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or "Against Secession," and each qualified elector shall be permitted to vote in any county of the State.<sup>10</sup>

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.

Mesrs 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.['']

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: Mesrs. Brown, Flournoy, Graham of Rusk, Wiley and Wilcox.

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

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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.

<sup>10</sup>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.

The Journals of Wednesday, Jan'y. 30th Thursday Jan'y 31st and Friday Feb'y. 1st were read, amended and adopted.

On motion of Mr. Ochiltree secrecy was removed from the Journals adopted up to this date.

Mr. Wilcox asked to be excused from further service on the committee on the Public Safety.

On motion of Mr. Shepard the request was granted.

On motion of Mr. Mills, Mr. Devine was placed upon the same committee in lieu of Mr. Wilcox excused.

Mr. Robertson of Smith chairman of the committee of Public Safety reported the following resolution and recommended its adoption by the Convention

“Resolved by the people of the State of Texas by delegates in Convention assembled that should the standing committee on Public Safety deem it essential to the public safety to appoint commissioners, officers or persons in reference to taking possession of any of the federal property with[in] the limits of this State, they shall have power to appoint such and assign to them their duty and give them the instructions under which they shall act; but this power shall only extend to such cases as in which the committee deem prompt action and secrecy absolutely necessary.

“That a copy of this resolution signed by the President of this Convention, and the appointment and instructions signed by the Hon. Jno. C. Robertson, chairman of said committee, shall be full authority to the person or persons acting under the same, and a full justification for all acts done in pursuance thereof. [”]

The resolution was adopted by the following vote.

Yeas, Mesrs. President, Abercrombie, Adams, Allen, Anderson of Cherokee, Anderson of Colorado, Armstrong, Askew, Batte, Beazley, Box, Burroughs, Burton, Burditt, Black, Blythe, Bradshaw, Bahan, Broaddus, Brown, Campbell, Casey, Wm. Chambers, T. J. Chambers, Chambers of Titus, Charleton, Chisum, Chilton, Clark, Clayton, Clop-ton, Coke, Cooke, Dancy, Davidson, Dean, Devine, Diamond of Cooke, Diamond of Grayson, Donelson, Dunham, Edwards, Earley, Field, Feeney, Flournoy, Ford of Caldwell, Ford of Cameron, Frost, Galloway, Ganahl, Gould, Graham of Bee, Graham of Rusk, Gray, Green, Gregg, Hardeman, Hayes, Herbert, Hicks, Hill, Hogg, Holt, Hooker, Hord, Howard, Hoyl, Hughes, Hutcheson, Ireland, Jennings, Jones, Kelly, Koester, Lesueur, Latham, Lea, Lester, Littleton, Locke, Lubbock, Luckett, Maltby, Marshall, Maxey, McCraven, McCraw, McIntosh, McKay, Miller, Mills, Moore of Burnett, Moore of Fayette, Moore of Henderson, Montel, Moss, Muller, Nash, Nauendorf, Neel, Nelson, Newsom, Neyland, Nicholson of Dallas, Nicholson of Fannin, Norris, Obenchain, Ochiltree, Oldham, Palmer, Payne of Hopkins,

Payne of Henderson, Peck, Poag, Pope, Portis, Prendergast, Preston, Price, Rainey, Reagan, Rector, Rhome, Robertson of Bell, Robertson of Smith, Robertson of Washington, Rogers of Harris, Rogers of Marion, Ross, Rugeley, Runnels, Scarborough, Scott, Scurry, Shepard, Smith of Bexar, Stell, Stewart of Anderson, Stewart of Falls, Stewart of Gonzales, Stockdale, Terry of Fort Bend, Terry of Tarrant, Thomason, Thompson, Waller, Walworth, Ward, Warren Watkins Wharton, Wier, Wilcox, Wiley, Williams of Lavaca and Work, 159.

Nays, Mesrs. Johnson of Titus, Rains, Shuford, Williams of Lamar and Wright, 5.

Mr. Dancy offered the following resolution which was adopted.

“Resolved that the committee on Foreign Relations be instructed to inquire into the expediency of preparing an ordinance recognizing the independent States of South Carolina and Alabama as this Convention has been officially informed that these States have seceded from the United States of America and declared themselves sovereign and independent States”

Mr. Brown, from the committee to prepare an address to the people of Texas, made the following report.

The undersigned committee appointed to prepare and report an address for the consideration of the Convention, setting forth the causes which induced the State of Texas to secede from the Federal Union, herewith report a ‘declaration’ of such causes and recommend its adoption.

John Henry Brown,  
George Flournoy,  
Jno. A. Wilcox,  
M. D. Graham and  
A. P. Wiley, committee

A declaration of the causes which impel the State of Texas to secede from the Federal Union.

The government of the United States, by certain joint resolutions, bearing date the 1st day of March, in the year A. D. 1845, proposed to the Republic of Texas, then *a free, sovereign and independent nation*, the annexation of the latter to the former, as one of the co-equal States thereof,

The people of Texas, by deputies in convention assembled, on the fourth day of July of the same year, assented to and accepted said proposals and formed a constitution for the proposed State, upon which on the 29th day of December in the same year, said State was formally admitted into the Confederate Union.

Texas abandoned her separate national existence and consented to become one of the Confederate States to promote her welfare, insure

domestic tranquility and secure more substantially the blessings of peace and liberty to her people. She was received into the confederacy with her own constitution, under the guarantee of the federal constitution and the compact of annexation, that she should enjoy these blessings. She was received as a commonwealth holding, maintaining and protecting the institution known as negro slavery—the servitude of the African to the white race within her limits—a relation that had existed from the first settlement of her wilderness by the white race, and which her people intended should exist in all future time. Her institutions and geographical position established the strongest ties between her and other slave-holding States of the confederacy. Those ties have been strengthened by association. But what has been the course of the government of the United States, and of the people and authorities of the *non-slave-holding States*, since our connection with them?

The controlling majority of the Federal Government, under various pretences and disguises, has so administered the same as to exclude the citizens of the Southern States, unless under odious and unconstitutional restrictions, from all the immense territory owned in common by all the States on the Pacific Ocean, for the avowed purpose of acquiring sufficient power in the common government to use it as a means of destroying the institutions of Texas and her sister slave-holding States.

By the disloyalty of the Northern States and their citizens and the imbecility of the Federal Government, infamous combinations of incendiaries and outlaws have been permitted in those States and the common territory of Kansas to trample upon the federal laws, to war upon the lives and property of Southern citizens in that territory, and finally, by violence and mob law, to usurp the possession of the same as exclusively the property of the Northern States.

The Federal Government, while but partially under the control of these our unnatural and sectional enemies, has for years almost entirely failed to protect the lives and property of the people of Texas against the Indian savages on our border, and more recently against the murderous forays of banditti from the neighboring territory of Mexico; and when our State government has expended large amounts for such purpose, the Federal Government has refused reimbursement therefor, thus rendering our condition more insecure and harrassing than it was during the existence of the Republic of Texas.

These and other wrongs we have patiently borne in the vain hope that a returning sense of justice and humanity would induce a different course of administration.

When we advert to the course of individual *non-slave-holding States*,

and that a majority of their citizens, our grievances assume far greater magnitude.

The States of Maine, Vermont, New Hampshire, Connecticut, Rhode Island, Massachusetts, New York, Pennsylvania, Ohio, Wisconsin, Michigan and Iowa, by solemn legislative enactments, have deliberately, directly or indirectly violated the 3rd clause of the 2nd section of the 4th article of the federal constitution, and laws passed in pursuance thereof; thereby annulling a material provision of the compact, designed by its framers to perpetuate amity between the members of the confederacy and to secure the rights of the slave-holding States in their domestic institutions—a provision founded in justice and wisdom, and without the enforcement of which the compact fails to accomplish the object of its creation. Some of those States have imposed high fines and degrading penalties upon any of their citizens or officers who may carry out in good faith that provision of the compact, or the federal laws enacted in accordance therewith.

In all the non-slave-holding States, in violation of that good faith and comity which should exist between entirely distinct nations, the people have formed themselves into a great sectional party, now strong enough in numbers to control the affairs of each of those States, based upon the unnatural feeling of hostility to these Southern States and their beneficent and patriarchal system of African slavery, proclaiming the debasing doctrine of the equality of all men, irrespective of race or color—a doctrine at war with nature, in opposition to the experience of mankind, and in violation of the plainest revelations of the Divine Law. They demand the abolition of negro slavery throughout the confederacy, the recognition of political equality between the white and the negro races, and avow their determination to press on their crusade against us, so long as a negro slave remains in these States.

For years past this abolition organization has been actively sowing the seeds of discord through the Union, and has rendered the federal congress the arena for spreading firebrands and hatred between the slave-holding and non-slave-holding States.

By consolidating their strength, they have placed the slave-holding States in a hopeless minority in the federal congress, and rendered representation of no avail in protecting Southern rights against their exactions and encroachments.

They have proclaimed, and at the ballot box sustained, the revolutionary doctrine that there is a "higher law" than the constitution and laws of our Federal Union, and virtually that they will disregard their oaths and trample upon our rights.

They have for years past encouraged and sustained lawless organizations to steal our slaves and prevent their recapture, and have

repeatedly murdered Southern citizens while lawfully seeking their rendition.

They have invaded Southern soil and murdered unoffending citizens, and through the press their leading men and a fanatical pulpit have bestowed praise upon the actors and assassins in these crimes, while the governors of several of their States have refused to deliver parties implicated and indicted for participation in such offences, upon the legal demands of the States aggrieved.

They have, through the mails and hired emissaries, sent seditious pamphlets and papers among us to stir up servile insurrection and bring blood and carnage to our firesides.

They have sent hired emissaries among us to burn our towns and distribute arms and poison to our slaves for the same purpose.

They have impoverished the slave-holding States by unequal and partial legislation, thereby enriching themselves by draining our substance.

They have refused to vote appropriations for protecting Texas against ruthless savages, for the sole reason that she is a slave-holding State.

And, finally, by the combined sectional vote of the seventeen non-slave-holding States, they have elected as president and vice-president of the whole confederacy two men whose chief claims to such high positions are their approval of these long continued wrongs, and their pledges to continue them to the final consummation of these schemes for the ruin of the slave-holding States.

In view of these and many other facts, it is meet that our own views should be distinctly proclaimed.

We hold as undeniable truths that the governments of the various States, and of the confederacy itself, were established exclusively by the white race, for themselves and their posterity; that the African race had no agency in their establishment; that they were rightfully held and regarded as an inferior and dependent race, and in that condition only could their existence in this country be rendered beneficial or tolerable.

That in this free government *all white men are and of right ought to be entitled to equal civil and political rights*; that the servitude of the African race, as existing in these States, is mutually beneficial to both bond and free, and is abundantly authorized and justified by the experience of mankind, and the revealed will of the Almighty Creator, as recognized by all Christian nations; while the destruction of the **existing relations** between the two races, as advocated by our sectional enemies, would bring inevitable calamities upon both and desolation upon the fifteen slave-holding States.

By the secession of six of the slave-holding States, and the certainty that others will speedily do likewise, Texas has no alternative but to remain in an isolated connection with the North, or unite her destinies with the South.

For these and other reasons, solemnly asserting that the federal constitution has been violated and virtually abrogated by the several States named, seeing that the federal government is now passing under the control of our enemies to be diverted from the exalted objects of its creation to those of oppression and wrong, and realizing that our own State can no longer look for protection, but to God and her own sons—We the delegates of the people of Texas, in Convention assembled, have passed an ordinance dissolving all political connection with the government of the United States of America and the people thereof and confidently appeal to the intelligence and patriotism of the freemen of Texas to ratify the same at the ballot box, on the 23rd day of the present month.

Adapted in Convention on the 2nd day of Feby, in the year of our Lord one thousand eight hundred and sixty-one and of the independence of Texas the twenty-fifth.

‘O. M. Roberts, (President,) Edwin Waller, L. A. Abercrombie, W. A. Allen, Jas. M. Anderson, T. S. Anderson, James R. Armstrong, Richard L. Askew, W. S. J. Adams, Wm. C. Batte, S. W. Beazley, John Box, H. N. Burditt, Jas. M. Burroughs, Jno. I. Burton, S. E. Black, W. T. Blythe, Amzi Bradshaw, R. W. Brahan, A. S. Broaddus, Jno. Henry Brown, Robt. C. Campbell, Lewis F. Casey, Wm. Chambers, T. J. Chambers, Jno. G. Chambers, N. B. Charleton, Geo. W. Chilton, Isham Chisum, Wm. Clark, Jr., J. A. Clayton, Chas. L. Cleveland, A. G. Clopton, Richd. Coke, James E. Cook, Jno. W. Dancy, A. H. Davidson, C. Deen, Thos. J. Devine, Thos. G. Davenport, Jas. J. Diamond, Wm. W. Diamond, Jno. Donelson, Jos. H. Dunham, Edward Dougherty, H. H. Edwards, Elbert Earley, John N. Fall, Drury Field, Jno. H. Feeney, George Flournoy, Spencer Ford, Jno. S. Ford, Thos. C. Frost, Amos P. Galloway, Charles Ganahl, Robt. S. Gould, Robt. Graham, Malcolm D. Graham, Peter W. Gray, Jno. A. Green, John Gregg, Wm. P. Hardeman, Jno. P. Hayes, Philemon T. Herbert, A. W. O. Hicks, Thos. B. J. Hill, Alfred M. Hobby, Jos. L. Hogg, J. J. Holt, Jas. Hooker, Edward R. Hord, Russell Howard, A. C. Hoyl, Thos. P. Hughes, J. W. Hutcheson, Jno. Ireland, Thos. J. Jennings, F. Jones, W. C. Kelly, T. Koester, C. M. Lesueur, F. W. Latham, Pryor Lea, Jas. S. Lester, Jno. Littleton, M. F. Loeke, Oliver Lofton, Thos. S. Lubbock, P. N. Luckett, Henry A. Maltby, Jesse Marshall, James M. Maxey, Lewis W. Moore, Wm. McCraven, Wm. McIntosh, Gilchrist McKay, Thos. M. McCraw, Wm. Goodloe Miller, Albert N. Mills, Thos. Moore, Thos. C. Moore, Charles

de Montel, B. F. Moss, John Muller, Thos. J. Nash, A. Nauendorf, T. C. Neel, Allison Nelson, Jas. F. Newcom, W. M. Neyland, E. B. Nichols, A. J. Nicholson, E. P. Nicholson, Jas. M. Norris, Alfred T. Obenchain, W. B. Ochiltree, W. S. Oldham, R. J. Palmer, W. M. Payne, W. K. Payne, Wm. M. Peck, W. R. Poag, Alex. 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. S. C. Robertson, J. C. Robertson, J. B. Robertson, Wm. P. Rogers, James H. Rogers, Edward M. Ross, John Rugeley, H. R. Runnels, E. B. Scarborough, Wm. T. Scott, Wm. Read Scurry, James E. Shepard, Sam S. Smith, Gideon Smith, Jno. D. Stell, Jno. G. Stewart, Charles Stewart, F. S. Stockdale, Wm. H. Stewart, Pleasant Taylor, B. F. Terry, Nathaniel Terry, E. Thomason, Jas. G. Thompson, W. S. Todd, Jas. Walworth, R. H. Ward, Wm. Warren, J. C. Watkins, Jno. A. Wharton, Jos. P. Wier, Jno. A. Wilcox, A. P. Wiley, Ben Williams, Jason Wilson, Philip A. Work.

R. T. Brownrigg Secretary

Wm. Dunn Schoolfield and R. W. Lunday Asst. Secretaries.

On motion of Mr. Nicholson of Dallas the address was adopted by the Convention.

On motion of Mr. Terry of Tarrant 10,000 copies of the address were ordered to be printed.

On motion of Mr. Muller 2000 copies of that number were ordered to be printed in the German language.

On motion of Mr. Devine 2000 copies of that number were ordered to be printed in the Spanish language.

Mr. Terry of Tarrant introduced "an ordinance to establish a military board," which was read by caption and referred to the committee on Public Safety.

Mr. Robertson of Washington chairman of the committee appointed by the Convention to wait upon the House of Representatives and inform that body that the Convention had proceeded to business and desired its cooperation reported that duty performed, and that that honorable body cordially reciprocated the sentiments of the Convention.

Mr. Ireland moved that the President appoint a committee on Printing to consist of three members, and asked to be excused from being appointed thereon. Carried.

Mesrs. Brown, Scarborough and Shuford were appointed the committee.

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

"Resolved that Mesrs. Flournoy and Wharton be requested to furnish this Convention with written copies of their respective remarks

upon the presentation of the flags by a portion of the patriotic ladies of Travis county to this Convention, and that said remarks when furnished shall be spread upon the Journals of this Convention in their appropriate places.[']

Mr. Ochiltree offered the following resolution which was referred to the committee on Foreign Relations

“Resolved that this Convention recommends to the citizens of the Territory of Santa Fe or New Mexico the propriety of immediately proceeding to form a State constitution recognizing the institution of slavery, and that they be requested to apply to the Southern convention at Montgomery for admission into the confederacy of Southern States.

“Resolved that the President of this Convention communicate to the governor of New Mexico a copy of these resolutions.[']

On motion of Mr. Nelson the Convention adjourned until 7 ½ o'clock, P. M.

Feby. 2nd 1861. 7 ½ o'clock, P. M.

The Convention met. Roll called. quorum present.

On motion of Mr. Ochiltree the secret session terminated and the doors were thrown open.

Mr. Lubbock offered the following resolution, which on motion of Mr. Jennings was laid on the table

“Resolved that a special committee be appointed to take charge of the mileage and per diem of such members of the Convention as may see fit to relinquish the same, in case the Legislature shall make an appropriation for the pay of delegates to the Convention, and that said committee be instructed to expend whatever sum they may obtain in such manner as the committee on Public Safety may direct.[']

Mr. Ireland offered the following resolution which was laid on the table.

“Resolved that the committee on Public Safety be authorized to receive and expend such sums as citizens of the State may desire to donate [to] the public service, in such manner as the committee may think expedient.[']

Mr. Portis offered the following resolution

“Resolved that this Convention will adjourn Tuesday the fifth day of Feby. A. D. 1861, to meet again the 2nd day of March following, and that to reduce the expense of said Convention the members from each senatorial district shall draw lots so that two members from each senatorial district shall continue members of this Convention, and that the others shall resign and no elections take place to fill their vacancies.[']

On motion of Mr. Wm. Chambers the resolution was laid on the table

Mr. Scurry presented the credentials of Edward Dougherty, delegate from the counties of Cameron and Hidalgo, and moved that he be entitled to a seat in the Convention and allowed in conjunction with the other three delegates from said counties to cast three votes from the entire delegation, which motion prevailed.

#### Orders of the Day.

The report of the committee on Business recommending to the favorable consideration of the Convention "An ordinance to provide for the appointment of delegates from the State of Texas to a convention of the Southern seceded States" was taken up and read.

Mr. Stell moved to postpone the consideration of the ordinance for the present. Lost.

Mr. Wiley offered the following resolution as a substitute,

"Resolved that three commissioners be elected by the Convention to attend the proposed convention of the Southern States at Montgomery, Alabama, and represent the interests of the State of Texas.['']

Mr. Portis offered the following as a substitute for the substitute.

"Resolved that the Convention will now proceed to elect a commissioner to attend the convention of delegates of the Southern States to convene at Montgomery on the 4th day of Feby. 1861, that he be commissioned by the President with plenary powers, and that if the congress consent he be fully authorized to represent the State of Texas in said convention.['']

Mr. Robertson of Washington offered the following as an amendment

"Resolved that no member of this Convention shall be eligible to any office to be elected by this Convention['']

Mr. Brown moved that the ordinance, proposed substitutes and amendments be referred to a special committee of three, with instructions to report an ordinance on Monday next, providing for the election by this Convention of a commissioner from Texas to the convention at Montgomery, Alabama, and also for the election by the voters of this State on the 23rd day of Feby. of delegates to represent Texas in any convention that may be in session or afterwards assembled to form a union between the seceded States.

Upon that motion Mr. Brown moved the previous question, which was lost.

On motion of Mr. Stockdale the motion was amended by striking out all after the word "Alabama,"

The motion as amended then prevailed.

Mr. Devine offered the following resolution which was adopted.

"Resolved that the county courts of the respective counties be and

they are hereby recommended to take prompt and efficient measures to organize and arm each one or more companies of infantry or cavalry to be held in readiness as minute men to protect the rights and interests of the State.['']

Mr. Hutcheson offered the following resolution

“Resolved that a committee of five be appointed to take into consideration the best plan of reducing the expenses of this Convention, or any other body which may meet hereafter for the purpose of carrying into effect and vitality the ordinance to be voted on on the 23rd day of Feby. and to do and perform all things necessary upon the ratification by the people of the ordinance of secession, and that said committee report on Monday next.”

On motion of Mr. Broaddus laid on the table

Mr. Cook offered the following resolution which was adopted

“Resolved that this Convention tenders to the Hon. Louis T. Wigfall, John Hemphill and John H. Reagan the thanks of the people of Texas for the fidelity, zeal and ability with which they have served the State of Texas in the last congress of the United States of America.['']

Mr. Luekett offered the following resolution which was adopted,

“Resolved that the President of this Convention be requested to transmit a copy of the ordinance of secession with such accompanying communication as he may deem proper to our senators and representatives in the United States congress and to each of the governors of the slave-holding States.['']

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

“Resolved that from and after this time a majority of the whole number of delegates of this Convention shall constitute a quorum, and shall be authorized to transact business.['']

On motion of Mr. Wharton the Convention adjourned until 2 o'clock, P. M., on Monday next.

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Austin Texas, Monday.

February 4th A. D. 1861.

The Convention met pursuant to adjournment. Roll called. quorum present.

On motion of Mr. Nelson the reading of the Journals was dispensed with for the present.

On motion of Mr. Ochiltree secrecy was removed from the proceedings, except the reports of the committee on Public Safety and the action of the Convention thereon

On motion of Mr. Wilcox, Mr. Davidson was added to the committee on Foreign Relations