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Mr. Throckmorton offered the following as a substitute.

“Resolved that the committee on the Constitution report an amendment to the 3rd Section of the 10th Article of the constitution to provide for the sale of the four leagues of school lands belonging to each county in the State, so that the same may be made available to the common school fund of the respective counties.”

On motion of Mr. Portis referred to the committee on the Constitution.

Mr. Locke offered the following resolution, which was adopted.

“Resolved that the President of this Convention appoint a committee of five on Engrossed Bills.”

Mr. Wharton offered the following resolution which was adopted.

“Resolved that Mesrs. Devine, Robertson of Smith and Rogers of Marion be appointed a committee to superintend the printing of the reports from the committee of Public Safety submitted on yesterday, of which 500 copies were ordered to be printed.[’]”

Mr. Hall introduced an ordinance in relation to the district and justices courts of this State. Read 1st and 2nd times and referred to the committee on Constitution.

Mr. Nelson offered the following resolution which was adopted unanimously.

“Resolved that the thanks of the people of Texas are due and are hereby tendered to Maj. Genl. David E. Twiggs, late of the United States army, for his patriotism, moral courage, loyalty to the constitution of the United States embracing the rights and liberty of his native South, and that a copy of this resolution be enrolled on parchment and signed by the President and Secretary and transmitted to General Twiggs.[’]”

Mr. Graham of Rusk offered the following resolution, which was adopted.

“Resolved that the committee on Public Safety be requested and instructed to report as soon as practicable an ordinance providing for the distribution of the arms and munitions of war which may be procured hereafter or which may now be in possession of the authorities of the State, or subject to the control of this Convention.”

On motion of Mr. Dancy the Convention adjourned until 10 o'clock, Monday morning.

City of Austin, Texas,
Monday, March 11th 1861.

The Convention met pursuant to adjournment. Roll called. Quorum present. Prayer by the chaplain. The Journal of Saturday was read and adopted.

Mr. Campbell presented the credentials of George Mason, delegate elect from the county of Galveston vice Mr. Muller resigned. Referred to the committee on Credentials and the Secretary ordered to correct the roll accordingly.

On motion of Mr. Brown, Mr. McCall, the delegate elect from the county of Erath and others, was admitted to his seat in the Convention, the Secretary ordered to enroll his name and the evidences of his election referred to the committee on Credentials.

Mr. Howard presented the petition of J. D. Hollyday.⁴⁶ Referred to the committee on Public Safety.

The President submitted a communication from Ben McCulloch, resigning the commission conferred upon him by the committee of Public Safety during the recess of the Convention⁴⁷ Referred to the committee on Public Safety.

Also a communication from Genl. Sidney Sherman⁴⁸ referred to the same committee.

Also a communication from N. B. McDonald and others tendering the services of two military companies from the county of Ellis⁴⁹ Referred to the same committee.

Mr. Stockdale presented the memorial of Jno. M. Bronaugh,⁵⁰ and the memorial of T. C. Williams.⁵¹ Referred to the committee on Foreign Relations.

The President appointed the following standing committee on Engrossments: Mesrs. Locke, Payne of Hopkins, Wm. Chambers, Moore of Burnet and Smith of Bexar.

Mr. Robertson of Smith, chairman of the committee of Public Safety made a report relative to the "Henry Dodge"⁵² etc.

The hour having arrived for the special order the Convention pro-

⁴⁶J. D. Holliday wrote from Fort Stockton, March 2d, stating that the withdrawal of the United States troops from that fort had left a large quantity of government stores including 180 head of cattle without protection. To protect this property as well as his own, he asks to be appointed captain. (A. L. S. in Misc. Papers of the Secession Convention.)

⁴⁷Letter from Ben McCulloch has not been found.

⁴⁸Letter from Sidney Sherman has not been found.

⁴⁹A. B. McDonald with nine others signed a letter, dated Waxahachie, March 6th, in which they stated: "There are two military companies in this county. One Infantry and one Cavalry, who have been drilling for some time. Many of the members of said companys are willing to tender their services to the State in case they can get arms. Please, inform us whether or not the State is prepared to arm her Companies; and if so, what is necessary on the part of those wishing to get arms." (L. S. in Misc. Papers of the Secession Convention.)

⁵⁰John M. Bronaugh, a citizen of Jackson county, recites his service in the Mexican War, and tenders his services to the State. (A. L. S. in Misc. Papers in the Secession Convention.)

⁵¹Communication from T. G. Williams has not been found.

⁵²See report No. 7 of the Committee on Public Safety, page 389.

ended to the consideration of "the ordinance to provide for the protection of the frontier of the State of Texas."

On motion of Mr. Montgomery the amendment offered by Mr. Nicholson of Fannin was laid on the table.

Mr. T. J. Chambers offered "an ordinance for the protection of the State of Texas" as a substitute.

Mr. Rogers of Marion offered an ordinance providing a military organization for the State of Texas as a substitute for both.

On motion of Mr. Rogers of Harris the original ordinance, with the substitutes, was referred to the committee on Public Safety; with instructions to report at as early a day as practicable an ordinance in conformity with the law passed by the provisional congress of the Confederate States of America.

Mr. Graham introduced "an ordinance to provide for the immediate protection of the frontier of the State of Texas[']" Read 1st time

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

On motion of Mr. Brown the ordinance was referred to the committee on Public Safety.

Mr. Shepard offered the following resolution which was adopted.

"Resolved that the committee on Public Safety consider in connection with 'the ordinance to provide for the protection of the frontier of the State of Texas,' and the substitute proposed for the same, this day referred to them, the propriety of authorizing some person at Sabine Pass, Galveston, Pass Caballo, Aransas Pass, and Brazos Santiago to employ laborers to construct sand forts under the direction of competent officers at each of said passes."

Mr. Portis offered the following resolution which was adopted.

"Whereas Col. Waite, late commanding the Department of Texas, has protested against the seizure of the public funds of the United States at San Antonio, and whereas it is the deliberate judgement of this Convention that there is no distinction between the seizure of arms, munitions of war, and the public funds of the United States, therefore,

"Resolved that the Commissioners acting in behalf and under the direction of the committee of Public Safety of this Convention have rightfully and properly performed the duty assigned them by seizing the public funds of the United States in the city of San Antonio, and that this Convention fully approve of the action of the Commissioners in the premises."

Mr. Henderson offered the following resolution.

"Resolved that it is the sense of this Convention that such changes

should be made in our State constitution and laws as should be made in order to fit our government for the condition of separation from the United States, and our connection with the Confederate States of America and to provide for the defence and safety of the State and its citizens."

On motion of Mr. Henderson the resolution was amended by inserting between the words "that" and "such" the word "only."

Mr. Hicks moved the indefinite postponement of the resolution.

Mr. Chilton moved the previous question, which was ordered, and the resolution was adopted by the following vote.

Yeas, Mesrs. President, Adams, Allen, Askew, Bagby, Batte, Baxter, Beazley, Box, Black, Blythe, Brahan, Broaddus, Brown, Campbell, Wm. Chambers, T. J. Chambers, Chambers of Red River, Chambers of Titus, Chilton, Chisum, Clayton, Cleveland, Clopton, Coke, Cook, Cox, Dancy, Davenport, Devine, Dunham, Earley, Feeney, Flournoy, Gould, Graham of Rusk, Green, Hall, Hardeman, Hays, Henry, Henderson, Hobby, Hogg, Holland, Hooker, Howard, Hoyle, Hughes, Hunt, Jennings, Jones, Koester, Lesueur, Lester, Locke, Lubbock, Mason, Mattox, Maxey, McCraw, McIntosh, Miller, Montgomery, Moore of Burnet, Moore of Fayette, Moore of Henderson, Montel, Moss, Nash of Dallas, Nash of Kaufman, Nauendorf, Neel, Nelson, Newsom, Nicholson of Fannin, Obenchain, Palmer, Peck, Poag, Prendergast, Preston, Rainey, Robertson of Bell, Robertson of Smith, Rogers of Harris, Rogers of Marion, Ross, Russell, Scott, Shepard, Smith of Bexar, Smith of Fannin, Stapp, Stell, Stewart of Anderson, Stewart of Falls, Stewart of Gonzales, Stockdale, Taylor, Terry of Tarrant, Thompson, Walworth, Warren, Watkins, Wier, Wilcox of Bexar, Wilson and Word, 109.

Nays, Mesrs. Anderson of Colorado, Armstrong, Davidson, Dean, Fall, Hicks, Johnson of Lamar, Kelly, Lea, Maltby, McCall, Norris, Portis, Rheme, Robertson of Washington, Shuford, Scurry, Throckmorton, Todd, Waller, Wharton, Wilcox of Denton, Wiley and Wright, 24.

Mr. Jennings moved a reconsideration of the vote just taken

Mr. Henderson moved to lay that motion on the table.

Mr. Portis moved to adjourn until tomorrow morning at 10 o'clock.
Lost.

On motion of Mr. Baxter the Convention adjourned until 7 o'clock this evening.

Monday, March 11th/61. 7 o'clock P. M.

The Convention met. Roll called. quorum present.

The motion of Mr. Henderson, to lay upon the table the motion of Mr. Jennings to reconsider the vote adopting the resolution offered by

Mr. Henderson this morning, pending when the Convention adjourned, was lost by the following vote.

Yeas, Messrs. Adams, Allen, Beazley, Black, Broaddus, Chisum, Clayton, Cleveland, Coke, Cook, Cox, Dunham, Feeney, Gould, Graham of Rusk, Henry, Henderson, Hill, Hobby, Hooker, Howard, Hutcheson, Locke, Mattox, Maxey, McCraw, McIntosh, Miller, Montgomery, Moore of Fayette, Moore of Henderson, Nash of Dallas, Neel, Nelson, Newsom, Nicholson of Fannin, Peck, Prendergast, Robertson of Bell, Rogers of Harris, Stewart of Falls, Terry of Tarrant, Walworth, Wier, Wilcox of Bexar, Wilson and Word, 47.

Nays, Messrs. President, Anderson of Colorado, Armstrong, Askew, Bagby, Batte, Baxter, Black, Blythe, Brahan, Brown, Campbell, Wm. Chambers, T. J. Chambers, Chambers of Red River, Chambers of Titus, Chilton, Clarke, Clopton, Dancy, Davenport, Davidson, Dean, Devine, Earley, Ford of Caldwell, Green, Hall, Hardeman, Hays, Hicks, Hogg, Holland, Hoyle, Hunt, Jennings, Johnson of Lamar, Jones, Kelly, Koester, Lesueur, Lea, Lester, Lubbock, Luckett, Maltby, Mason, McCall, Moore of Burnet, Montel, Moss, Nash of Kaufman, Nauendorf, Nicholson of Dallas, Norris, Palmer, Payne of Hopkins, Poag, Portis, Preston, Rainey, Rhome, Robertson of Smith, Robertson of Washington, Rogers of Marion, Ross, Runnels, Russell, Scott, Shuford, Scurry, Shepard, Smith of Bexar, Stapp, Stell, Stewart of Anderson, Stewart of Gonzales, Stockdale, Thompson, Throckmorton, Todd, Waller, Warren, Watkins, Wharton, Wilcox of Denton, Wiley and Wright, 88.

On motion of Mr. Rainey the previous question was ordered, and the motion of Mr. Jennings to reconsider the vote adopting the resolution prevailed.

Mr. Rainey offered the following as a substitute.

“Resolved that the Convention represents the sovereignty of the people of Texas and in said capacity may alter, modify and reform the existing State government, but deem it unwise to make any changes in our State constitution and the laws made in pursuance thereof, except those that may be necessary to absolve the State of Texas from all obligation to the late government of the United States, to secure the annexation of said State to the Confederate States of America, to secure the conformance of the State government to the action of this Convention in the premises, and to provide for the defence and safety of the State.[”]

Mr. Hicks moved the indefinite postponement of the resolution and substitute,

Upon which motion Mr. Stockdale moved the previous question,

which was ordered, and the resolution and substitute were postponed by the following vote.

Yeas, Mesrs. President, Allen, Anderson of Colorado, Bagby, Batte, Baxter, Box, Blythe, Brahan, Brown, Campbell, Wm. Chambers, T. J. Chambers, Chambers of Red River, Chambers of Titus, Chilton, Chisum, Clarke, Clopton, Coke, Cook, Dancy, Davenport, Davidson, Dean, Devine, Earley, Ford of Caldwell, Graham of Rusk, Green, Hall, Hardeman, Hicks, Hobby, Holland, Hoyle, Hunt, Jones, Kelly, Koester, Lesueur, Lea, Lubbock, Lockett, Maltby, Mason, Mattox, Maxey, McCall, Moore of Burnet, Moore of Henderson, Moss, Nicholson of Dallas, Norris, Obenchain, Payne of Hopkins, Poag, Portis, Preston, Rhome, Robertson of Smith, Robertson of Washington, Rogers of Marion, Ross, Runnels, Scott, Shuford, Scurry, Shepard, Smith of Bexar, Stapp, Stell, Stewart of Anderson, Stewart of Gonzales, Stockdale, Terry of Tarrant, Thompson, Throckmorton, Todd, Waller, Walworth, Warren, Watkins, Wharton, Wilcox of Denton, Wiley, Word and Wright, 89.

Nays, Mesrs. Allen, Askew, Beazley, Black, Broaddus, Clayton, Cleveland, Cox, Dunham, Feeney, Gould, Hays, Henry, Henderson, Hill, Hogg, Hooker, Hutcheson, Jennings, Lester, Locke, McCraw, McIntosh, Miller, Montgomery, Moore of Fayette, Montel, Nash of Dallas, Nash of Kaufman, Nauendorf, Neel, Nelson, Newsom, Nicholson of Fannin, Palmer, Peck, Prendergast, Rainey, Robertson of Bell, Rogers of Harris, Russell, Stewart of Falls, Wier, Wilcox of Bexar, and Wilson, 45.

On motion of Mr. Campbell, Mr. Mason was added to the committees on Constitution and on Citizenship.

By leave Mr. Chilton changed his vote on the resolution offered by Mr. Henderson this morning.

By leave Mr. Ford of Caldwell changed his vote against the resolution.

The President submitted a communication from A. C. Horton, tendering the services of a company.⁵³ Referred to the committee on public Safety.

Mr. Robertson of Smith chairman of the committee on Public Safety made a report.⁵⁴

An ordinance to appoint a quartermaster general and commissary, read 1st time.

⁵³Mr. A. Horton, not A. C. Horton, wrote from San Augustine, February 25th. "I have this day completed the organization of 120 men, ready for cavalry service, except arms. The company passed resolutions adopting Sharp's Rifles, Colt's Navy Six Shooters and Broad Swords for arms, and requesting that the same be furnished the company." (L. S. in Misc. Papers of the Secession Convention.)

⁵⁴Probably Report No. 8 of the Committee on Public Safety, printed on page 396.

On motion of Mr. Devine the rule was suspended, the ordinance taken up and read a 2nd time.

On motion of Mr. Stockdale the Convention adjourned until tomorrow morning at 10 o'clock.

City of Austin Texas.

Tuesday, March 12th 1861.

The Convention met pursuant to adjournment. Roll called. Quorum present. Prayer by the chaplain. The Journal of yesterday was read and adopted.

On motion of Mr. Montel, Mr. Scurry was added to the committee on Citizenship.

On motion of Mr. Stewart of Anderson, Mr. Word was added to the committees on Constitution and on Finance.

On motion of Mr. Wright, Mr. Wilcox of Denton was added to the committee on Frontier Protection.

On motion of Mr. Moore of Burnet, Mr. McCraw was added to the committee on Frontier Protection.

On motion of Mr. Coke, Mr. Prendergast was added to the committee on Constitution.

On motion of Mr. Poag, Mr. Adams was added to the same committee.

Mr. Prendergast submitted a communication from W. T. Mechling.⁵⁵ Referred to the committee on Foreign Relations.

Also a communication from L. C. Harby,⁵⁶ referred to the same committee.

Also a communication from Capt. Walker of Lavacca. Referred to the committee on Public Safety.

On motion of Mr. Robertson of Bell, Mr. Wright was added to the committee on Postal Affairs.

Mr. Rogers of Harris, chairman of the committee on Foreign Relations, reported "an ordinance accepting the services of such of the officers of the late army of the United States as have resigned and

⁵⁵W. T. Mechling wrote from San Antonio, March 4th, tendering his services to the State. "I am a graduate of West Point and since 1848 a citizen of this State and am now holding the appointment and doing the duty of Assistant Adjutant General to Col Ben McCulloch commanding this Division of the State." (A. L. S. in Misc. papers of the Secession Convention.)

⁵⁶Levy C. Harby wrote from Galveston, February 25th, "As a Southern man I could not conscientiously hold office under the Federal Government and on the 10th of January resigned my commission. I now beg leave to tender to Texas my services as a naval officer, having been in 1836 her first commissioned Captain under the Provisional government, serving both ashore and afloat . . . I have been for nearly four years in command of the Cutter Henry Dodge; I am perfectly acquainted with the entire coast of Texas." (A. L. S. in Misc. Papers of the Secession Convention.)