for the signature of delegates at 8 o'clock, P. M.

A flag was then presented to the Convention by the ladies of Travis county through Mr. George Flournoy, delegate from Travis county, and received by Mr. John A. Wharton of Brazoria county.

On motion the Convention adjourned until 2 1/2 o'clock P. M.

2 1/2 o'clock, P. M.

The Convention met. Roll called. quorum present.

On motion of Mr. Moore of Fayette, Mr. Jesse Burnham was admitted to a seat within the bar of the Convention.

Mr. Jennings offered the following resolution which was adopted.

"Resolved that the President of this Convention without delay communicate copies of the ordinance of secession to the Governor and Legislature, and request their cooperation in submitting it to the people of Texas for their concurrence and ratification."
Mr. Lea offered the following resolution which was adopted.

"Resolved that the committee on Federal Relations is instructed to draft and report an ordinance prescribing the mode of an election to be held for ratification or rejection of the ordinance of secession and of declaring the result."

Mr. Ochiltree chairman of the committee for that purpose introduced Genl. Jno. McQueen, commissioner from the State of South Carolina.

Genl. McQueen upon being introduced to the Convention said,

"Mr. President and Gentlemen of the Convention. I have been honored with a commission by the Convention of the State of South Carolina to repair to your State and lay before your Convention an ordinance of the State of South Carolina, by which she seceded from the confederacy and dissolved all connection with the federal government of the United States. And also to tender to you the sincere sympathy of the people of South Carolina in the great and momentous movement in which we are all engaged, and in which our interests are identical and our honor is alike involved. I am also instructed respectfully to suggest to you, in the event of your secession to cooperate with us and other seceding Southern States in the formation of a confederacy in which the constitution of the United States is to be taken as a basis, and that you send delegates to a convention to be held at Montgomery in the State of Alabama, on the 4th day of this month to establish a government for such seceding States.

"Having thus been honored by your body with an opportunity of discharging the special objects of my mission, I shall not presume to trespass upon your patience with any suggestions of mine as to your duty to your State. Indeed, had I no scruples upon the propriety of doing so, I should certainly decline it being too well satisfied that the honor and interests of Texas are much more secure in your own hands. But I trust I may not be intrusive if I refer for a moment to the circumstances which prompted South Carolina in the act of her own immediate secession, in which some have charged a want of courtesy and respect for her Southern sister States. She had not been disturbed by discord or conflict in the recent canvass for president or vice-president of the United States. She had waited for the result in the calm apprehension that the Black Republican party would succeed. She had, within a year, invited her sister Southern States to a conference with her on our mutual impending danger. Her legislature was called in extra session to cast her vote for president and vice-president, through electors, of the United States and before they adjourned the tele-
graphic wires conveyed the intelligence that Lincoln was elected by a sectional vote, whose platform was that of the Black Republican party and whose policy was to be the abolition of slavery upon this continent and the elevation of our own slaves to an equality with ourselves and our children, and coupled with all this was the fact that, from our friends in our sister Southern States, we were urged in the most earnest terms to secede at once, and prepared as we were, with not a dissenting voice in the State, South Carolina struck the blow and we are now satisfied that none have struck too soon, for when we are now threatened with the sword and the bayonet by a Democratic administration for the exercise of this high and inalienable right, what might we meet under the dominion of such a party and such a president as Lincoln and his minions.

"It is from under such dominion that South Carolina respectfully invites you to unite in forming a government with a homogeneous people, identical in interest with you, and whose effort it will be to perpetuate the institutions of our fathers.

"We are not unmindful of your illustrious history when fresh from the fields of victory and glory in which you established your own independence you presented a spectacle unexampled in the history of the world. With a territory sufficiently extensive for empires, with a soil rich in the production of everything necessary for the happiness of man, and with a climate as lovely as can be found on any spot of the habitable globe, without money and without price, you united your destiny with a sisterhood, whose duty it was to foster and protect you, and yet from our common enemy you received in return but neglect and insult, and even arson and poison, that your hearthstones might be violated and your wives and little ones tortured and murdered.

"In conclusion I will simply add that it is a source of highest gratification to me, from what I have witnessed since I have been with you, and the intelligence and spirit in your honorable body, to be able to report on my return to South Carolina, and on the wayside, through six now independent, sovereign, Southern States, that your own noble State of Texas, in her own way, and at her own time will very soon be added to their number, and ready to unite with them in a Southern Confederacy, to perpetuate the institutions of our ancestry, who transmitted them to us, that we should have in them but an usufruct, and transmit them, unshornished, to our posterity.

"Allow me again Mr. President and Gentlemen of the Convention, to tender you my sincere thanks and gratitude for the honor you have bestowed upon me, and the kindness you have extended to me both publicly and privately since I have had the pleasure of associating with you and to assure you that they will most kindly be...
remembered by me and I am sure appreciated by the State I represent."

On motion of Mr. Reagan the commission and accompanying documents of the commissioner from South Carolina were ordered to be filed with the papers of the Convention, and on motion of Mr. Chilton referred to the committee on Business.

Mr. Campbell offered the following preamble and resolutions, which were referred to the committee on Public Safety.

"Whereas there is reason to believe that the State of Louisiana has in her charge and under her control a large supply of arms not necessary to her own immediate wants, therefore,

"Be it resolved that a commissioner be appointed and commissioned by the President of this Convention to repair to the State of Louisiana and in behalf of this State solicit of the governor of the State of Louisiana the use of such arms and munitions as he may consider it convenient and adapted to the requirements of the present emergencies in which we are placed.

"Be it further resolved that the commissioner be also instructed to solicit of the governor of said State of Louisiana the piece of artillery surrendered by the Santa Fe expedition and recaptured near the city of Mexico by the American forces, which piece of artillery this State desires to reclaim as a memorial of an unfortunate but commendable enterprise."

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

"Resolved that this Convention will adjourn to morrow night at 12 o'clock, and that a new convention consisting of ninety members, one for each representative district in the lower house of the State legislature, be elected on the 23rd day of Feb'y next, to assemble at the City of Austin on the 2nd day of March, 1861."

Mr. Ireland offered the following resolution which on motion was referred the committee on Public Safety.

"Resolved that it is the opinion of this Convention that the troops now in the service of the United States in Texas should be mustered into the service of the State of Texas for the time being."

Mr. Herbert offered the following resolution which was referred to the committee on Commerce

"Resolved that from and after the passage of the ordinance of secession upon the part of this State, it shall be the duty of all persons holding offices for the collection of revenue under the Federal Government in this State to be installed as officers of the State of Texas, and make their returns to the treasurer of the State of Texas."
Mr. Anderson of Cherokee introduced "An ordinance providing for State officers continuing in office until otherwise provided." Read 1st time and referred to the committee on Business.

Mr. McKay offered the following resolution which was referred to the committee on Federal Relations.

"Resolved that all federal officers in this State are requested to resign, except post masters"

Mr. Muller moved that a committee of five be appointed on Postal Affairs. Carried.

Mr. Stewart of Gonzales offered the following resolution which was adopted.

"Resolved that the Convention expresses its deep sorrow for the serious illness of the Hon. J. C. Wilson which has prevented his attendance on the Convention to which he had been elected as a delegate, and we place upon our Journals our acknowledgments of his distinguished service in behalf of the great Southern cause. And the Secretary is requested to furnish him with a copy of this resolution."

Mr. Chilton introduced a resolution relative to the rendition of fugitives from Mexico. Read 1st time and referred to the committee on Federal Relations.

Mr. Brown offered the following resolution which was adopted.

"Resolved that a committee of five be appointed to prepare and report for the consideration of the Convention an address setting forth the causes which impel Texas to secede from the Federal Union."

Mr. Locke offered the following resolution which was referred to the committee on Business.

"Resolved that it is the sense of this Convention that there should be an article incorporated into the constitution of the Southern Confederacy to be formed at Montgomery, Alabama, that will prohibit any State therein from abolishing slavery."

Mr. Chilton offered the following resolution which was referred to the committee on Finance.

"Resolved that the Legislature of the State be, and is requested to appropriate out of such monies not otherwise appropriated the sum of two thousand five hundred dollars, or so much thereof as may be necessary for the contingent expenses of this Convention, and that the Treasurer be required by law to pay out the same upon the order of the President of this Convention."

On motion, Mesrs. Diamond of Cooke, Robertson of Bell and Graham of Rusk were added respectively to the committees of Public Safety, Finance and Commerce.

By request Mesrs. Reagan and Scurry addressed the Convention.
The President announced Messrs. Muller, Davidson, Stell, Ward and Davenport a committee on Postal Affairs.

On motion the Convention adjourned until 7 ½ o’clock P. M.

Feby. 1st 1861. 7 ½ o’clock, P. M.

The Convention met. Roll called. quorum present.

Mr. Wharton offered the following resolution which was adopted.

"Resolved that Edwin Waller, the only signer of the Texan declaration of independence present as a delegate to this Convention, be honored by permission to sign the ordinance of secession next after the President, and that he be invited to a seat by the side of the President of the Convention during this evening’s session."

Mr. Nat Terry offered the following resolution which was referred to the committee on Public Safety.

"Resolved by the Convention that five military commissioners be elected by this Convention whose appointment shall continue as long as the emergency lasts, or they shall be superseded by the appointment of others, who when elected shall constitute a permanent military board with full discretionary powers on all subjects rightfully appertaining to military affairs."

Mr. Adams presented a communication from the Dallas Light Artillery tendering their services to the Convention, which was referred to the committee on Public Safety.

Mr. Hughes offered the following resolution which was referred to the committee on Resolutions.

"Resolved that the chief justice of each county in the State, or in the event of his failure or refusal so to do, then any one or more of the county commissioners, shall order an election of delegates to be held upon the 23rd day of February A. D. 1861, in such counties as may compose a representative district not already represented by delegates upon this floor, under such rules and provisions as may have heretofore been prescribed for county elections by the statutes of the State of Texas.

"Resolved further that if any vacancy should occur by death or resignation of any of the members of this body before said 23rd day of February the same regulations shall be observed."

The Convention then proceeded to sign the ordinance of secession, under the motion of Mr. Reagan submitted this morning, which was done by the members signing as their names were called from the roll, when the following members signed the ordinance to wit:

O. M. Roberts, Presdt. 6
Edwin Waller
L. A. Abercrombie

W. S. J. Adams
W. A. Allen
James M. Anderson of Cherokee
The spelling and arrangement of the original signatures attached to the engrossed ordinance of secession have been followed. The ordinance of secession is engrossed on a sheet of parchment, 29 x 25 inches. The lower three-fifths of the sheet is filled with the signatures, which are arranged in six columns.
M. F. Locke
Oliver Loftin
Thos. Sallus Lubbock
P. N. Luckett
Henry A. Maltby
Jesse Marshall
James M. Maxey
Wm. McCraven
Thomas M. McCraw
Wm. McIntosh
Gilchrist McKay
Wm. Goodloe Miller
Albert N. Mills
Thomas Moore
Thos. C. Moore
Lewis W. Moore
Charles de Montel
B. F. Moss
John Muller
Thos. J. Nash
A. Nauendorf
T. C. Neel
Allison Nelson
James F. Newsom
W. M. Neyland
E. B. Nichols
E. P. Nicholson
A. G. Nicholson
James M. Norris
Alfred T. Obenchain
W. B. Ochsitree
W. S. Oldham
R. J. Palmer
W. M. Payne
W. K. Payne
William M. Peck
W. R. Poag
Alexander Pope
David Y. Portis
D. M. Prendergast
Walter F. Preston
F. P. Price
A. T. Rainey
John H. Reagan
C. Rector
P. G. Rhome
E. Sterling C. Robertson
John C. Robertson (of Smith)
J. B. Robertson of Independence
William Peleg Rogers
James Harrison Rogers
Edward M. Ross
Jno. Rugeley
H. R. Runnels
E. B. Scarborough
William T. Scott
William Read Scurry
James E. Shepard
Sam S. Smith
Gideon Smith
John D. Stell
Jno G. Stuart of Anderson
Charles Stewart of Falls
William H. Stewart of Gonzales
F. S. Stockdale of Calhoun
B. F. Terry of Fort Bend
Nathl Terry, Tarrant Co.
E. Thomason
James G. Thompson
W. S. Todd
Jas. Walworth
R. H. Ward
William Warren
Jas. C. Watkins
Jno. A. Wharton
Joseph P. Wier
Jno. A. Wilcox
A. P. Wiley of Walker
Ben Williams of Lavaca
Jason Wilson
Philip A. Work
Henry Newton Burditt
P. Taylor
Edward Dougherty

*These three names are included with those signed February 1, but they
stand at the end of the list. In the printed lists and in the Journal they
are located where an alphabetical arrangement would place them. The Jour-
nal shows that Mr. Dougherty signed February 4th.*
Mr. Nicholson of Dallas offered the following resolution which was adopted.

"Whereas the Convention having just finished the important duty of signing the ordinance of secession it is highly proper and appropriate to invoke the blessings of the Great Jehovah upon us as a sovereign people, therefore resolved that the Rt. Revd. Alexander Gregg be invited to the stand for this purpose."[’’]

Mr. Davidson offered the following resolution which on motion of Mr. Ochiltree was laid on the table.

"Resolved that the committee on Resolutions be instructed to inquire into the expediency of repealing so much of the 33rd Section of the 7th Article of the constitution as provides that the aggregate amount of debts contracted by the legislature shall never exceed the sum of one hundred thousand dollars and to report by resolution or otherwise at their earliest convenience."[’’]

Mr. Wiley offered the following resolution which was adopted.

"Resolved that 5000 copies of the ordinance of secession with the signatures of the members be printed and circulated among the people of the State."[’’]

On motion of Mr. Robertson of Smith the Convention went into secret session.
In Secret Session.

Mr. Gregg from the committee on Federal Relations reported the following ordinance which was read, adopted by sections and passed as a whole,

An Ordinance prescribing the mode of election to be held for the rejection or ratification of the Ordinance of Separation of the State of Texas from the United States of America.

Sec. 1. It is ordained by the people of Texas, assembled by their delegates in Convention, that a general election shall be held on the 23rd day of Feb'y A. D. 1861, for the purpose of rejecting or ratifying the ordinance of secession of the State of Texas from the United States of America, passed by this Convention on the 1st day of Feb'y A. D. 1861.

Sec. 2. That said election shall be held in the usual manner except that each county shall be an electoral district, and the vote returned by the proper officer of such county to the President or Secretary of this Convention at Austin.

Sec. 3. The election shall be held at each precinct by the presiding officer of such precinct, either with or without an order of election from the chief justice of the county.

Sec. 4. The returns from the precincts shall be made on or before the 26th day of Feb'y, 1861, either to the chief justice, county clerk, or any one of the county commissioners of the respective counties.

Sec. 5. The manner of making returns to the chief justice, county clerk, or commissioners, shall be the same as that used in the ordinary elections, and the returns made to the President or Secretary of this Convention shall be made in the manner now prescribed by law for making returns of election to the office of Secretary of State.

Sec. 6. It shall be the duty of the officer to whom the returns of his county shall be made to count the votes and certify the result, and transmit the same to the President or Secretary of the Convention, in duplicate, at different times, by mail or by some discreet person, on the 26th day of Feb'y. or sooner, if the complete returns of the county shall have been sooner made, and also deposit a copy of said returns in the county clerk's office.

Sec. 7. The aggregate vote shall be counted by the President and Secretary of the Convention, on or after the 2nd day of March, A. D. 1861, as the Convention may determine, and the result of the vote of the State shall then be proclaimed by the President and Secretary of the Convention, or either of them.

Sec. 8. The manner of voting shall be by ballot, "For Secession"
SIGNERS OF THE ORDINANCE OF SECESSION

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or "Against Secession," and each qualified elector shall be permitted to vote in any county of the State.\(^\text{16}\)

Sec. 9. The citizens of the county of El Paso may hold the election herein specified on the 18th day of Feby. A. D. 1861.

Done and passed in Convention, at Austin, on this the 1st day of February, A. D. 1861.

O. M. Roberts,

President of the Convention.

Attest.
R. T. Brownrigg, Secy.

On motion of Mr. Cleveland the President was authorized to appoint a committee of five to circulate the ordinance.

Messrs Brown, Flournoy, Payne of Hopkins, Cleveland and Ireland were appointed the committee.

On motion of Mr. Portis the secrecy was removed from the proceedings of the Convention upon the ordinance reported by Mr. Gregg from the committee on Federal Relations, prescribing the manner in which the ordinance of secession should be submitted to a vote of the people for ratification or rejection.

Mr. Ochiltree offered the following resolution which was adopted.

"Resolved that there be 1000 copies of the ordinance of secession published, each, in the German and Spanish languages, with the names of the signers attached."\(^{[\text{'}]}\)

The President announced the following as the committee authorized and required by the resolution submitted by Mr. Brown upon the subject of preparing an address to the people of Texas upon the passage of the ordinance of secession, viz: Messrs. Brown, Flournoy, Graham of Rusk, Wiley and Wilcox.

On motion the Convention adjourned until 2½ o'clock, P. M. to-morrow.

City of Austin Texas.
Saturday, Feby. 2nd A. D. 1861.
2½ o'clock P. M.

In Secret Session.

The Convention met pursuant to adjournment Prayer by the Hon. Jas. M. Maxey. Roll called. Quorum present.

\(^{[\text{'}]}\)

The legislature passed an act on February 7th, legalizing this ordinance of the Convention. Two days later a supplemental act was passed, which required the Governor "to issue forthwith his proclamation for the election." The supplemental act required further that the returning officers of the counties make returns to the Secretary of State, to be counted by the Governor and Attorney General. These returns were in addition to and separate from those required to be made to the President of the Convention (Gammel, Laws of Texas, V, 347 and 354).

Governor Houston issued his proclamation on February 9th, ordering the election.