



Compass
750

DUKE
UNIVERSITY
LIBRARY

Treasure Room





Digitized by the Internet Archive
in 2010 with funding from
Duke University Libraries

JOURNAL

OF THE

STATE CONVENTION

AND

ORDINANCES AND RESOLUTIONS

ADOPTED IN JANUARY, 1861.

WITH AN APPENDIX.

Published by Order of the Convention.

51526

JACKSON, MISS.,
E. BARKSDALE, STATE PRINTER.

1861.



47411
2-3
2-1-1861
57-27

T2. R.
~~973.7131~~
~~77-678 J~~

1861
C. 17
10

JOURNAL.

The Convention convened at the Capitol in the city of Jackson, on Monday the seventh day of January, in the year of our Lord one thousand eight hundred and sixty-one, and of the independence of the United States of America the eighty-fifth, in pursuance of an act of the Legislature of said State entitled an act to provide for a Convention of the people of the State of Mississippi.

MONDAY, JANUARY, 7th, 1861.

At twelve o'clock M., Mr. Gholson called the Convention to order, and on his motion, H. T. Ellett was called to the Chair.

The Rev. C. K. Marshall opened the Convention with prayer as follows :

Almighty and Everlasting God, we come into Thy presence on this solemn occasion, so freighted with the interests of all we hold dear as a people—so momentous in high purposes, and holy resolves—most humbly and earnestly to implore Thee to look down upon us in compassion and mercy, vouchsafe to these Thy servants assembled in General Convention, the guidance and support of Thy Holy Spirit. This is a day of sore trial to Patriots and Christians, and we are gathered together here to devise measures of government for our protection and well-being, and we fear to trust the issues of the conflict on the formation of our plans to mere human wisdom and prudence. We, therefore, devoutly look up to Thee, praying that Thy Fatherly blessing may so inspire this body that by their action and labours the cause of liberty, religion, agriculture, commerce, government, our domestic peace and general prosperity, may be promoted and maintained. And grant, Oh! God, that in the performance of their weighty obligations, these Thy servants may consummate such measures as shall result in the establishment of

51326

the principles of justice, equity and brotherly concord—that national strifes, railing controversies, bitter recriminations and animosities may be banished from the land, while the vital doctrines of equality, self-government and constitutional freedom shall be maintained inviolable, and handed down to posterity as a Heaven-ordained legacy. (Thou, Oh! God, has seen the malign and mighty agencies which many of the sister States of this great national family have for years past employed for our annoyance, reproach and overthrow, as equals in the Confederated Union; and how they have pursued the purpose of depriving us of our just rights, and destroying in our midst the institution which Thy Providence has solemnly bound us to uphold, defend and protect. We have cried, Oh! Lord, to Thee, against wrong and discord, fanaticism and fratricidal strife; and we now beseech Thee, hear the voice of our complaint and grant us Thy favor! Endue the hearts and understandings of the members of this Convention with wisdom from above; teach them as the Princes of Thy people, the precepts of Thy Law, and help them in this momentous crisis to look up to Thee and rely on Thy blessing, that they may lay aside all passion, prejudice and unkindness, and in calmness, and self-forgetfulness discharge the duties imposed by their high office. May they be so guided by Thee, that the issue of their labors shall result in measures of prosperity, public tranquility and domestic repose, and, if as a State and a people we shall again resume the concessions which bind us to-day to the Federal Union, and in new, untried relations, go forth in pursuit of the rights and privileges lost in the Union—God of our Fathers leave us not to ourselves—be Thou our Leader, and our defense—raise up for us great and worthy men to utter the words of Thy providential Teaching—shield us from every menacing danger—give unity of sentiment and harmony of action to all the people—deliver us from the power of our enemies, and from the sword of our brethren abroad. But if their sword be drawn against us, Oh! God of Justice and Mercy, be to us a very present help in the day of conflict, and victorious in arms we will ascribe the glory of our deliverance to Thy Great Name.

And, now, Heavenly Father, we commend to Thy special care and blessing, the welfare and interests of the several nationalities, of our own, and distant land. Bring the day of general peace—stay the hand that seeks the blood of a brother—let truth and charity prevail that Thy name may

be glorified in all the earth. Forgive all our sins; let them not be visited retributively on our homes, or our country. Make us Thy people and deliver us from all evil—and may we never have occasion to regret the steps we are about to take in the great work that now lies before us.

These favors, and blessings, we humbly implore in the name, and through the merits of our Lord Jesus Christ. Amen!

On motion, Mr. H. H. Tison was appointed Secretary *pro tem*.

The roll of counties was then called.

The following delegates came forward and registered their names :

Adams County—A. K. Farrar, J. Winchester.

Attala—E. H. Sanders, J. W. Wood.

Amite—D. W. Hurst.

Bolivar—M. H. McGehee.

Carroll—J. Z. George, W. Booth.

Claiborne—H. T. Ellett.

Coahoma—J. L. Alcorn.

Copiah—P. S. Catching, B. King.

Clarke—S. H. Terral.

Choctaw—W. F. Brantley, W. H. Witty, J. H. Edwards

Chickasaw—J. A. Orr, C. B. Baldwin.

Covington—A. C. Powell.

Calhoun—W. A. Sumner, M. D. L. Stephens.

DeSoto—J. R. Chalmers, S. D. Johnston, T. Lewers.

Franklin—D. H. Parker.

Green—T. J. Roberts.

Hinds—W. P. Harris, W. P. Anderson, W. B. Smart.

Holmes—J. M. Dyer, W. L. Keirn.

Harrison—D. C. Glenn.

Hancock—J. B. Deason.

Issaquena—A. C. Gibson.

Itawamba—R. O. Beene, A. B. Bullard, W. H. H. Tison,
M. C. Cummings.

Jasper—O. C. Dease.

Jackson—A. E. Lewis.

Jefferson— — — — —.

Jones—J. H. Powell.

Kemper—O. Y. Neely, T. H. Woods.

Lawrence—W. Gwin.

Lowndes—W. S. Barry, G. R. Clayton.

Leake—W. B. Colbert.

Lauderdale—J. B. Ramsey, F. C. Semmes.

Lafayette—L. Q. C. Lamar, T. D. Isom.

Marshall—A. M. Clayton, J. W. Clapp, S. Benton, H. W. Walter, W. M. Lea.

Madison—A. P. Hill.

Monroe—S. J. Gholson, F. M. Rogers.

Marion—H. Mayson.

Noxubee—Israel Welsh.

Neshoba—D. M. Bäckstrom.

Newton—M. M. Keith.

Oktibbeha—T. C. Bookter.

Perry—P. J. Myers.

Pike—J. M. Nelson.

Panola—J. B. Fiser, E. F. McGehee.

Pontotoc—C. D. Fontaine, J. B. Herring, H. R. Miller, R. W. Flournoy.

Rankin—J. J. Thornton, W. Denson.

Sunflower—E. P. Jones.

Simpson—W. J. Douglas.

Smith—W. Thompson.

Scott—C. W. Taylor.

Tallahatchie—A. Patterson.

Tishomingo—A. E. Reynolds, W. W. Bonds, T. P. Young, J. A. Blair.

Tunica—A. Miller.

Tippah—O. Davis, J. H. Berry, J. S. Davis, D. B. Wright.

Washington— — — — —

Wilkinson—A. C. Holt.

Wayne—W. J. Eckford.

Warren—W. Brooke, T. A. Marshall.

Winston—J. Kennedy, W. S. Bolling.

Yallobusha—F. M. Aldridge, W. R. Barksdale.

Yazoo—H. Vaughan, G. B. Wilkinson.

On motion of Mr. Gholson the Convention proceeded to the election of a President by ballot.

The Chairman appointed Messrs. Anderson, Berry and Nelson, to act as tellers.

Upon the first ballot

Mr. W. S. Barry received	27	votes,
“ S. J. Gholson	10	“
“ H. T. Ellett	12	“
“ H. R. Miller	12	“
“ A. M. Clayton	10	“
“ D. C. Glenn	2	“
“ W. P. Harris	3	“

Mr. J. L. Alcorn	"	17	votes,
" J. S. Yerger	"	1	"
" W. Brooke	"	2	"
" G. R. Clayton	"	1	"

Whole number of votes cast.....97 "

Necessary to a choice.....49 "

No one having received a majority of the whole number cast, the Convention proceeded to a second ballot, which resulted as follows :

Upon the second ballot

Mr. W. S. Barry received.....		41	votes,
" Alcorn	"	13	"
" A. M. Clayton	"	8	"
" Ellett	"	8	"
" Gholson	"	9	"
" H. R. Miller	"	14	"
" Yerger	"	1	"
" Clapp	"	1	"
" Harris	"	1	"
" Glenn	"	1	"

Whole number of votes cast.....97 "

Necessary to a choice.....49 "

No one having received a majority of all the votes cast, the Convention proceeded to a third ballot :

W. S. Barry received.....		58	votes,
J. L. Alcorn	"	14	"
A. M. Clayton	"	1	"
H. T. Ellett	"	5	"
H. R. Miller	"	12	"
S. J. Gholson	"	6	"
S. Benton	"	1	"

Whole number of votes cast.....97 "

Necessary to a choice.....49 "

Mr. Barry having received a majority of the whole number of votes cast, was declared President of the Convention.

The Chairman appointed Messrs. Alcorn and Miller to conduct him to the Chair.

Mr. Barry on taking his seat addressed the Convention.

On motion of Mr. Welsh, the Convention proceeded to the election of Secretary, by ballot.

Nominations being in order, Mr. Lamar nominated F. A. Pope, of Holmes county.

FIRST BALLOT.

F. A. Pope received.....	45	votes,
B. F. Liddell "	36	"
— Dozier "	9	"
A. Rowe "	7	"

Whole number of votes cast.....97 "

Necessary to a choice.....49 "

No one receiving a majority of all the votes cast, the Convention proceed to second ballot, with the following result:

SECOND BALLOT.

F. A. Pope received.....	60	votes,
Liddell "	36	"
Dozier "	1	"
Rowe "	1	"

Whole number of votes cast.....98 "

Necessary to a choice.....50 "

Mr. Pope having received a majority of all the votes, was declared to be elected Secretary of the Convention.

On motion of Mr. Harris, the Convention proceeded to the election of a Door-Keeper.

Mr. Harris nominated S. Pool.

Mr. Ellett nominated J. W. Clingan.

Mr. Alcorn nominated W. M. Israel.

FIRST BALLOT.

Mr. Pool received.....	43	votes,
" Clingan "	15	"
" Israel "	36	"
" Denson "	1	"

Whole number of votes cast.....95 "

Necessary to a choice.....48 "

No one having received a majority, Mr. Ellett moved that Mr. Pool be elected by acclamation, which was adopted and Mr. Pool declared duly elected Door-Keeper of the Convention.

On motion of Mr. Welsh, the Convention proceeded to the election of a Sargeant-at-Arms.

Mr. Walter nominated J. J. Denson, of Hinds.

Mr. Clapp nominated B. F. Liddell, of Carroll.
 Mr. Dyer nominated A. V. Rowe, of Holmes.
 Mr. Dease nominated Mr. Dozier, of Jasper.
 Mr. Smart nominated Mr. Farish, of Hinds.
 Mr. Welch nominated W. Ivy Westbrook, of Noxubee.

FIRST BALLOT.

Denson received	35	votes.
Westbrook "	42	"
Farish "	13	"
Rucker "	3	"

Whole number of votes cast.....93 "
 Necessary to a choice.....47 "

No one receiving a majority, Mr. Welsh moved that Mr. Westbrook be elected by acclamation, which was adopted, and Mr. Westbrook declared duly elected Sergeant-at-Arms of the Convention.

Mr. Ellett offered the following resolutions, which were adopted, to-wit :

Resolved, That the President be authorized to appoint two pages, and to remove them at his pleasure.

Resolved, That the Rules of the House of Representatives of the State be adopted, so far as applicable, for the government of this Convention.

Mr. Lamar introduced the following resolution :

Resolved, That a committee of fifteen be appointed by the President with instructions to prepare and report as speedily as possible, an ordinance providing for the withdrawal of the State of Mississippi from the present Federal Union, with a view to the establishment of a new Confederacy, to be composed of the seceding States.

Mr. Lamar moved the previous question, which being sustained,

The question was then taken on the adoption of the resolution and decided in the affirmative.

On motion of Mr. Welsh,

Resolved, That the Door-Keeper furnish each member with a copy of the Rules of the House of Representatives.

Mr. Clayton of Lowndes, offered the following resolution, which was adopted :

Resolved, That a committee consisting of three be appointed by the President to wait on His Excellency the Governor of the State and inform him of the organization

of the Convention, and ascertain from him whether any communications have been received in his Department which he deems necessary to bring before the Convention.

The President appointed on said committee the following gentlemen, to-wit :

G. R. Clayton, A. M. Clayton and J. L. Aleorn.

On motion of Mr. O. Davis.

The Convention adjourned until to-morrow morning at 10 o'clock.

TUESDAY, JANUARY 8TH, 1861.

The Convention met pursuant to adjournment.

Prayer by the Rev. Mr. Harrington.

The minutes of the preceding day were read and adopted.

Mr. Chalmers offered the following resolution, which was adopted :

Resolved, That the President of the Convention be authorized to grant admission to this Hall to such of the Reporters of the public Press as he may deem fit, and to remove the same at his pleasure, until it should be otherwise ordered by the Convention.

On motion of Mr. Rogers,

Resolved, That a committee consisting of five be appointed on Elections and that the certificates of membership of this Convention be referred to said committee.

The President appointed as said committee, Messrs. Rogers, Wilkinson, Yerger, Reynolds and Bookter.

On motion of Mr. Clayton of Marshall,

Resolved, That the Commissioner from the State of South Carolina, as well as the Commissioners from any other States be invited to seats on this floor.

Mr. Walter of Marshall, offered the following :

Resolved, That a committee of—members be appointed by the President to report to this Convention an amendment to the Constitution of the State, authorizing it to borrow money for the purpose of military defense, and pledge the faith of the State for the repayment of the loan, or to report such other measures as the committee may deem advisable for this purpose.

Mr. Wright moved to amend by adding "together with the existing means for the defense of the State."

Mr. Glenn offered the following substitute for the foregoing resolution and amendment, which was accepted and adopted :

Resolved, That the following Standing Committees, each to be composed of seven members, be appointed by the President, to-wit :

- 1st. A Committee on Citizenship in Mississippi.
- 2d. A Committee on Federal Jurisdiction and Property in the State of Mississippi.
- 3d. A Committee on Postal Affairs.
- 4th. A Committee on the State Constitution.
- 5th. A Committee on Military and Naval Affairs.
- 6th. A Committee on the formation of a Southern Confederacy :

And that said committees inquire into the matters properly pertaining and to report thereon by ordinance or otherwise.

The President then announced the names of the Committee of Fifteen to report an Ordinance of Secession under the resolution offered by Mr. Lamar on the first day. The committee consists of the following members :

L. Q. C. Lamar, W. P. Harris, S. J. Gholson, J. L. Alcorn, H. T. Ellett, W. Brooke, H. R. Miller, J. A. Blair, A. M. Clayton, Alfred Holt, J. Z. George, E. H. Saunders, Benj. King, G. R. Clayton, Orlando Davis.

Mr. Clayton of Lowndes, from the special committee of three made the following report :

The committee appointed under resolution of the Convention to wait upon his Excellency the Governor and inform him of its organization and ascertain if any communications have been received by him which he considers necessary and proper to lay before this body have performed that duty and report they received answer from the Governor that communications had been received which he would place before the Convention in due time.

Mr. Harris offered the following resolution :

Resolved, That the Door-Keeper be instructed to furnish each member of the Convention with one copy of the Daily Mississippian during the session.

Mr. Marshall moved to amend by adding "and also the Vicksburg Whig."

The amendment was lost.

The resolution as originally read was adopted.

On motion of Mr. Rogers.

Resolved, That the Judges of the High Court of Errors and Appeals, and the Judges of the Circuit Courts of this State be invited to seats within the bar of this Convention.

On motion of Mr. Aldridge.

Resolved, That a committee of three be appointed to notify the Commissioners of various States who may attend this Convention of the passage of a resolution by this Convention inviting them to a seat on this floor and make any necessary and suitable arrangements for that purpose.

The President appointed Messrs. Aldridge, Marshall and Miller of Pontotoc.

Mr. Aldridge presented a memorial to the Convention from Mrs. M. Gibbs of Yallobusha, which upon his motion was referred to the committee of fifteen.

Mr. Gholson offered the following resolution :

Resolved, That special Commissioners be elected by this Convention to visit the Conventions now in session in Alabama and Florida, whose duty it shall be to inform those bodies that this Convention has passed a resolution preparatory to secession from the present Union with a view to the formation of a Southern Confederacy, and to invite the co-operation of those States, and to report from time to time the action of our sister States.

Which for the present was laid on the table.

Mr. J. S. Yerger, delegate from the county of Washington, appeared and took his seat.

Mr. J. S. Johnston, delegate from the county of Jefferson, appeared and took his seat.

Mr. Walter offered the following resolution :

Resolved, That the Committee on Constitutional amendments be instructed to report as soon as practicable, after its appointment, an amendment to the Constitution of this State authorizing it to borrow money for the purpose of military defence and to pledge the faith of the State for the repayment of the loan.

Mr. Chalmers moved to amend by striking out the words "an amendment to the Constitution of this State," and substitute the words "an ordinance."

The amendment was lost and the original resolution was adopted.

Mr. Anderson offered the following resolution, which was adopted :

Resolved, That the Door-Keeper be required to make arrangements with the Post Master for the prepayment of

postage on all printed matter sent by the members of this Convention.

On motion of Mr. Gholson, the Convention adjourned until to-morrow morning at 10 o'clock.

WEDNESDAY, JANUARY 9TH, 1861.

The Convention called to order at half-past 10 o'clock, A. M.

The session was opened with prayer by the Rev. Mr. Crane.

The minutes of the 2d day's proceedings were read and approved.

The following message was received from the Governor through his private Secretary, Mr. Campbell.

MR. PRESIDENT:—

I herewith present to the Sovereign Convention of the State of Mississippi, several messages of his Excellency John J. Pettus, transmitting various documents and other important information.

[See Appendix for Documents referred to in the above message.]

Commissioners Burt of South Carolina and Pettus from Alabama, by previous invitation, took their seats in the Convention.

Mr. Lamar from the Committee of Fifteen reported an Ordinance of Secession.

Mr. Lamar moved that the Convention go into secret session for the purpose of considering the Ordinance of Secession, and thereupon moved the previous question, which being sustained, the question was then taken on the motion to go into secret session and decided in the affirmative.

EVENING SESSION, HALF-PAST 6 O'CLOCK.

Convention met pursuant to adjournment.

On motion of Mr. Rogers,

Resolved. That a committee of five be appointed as a Counsel on behalf of this Convention to confer with his Excellency the Governor upon such grave matters as he may submit for their consideration.

The President appointed as said committee, Messrs. Roger, Alcorn, Clayton of Marshall, Harris and Holt.

Mr. Lamar from the Committee of Fifteen to whom was referred the subject of preparing the Ordinance of Secession reported "an Ordinance to dissolve the Union between the State of Mississippi and the States united with her under the compact entitled the Constitution of the United States," with the recommendation that it do pass.

Mr. Lamar moved that the report be received and agreed to.

A division being called for.

The report was received.

Mr. Yerger offered an amendment by way of substitute entitled "an Ordinance providing for the final adjustment of all difficulties between the free and slave States of the United States by securing further Constitutional guarantees within the present Union."

The question was taken on the adoption of the substitute and decided in the negative by yeas and nays as follows :

AYES.—Messrs. Brooke, Blair, Bonds, Bullard, Cummings, Farrar, Flournoy, Herring, Hurst, Marshall, McGehee of Bolivar, Myers, Parker, Reynolds, Sanders, Sumner, Stevens, Thornton, Winchester, Yerger, Young—21.

NAYS.—Mr. President, Messrs. Alcorn, Anderson, Aldridge, Barksdale, Baldwin, Backstrom, Booth, Brantly, Benton, Beene, Berry, Boling, Bookter, Clayton of Marshall, Clayton of Lowndes, Catching, Chalmers, Colbert, Clapp, O. Davis, J. S. Davis, Dease, Denson, Douglas, Dyer, Deason, Eekford, Edwards, Ellett, Fizer, Fontaine, George, Glenn, Gibson, Gholson, Gwin, Harris, Hill, Holt, Isom, Johnston of DeSoto, Johnston of Jefferson, Jones, Keirn, Keith, Kennedy, King, Lea, Lamar, Lewers, Lewis, Mayson, McGehee of Panola, Miller of Pontotoc, Miller of Tunica, Neely, Nelson, Orr, Pattison, Powell of Covington, Powell of Jones, Ramsey, Roberts, Rodgers, Semmes, Smart, Terral, Tison, Taylor, Thompson, Vaughan, Walter, Welsh, Witty, Wilkinson, Wood, Wright—78.

Mr. Alcorn moved to amend the Ordinance of Secession by adding the following section :

✓ SEC.—*Be it further ordained*, That this Ordinance shall not go into effect until at least the States of Alabama, Georgia, Florida and Louisiana shall through their respective Conventions, resolve to secede from the Federal Union, and resume their sovereignty.

The vote being taken by ayes and nays, the amendment was lost by the following vote :

AYES.—Messrs. Alcorn, Beene, Bonds, Bullard, Cummings, Denson, Dyer, Farrar, Herring, Hurst, Johnston of DeSoto, McGehee of Bolivar, McGehee of Panola, Myers, Parker, Powell of Jones, Reynolds, Sanders, Sumner, Stevens, Tison, Thornton, Winchester, Yerger, Young—25.

NAYS.—Mr. President, Messrs. Anderson, Aldridge, Barksdale, Baldwin, Backstrom, Booth, Brantley, Brooke, Benton, Blair, Berry, Boling, Bookter, Clayton of Marshall, Clayton of Lowndes, Catching, Chalmers, Colbert, Clapp, O. Davis, J. S. Davis, Dease, Douglas, Deason, Eckford, Edwards, Ellett, Fizer, Flournoy, Fontaine, George, Glenn, Gibson, Gholson, Gwin, Harris, Hill, Holt, Isom, Johnston of Jefferson, Jones, Keirn, Keith, Kennedy, King, Lea, Lamar, Lewers, Lewis, Marshall, Mayson, Miller of Pontotoc, Miller of Tupica, Neely, Nelson, Orr, Pattison, Powell of Covington, Ramsey, Roberts, Rogers, Semmes, Smart, Terral, Taylor, Thompson, Vaughan, Walter, Welsh, Witty, Winchester, Wilkinson, Woods, Wright—71.

Mr. Brooke offered the following amendment :

Provided that this Ordinance shall not take effect until the same shall have been ratified by the qualified electors of the State and to this end an election shall be held at the various election precincts of the State on the second Monday of February 1861, under the rules and regulations now in force in regard to the election of State officers.

Those voting for the Ordinance shall endorse on their tickets the word "ratification" and those voting against it the words "no ratification."

The Governor shall issue writs of election to the several Sheriffs of the State and a proclamation duly notifying the people of the holding of said election.

The vote being taken by ayes and nays, the amendment was lost by the following vote :

AYES.—Messrs. Alcorn, Aldridge, Barksdale, Brooke, Beene, Blair, Bonds, Bullard, Cummings, Denson, Farrar, Flournoy, Herring, Hurst, Isom, Marshall, McGehee of Bolivar, Myers, Parker, Powell of Jones, Reynolds, Sanders, Sumner, Stevens, Tison, Thornton, Winchester, Yerger, Young—29.

NAYS.—Mr. President, Messrs. Anderson, Baldwin, Backstrom, Booth, Brantley, Benton, Berry, Boling, Bookter, Clayton of Marshall, Clayton of Lowndes, Catchings, Chalmers, Colbert, Clapp, O. Davis, J. S. Davis, Dease, Douglas, Dyer, Denson, Eckford, Edwards, Ellett, Fizer, Fontaine, George, Glenn, Gibson, Gholson, Gwin, Harris, Hill, Holt, Johnston of DeSoto, Johnston of Jefferson, Jones, Keirn, Keith, Kennedy, King, Lea, Lamar, Lewers, Lewis, Mayson, McGehee of Panola, Miller of Pontotoc, Miller of Tunica, Neely, Nelson, Orr, Pattison, Powell of Covington, Ramsey, Roberts, Rogers, Semmes, Smart, Terrall, Taylor, Thompson, Vaughan, Walter, Welsh, Witty, Wilkinson, Woods, Wright—70.

The question was then taken on agreeing to Mr. Lamar's report, and decided in the affirmative.

The question was then taken on the adoption of the Ordinance of Secession and decided in the affirmative by yeas and nays as follows :

AYES.—Mr. President, Alcorn, Anderson, Aldridge, Barksdale, Baldwin, Backstrom, Booth, Brantly, Brooke, Benton, Beene, Berry, Boling, Bookter, Clayton of Marshall, Clayton of Lowndes, Catchings, Chalmers, Colbert, Clapp, O. Davis, J. S. Davis, Dease, Denson, Douglas, Dyer, Denson, Eckford, Edwards, Ellett, Fizer, Flournoy, Fontaine, George, Glenn, Gibson, Gholson, Gwin, Harris, Herring, Hill, Holt, Isom, Johnston of DeSoto, Johnston of Jefferson, Jones, Keirn, Keith, Kennedy, King, Lea, Lamar, Lewers, Lewis, Mayson, McGehee of Bolivar, McGehee of Panola, Miller of Pontotoc, Miller of Tunica, Neely, Nelson, Orr, Pattison, Powell of Covington, Powell of Jones, Ramsey, Roberts, Rogers, Semms, Smart, Summer, Stevens, Terrall, Tison, Taylor, Thompson, Vaughan, Walter, Welsh, Witty, Wilkinson, Woods, Wright—84.

NAYS.—Blair, Bonds, Bullard, Cummings, Farrar, Hurst, Myers, Marshall, Parker, Reynolds, Sanders, Thornton, Winchester, Yerger, Young—15.

On motion of Mr. Fontaine the President was requested to have the Ordinance enrolled on parchment.

On motion of Mr. Anderson,

Resolved, That the President be requested to telegraph the action of this Convention upon the Ordinance of Seces-

sion to the Governors of all the slaveholding States, and the delegates in Congress from this State.

On motion the Convention then adjourned until to-morrow morning at 10 o'clock.

THURSDAY, JANUARY 10TH, 1861.

The Convention met pursuant to adjournment.

Prayer by the Rev. Mr. Hunter.

The President announced the following standing committees :

Committee on Citizenship in Mississippi.—Messrs. Brooke, Orr, Clayton of Lowndes, E. F. McGehee, Hill, Dyer and Neely.

Committee on Federal Jurisdiction and Property.—Messrs. Harris, Walter, Marshall, George, Wilkinson, Wright and Stephens.

Committee on Postal, Financial and Commercial Affairs.—Messrs. Clapp, Gholson, McGehee of Bolivar, Jones, King, Keirn and Bullard.

Committee on the State Constitution.—Messrs. Miller of Pontotoc, Ellett, Yerger, Baldwin, Beene, Boling and Herring.

On Military and Naval Affairs.—Messrs. Chalmers, Brantly, Welsh, Fontaine, Smart, Fiser and Tison.

On a Southern Confederacy.—Messrs. Glenn, Lamar, Hurst, Aldrige, Douglas, Johnson of Jefferson, and Lewis.

On motion of Mr. Orr,

Resolved, That the Hon. Armistead Burt, Commissioner from the Republic of South Carolina, and Hon. E. W. Petrus, Commissioner from the State of Alabama, be requested to address this Convention, and that a committee of five be appointed to make the necessary arrangements and to wait upon those gentlemen and ascertain whether it should be desirable to them that the Convention should go into secret session when it may suit them to address the Convention.

Messrs. Orr, Nelson, Eckford, Woods and Witty, were appointed as said committee.

Mr. Welsh offered the following resolution and moved its reference to a special committee :

Be it Resolved, That it is the opinion of this Convention, that the Legislature of this State, shortly to convene, ought to pass an act, which will effectually prevent the introduction of slaves into this State, from any other State or country whatever, unless the owner of said slaves accompany them, with the *bona fide* intention of becoming a citizen of the State of Mississippi.

Mr. King offered the following amendment as a substitute :

Resolved, That the Committee on State Constitution be instructed to take into consideration the subject of the inter-State slave trade, and report by ordinance or otherwise.

On motion of Mr. Fontaine, the resolution and substitute were laid on the table.

Mr. Dyer offered the following resolution :

Resolved, That the Committee on Military and Naval Affairs, be and are hereby instructed to inquire into the propriety of erecting batteries at Vicksburg, Natchez, Mississippi City, or at such other points on the Mississippi river as may be thought best, and if they shall be of opinion that it is advisable, they are hereby instructed to report a resolution directing His Excellency, the Governor, to have the same properly erected at such points as may be designated, and to be mounted with as many guns as may be proper.

The resolution was laid on the table.

On motion of Mr. Harris,

Resolved, That the Committee on Military and Naval Affairs, be instructed to enquire into the expediency of reporting an ordinance to this Convention creating a Military Board, and amending the Constitution of the State in the 5th article, so as to authorize volunteer companies to organize into battalions, regiments, brigades and divisions, and to elect field officers.

Hon. A. Burt presented his credentials as Commissioner from the Republic of South Carolina.

Mr. Gholson read to the Convention his letter to the President of the United States, resigning his position as Judge of the Federal Courts for Mississippi.

On motion of Mr. Chalmers,

Resolved, That Major Earl Van Dorn be invited to a seat within the bar of this Convention.

On motion of Mr. Gibson,

Resolved, That the Hons. L. P. Comer and John Perkins, delegates elected to the State Convention of Louisiana, be invited to seats within the Bar of this Convention, and that

a committee of three be appointed to inform the gentlemen of the invitation.

On motion of Mr. Gholson, the Convention went into secret session.

On motion of Mr. Harris,

Resolved, That the Postmasters and other officers, and agents connected with the Mail service in this State, be requested to continue to discharge their duties until otherwise ordered by this Convention.

On motion of Mr. Harris, the injunction of secrecy was removed from this resolution.

On motion, the **Convention** adjourned until to-morrow morning 10 o'clock.

FRIDAY, JANUARY 11TH, 1861.

The Convention met pursuant to adjournment.

Prayer by the Rev. Mr. Caskie.

Proceedings of yesterday read and approved.

On motion of Mr. Orr,

Resolved, That the President appoint an engrossing and enrolling committee, each to consist of three members.

The President appointed as the Committee on Engrossed Ordinances, Messrs. Deason, Woods and Mayson.

On Enrolled Ordinances, Messrs. Barksdale, Winchester and Ramsey.

The Chair presented a communication.

Which was referred to the Committee on Military Affairs.

On motion of Mr. Gholson,

Resolved, That a committee of three be appointed to report on the enrollment of the Ordinance to dissolve the Union between the State of Mississippi and other States united with her under the compact entitled the Constitution of the United States.

The Chair announced the following gentlemen on said committee :

Messrs. Ellett, Harris and Clayton of Marshall.

The Chair announced the following committee of Ways and Means :

Messrs. Wright, Benton, Anderson, Catching, Alcorn, Gibson and Denson.

Mr. Brooke offered the following resolution :

Resolved, That a committee of three be appointed by the Chair, to provide a room for the accommodation of this Convention, during the session of the Legislature.

Which was lost.

On motion of Mr. Anderson,

Resolved, That the signing of the Ordinance be postponed until to-morrow, at 12 o'clock, M.

Mr. Benton offered the following resolution, which,

On his motion, was referred to the committee on citizenship :

Resolved, That all citizens of the United States, domiciled within this State, on the adoption of the Ordinance of separation, January 9th, 1861, be regarded as citizens of Mississippi, entitled to all the rights and privileges, and subject to all the liabilities incident thereto.

Mr. Clapp, from the committee on Postal Affairs, reported an ordinance, which.

On his motion, was laid on the table and 200 copies were ordered to be printed, and made the special order for three o'clock this evening.

Mr. Baldwin offered the following resolution.

Which was lost :

Resolved, That the rules adopted for the government of this Convention, be amended by the adoption of the following : "That no ordinance shall be put upon its final passage until it has been read three times and referred to, and acted upon by the committee of reference : that an additional standing committee shall be appointed by the President, consisting of three members, to be known as the Committee of Reference.

Mr. Miller of Pontotoc, offered the following resolution :

Resolved, That His Excellency, the Governor, be requested to procure suitable Halls for the accommodation of the Legislature about to assemble.

Mr. Tison offered the following amendment as a substitute :

Resolved, That the President of this Convention appoint a committee of three to prepare a Hall for the accommodation of this Convention during the sitting of the Legislature.

Mr. Ramsey moved to lay both the resolution and substitute on the table,

Which was lost.

The question was then taken on the adoption of the amendment and decided in the affirmative.

The President appointed as said committee, Messrs. Miller of Pontotoc, Tison and Anderson.

Mr. Clayton of Marshall, made the following report :

MR. PRESIDENT :

The committee to whom was assigned the duty of comparing the Ordinance of Secession as enrolled with the original ordinance as adopted, beg leave to report that they have performed the duty entrusted to them, and that they find the Ordinance prepared for the signature of the delegates to be a true and perfect transcript of the original.

On motion of Mr. George.

Resolved, That the resolution heretofore adopted by this Convention inviting Judges of the High Court of Errors and Appeals to a seat in this Convention, be so extended as to include all persons who have heretofore held that office or the office of Justice of the Old Supreme Court of this State.

The Hon. A. Burt, Commissioner from the sovereign, free and Independent State of South Carolina, was introduced by the President, and addressed the Convention.

On motion of Mr. Orr, the Convention adjourned until to-morrow morning 10 o'clock.

SATURDAY, JANUARY 12TH, 1861.

The Convention met pursuant to adjournment.

Prayer by Rev. Mr. Snow.

Proceedings of yesterday read and approved.

Mr. Dyer offered the following resolution, which, on his motion, was referred to committee on Ways and Means.

Resolved, That the committee on Ways and Means, enquire into the expediency of this State issuing bonds to an amount not exceeding ——— dollars, in sums ranging from one hundred to one thousand dollars, to be signed by the Governor, or such other officer as may be designated for that purpose, and made payable to such person as may be named, to bear eight per cent. interest per annum, from the time of

their negotiation, and the interest and one-tenth of the principal of said bonds: Provided, they shall be sold, or disposed of, to be annually paid in the State tax of the holders thereof, if it be sufficient, but if not, then the balance in money; said bonds to be sold to citizens of this State, and the money arising from their sale to be expended in the military defence of the State, if needed for that purpose; and should said committee approve of the issuance of such bonds, they are hereby instructed to report an ordinance directing the same to be done, or if certificates to be issued by the Treasurer of the State should be deemed preferable, then they shall be issued instead of said bonds.

Mr. Chalmers, from the committee on Military and Naval affairs, made a report, which, on his motion, was laid on the table, and 200 copies ordered to be printed.

Mr. Brantley reported an additional ordinance, which was likewise laid on the table, and ordered to be printed.

On motion of Mr. Ellett,

Resolved. That all ordinances that may be passed by this Convention, shall be enrolled by the Secretary, in a fair hand, on suitable paper, and shall be signed by the President, with the date of the passage thereof, and deposited in the office of the Secretary of State for preservation, entitled an ordinance in relation to the Chickasaw, Choctaw, Creek, and Cherokee Nations.

Mr. Fontaine offered an ordinance, which, on his motion, was referred to committee on a Southern Confederacy.

On motion of Mr. Ellett,

Resolved. That the signing of the ordinance of secession be postponed until Tuesday next, at 11 o'clock.

Mr. Clayton, of Marshall, offered the following resolution, which, on his motion, was referred to committee on State Constitution, with instructions to report thereon, as early as practicable.

We, the people of Mississippi, in Convention assembled, do ordain and declare that the ninth section of the seventh article of the Constitution of this State be, and the same is hereby altered and amended, so far as to suspend the force and effect of that part of said section which required the action of two successive Legislatures to pass a law to raise money and pledge the faith of the State for the payment thereof, until the difficulties now existing between this State and other foreign States or Governments are adjusted.

Mr. Smart offered the following resolution :

That the committee on Military affairs, be instructed to report an ordinance to form out of the troops provided to be raised by an ordinance entitled, "An ordinance to regulate the Military System of the State." One brigade of regular troops to consist of two Regiments of Infantry, three Squadrons of Cavalry, and one Battalion of Light Artillery, to be organized, armed and equipped as in the army of the United States, to be commanded by one of the Brigadier Generals—to be subject to all the rules and regulations provided for in the ordinance above referred to.

On motion of Mr. Chalmers,

The resolution, and the information accompanying it, was laid on the table, 200 copies ordered to be printed, and made the special order of the day for Tuesday, at 11 o'clock.

Resolved, That the following words be by the enrolling clerk, appended at the end of the ordinance of secession:

"In testimony of the passage of which, and the determination of the members of this Convention to uphold and maintain the State in the position she has assumed by said ordinance,—it is signed by the President and members of this Convention, this the _____ day of January, A. D. 1861."

On motion of Mr. Gholson,

Resolved, That the Auditor of Public Accounts be instructed to report to this Convention the number of acres, and value of land, including town lots subject to taxation; also the number of negroes, and the value of other personal property, including the amount of the sales of merchandize, and amount of money loaned at interest in this State.

[See Table in Appendix.]

On motion of Mr. Clapp, the Convention resolved itself into committee of the Whole, to consider the ordinance on Postal affairs:

Mr. Miller, of Pontotoc, in the chair.

After some time spent therein, the committee rose, reported the ordinance back to the Convention, with two amendments thereto, and recommended its adoption as amended.

Mr. Miller, of Pontotoc, moved that the report be received and agreed to.

A division being called for, the report was received.

The question was then taken on the adoption of the following amendment offered by Mr. Clapp, in committee of the Whole, and decided in the affirmative, to-wit:

Amend by striking out the words, "prior to." in the sixth line, and inserting the word "at."

The question was then taken on the adoption of the following amendment offered by Mr. Harris, in committee of the Whole, and decided in the negative.

Strike out all after the word "force," in sixth line, and insert, "on the 9th day of January, 1861, he and the same are hereby continued in force; and the persons charged with the duties imposed by said contracts and laws, shall continue to perform the same until otherwise ordered by this Convention, or the Legislature of this State; and that the penalties for all violations of the laws aforesaid in this State be enforced by prosecution in the name and by the authority of the State of Mississippi, in the Circuit Criminal Courts thereof, according to the laws and practice regulating said Courts."

The question was then taken on agreeing to the report of the committee of the Whole, as amended, and decided in the affirmative.

Mr. Bolling offered the following amendment:

Resolved, That if postal arrangements shall be disturbed or discontinued by the United States, then and in that case the existing contracts of the United States, in the Republic of Mississippi, or so much as may be necessary, be assumed by the Republic of Mississippi, until other regulations shall be made.

Which was lost.

Mr. Ellett offered the following amendment:

Amend the ordinance by striking out the word "the," at the commencement of the 12th line, and insert the word "that."

Which was adopted.

Mr. Ellett offered the following amendment:

Amend by substituting the word "that," before the word "all," in the 13th line.

Which was lost.

On motion of Mr. Tison, the ordinance as amended, was ordered to be engrossed, and made the special order for Monday, 10 o'clock.

On motion of Mr. Lamar, the Convention went into secret session.

The injunction of secrecy was removed from the following proceedings.

Mr. Harris offered the following resolution,

Which was unanimously adopted:

Resolved, That the people of the State of Mississippi, recognize the right of the free navigation of the Mississippi.

river for commercial purposes, in time of peace, by all the States occupying its banks, and they are willing to enter into proper stipulations to secure the enjoyment of that right.

The Convention then adjourned until Monday morning.

MONDAY, JANUARY 14TH, 1861.

The Convention met pursuant to adjournment.

The Journal of 12th instant read and approved.

On motion of Mr. Tison, the Convention proceeded to consider the ordinance, entitled an ordinance to provide for postal arrangements in Mississippi.

Mr. Bolling offered the following amendment, by way of ryder to the first section:

And further—That if contractors shall be disturbed or discontinued by the United States Government, or be in danger of losing their compensation for carrying the mails within the borders of this State, then and in that case, the existing contracts of the United States with said contractors, shall be assumed by the State of Mississippi, upon proof that said disturbance and discontinuance has not been caused by the neglect or failure of the contractor to discharge his duty: That said assumpsit shall end and determine when further postal arrangements shall be made by the Congress or Convention of the States forming the Southern Confederacy.

On motion of Mr. Gholson,

The amendment was laid on the table.

The question was then taken on the passage of the ordinance, and decided in the affirmative.

Ordered that the title of the above ordinance stand as stated.

Mr. Harris, Chairman of the committee on Federal Jurisdiction and Property, made a report, which, on his motion, was laid on the table. Two hundred copies of the ordinance ordered to be printed, and made the special order for Wednesday, 16th, at 11 o'clock.

On motion of Mr. Chalmers, the Convention resolved itself into committee of the Whole, for the purpose of taking into consideration the ordinance on Military affairs,

Mr. Gholson in the chair.

After some time spent therein, the committee rose, reported back the ordinance, with the following amendments, and asked that it be made special order for Thursday, at 12 o'clock.

Amend the first section by inserting the words, "order of," after the word by at the end of the second line, and by striking out in the third line the words, "for the period of five years, unless sooner discharged," and insert the words, "to serve until discharged as hereinafter provided for."

Amend the fourth section, by inserting in the 23rd line, between "them and out," the words, "or any of them," and after the word them, insert the words, "or officers of any company or companies;" and further amend by striking out in the 30th line, the words, "the compensations of members of the Legislature," and inserting the words, "five dollars per day." Further amend by inserting in the 29th line, after the word army, the words, "until altered by the Legislature of the State."

Amend section fifth, by inserting in the 39th line after the word "thereof," the following words, "and to assign to each Brigade, Regiment and Squadron the requisite field officers, elected as hereinbefore provided, designating the officers by name, to be assigned to each particular Brigade, Regiment and Squadron.

Further amend by striking out all after the word "State," in the forty-second line."

Amend section eight by striking out all after the word "when," in the 60th line, to the word "between," in the 61st line, and insert, "friendly relations by treaty or otherwise, shall be established."

Amend ninth section by adding thereto the words, "and shall continue in operation until repealed by this Convention, or by the Legislature of the State, after this Convention shall have finally adjourned.

The report of the committee was received and agreed to, and the ordinance made the special order for Thursday, at 12 o'clock.

On motion of Mr. Jones,

Resolved, That a committee of three be appointed to propose to the House of Representatives that the use of this Hall be yielded to this Convention from and after the hour of 2 o'clock, P. M. each day while both bodies are in session.

The President appointed as said committee, Messrs. Jones of Sunflower, O. Davis, and Young.

Convention went into secret session.

TUESDAY, JANUARY 15TH, 1861.

The Convention met pursuant to adjournment.

The proceedings of 14th instant read and approved.

Mr. Glenn, Chairman of the committee on the formation of a Southern Confederacy, made a report,

Which was received and agreed to.

On motion of Mr. Glenn,

The report was laid on the table; two hundred copies were ordered to be printed, and made the special order of the day for to-morrow, at 11 o'clock.

The Convention proceeded to the consideration of its special order, to-wit: the resolution offered by Mr. Smart:

That the committee on Military affairs be instructed to report an ordinance to form out of the troops provided by an ordinance entitled, "An ordinance to regulate the Military System of the State," one Brigade of regular troops, to consist of two Regiments of Infantry, three Squadrons of Cavalry, and one Battery of Light Artillery, to be organized, armed and equipped as in the army of the United States, to be commanded by one of the Brigade-Generals, and to be subject to all the rules and regulations provided for in the ordinance above referred to.

The question was taken on the adoption of the resolution, and decided in the negative.

The President announced the following as a committee on Indian affairs:

Messrs. Fontaine, Benton, Reynolds, Orr, and Keith.

On motion of Mr. Rogers,

Resolved, That the President of the Senate, the Speaker of the House of Representatives, and John A. Wilcox, a member elect to the Convention of the State of Texas, be invited to take a seat within the bar of this Convention.

Mr. George offered a letter, which he desired to have referred to the Governor's Council, and it was so ordered.

Mr. Brooke offered a report from the committee on Citizenship,

Which was received and agreed to.

On his motion, the report was laid on the table, and two hundred copies ordered to be printed.

Mr. Clayton, of Marshall, offered the following resolutions,

Which were adopted:

Resolved, That when the Convention proceeds to sign the ordinance of secession, it be first signed by the President, and attested by the Secretary of the Convention. That the com-

ties then be called in alphabetical order, and the delegates affix their signatures in the order in which their counties and their own names are called.

Resolved also, That the Governor of this State, and House of Representatives be invited to be present at the time the same is signed.

On motion of Mr. Brantley.

Resolved, That the President of the Convention appoint a committee of three, to inform his Excellency the Governor, that the Convention is about to proceed to sign the ordinance of secession, and invites him to be present.

The President appointed as said committee:

Messrs. Brantley, Boothe, and Tison.

The committee to inform the Governor of the invitation of this Convention to be present at the signing of the ordinance returned, and through Mr. Tison, reported that the committee had discharged their duty, and that the Governor accepts the invitation.

On motion of Mr. Ellett, the members of the Convention proceeded to sign the ordinance, it being the special order for this hour, to-wit, 11 o'clock, A. M.

Mr. Ellett offered the following resolution.

Which was adopted:

Resolved, That the Secretary of State be requested to cause the ordinance of secession to be suitably framed for its better preservation in his office.

Mr. Lamar offered the following resolution:

Resolved, That the Commissioners appointed by his Excellency the Governor, in pursuance of a resolution of the Legislature of the State of Mississippi, providing for the appointment of Commissioners, &c., approved November 30th, 1860, be furnished each with a copy of the ordinance of secession adopted by this Convention, and that they be requested to submit the same to the Conventions of the States to which they have been accredited, and solicit the co-operation of said States, with the action of South Carolina, Mississippi, Florida, and Alabama.

On motion of Mr. Lamar, the resolution was laid on the table.

Mr. Walter offered the following resolutions,

Which were adopted:

Resolved, That the State of Mississippi recognizes the State of Florida as a Sovereign and independent Nation, and will correspond and treat with her as such.

Resolved. That the State of Mississippi recognizes the State of Alabama as a sovereign and independent nation, and will correspond and treat with her as such.

Mr. Wright, from the committee of Ways and Means, made a report.

Which was received and agreed to, laid on the table, and 200 copies ordered to be printed.

Mr. Alcorn, from the same committee, stated he would present a Minority report, to be considered with the majority.

On his motion, it was laid on the table, and 200 copies ordered to be printed.

On motion of Mr. Glenn.

Resolved. That the committee on a Southern Confederacy be instructed to enquire as to the propriety of appointing a Commissioner, or Commissioners, whose duty it shall be to visit the City of Washington, and lay before the President of the United States, an authentic copy of the ordinance of secession passed by the Convention, and confer with him upon the future relations and intercourse of that Government, and Government of the State of Mississippi, and report by resolution, or otherwise.

Mr. Lamar's resolution in relation to Commissioners appointed by the Governor, was then taken up.

Pending its consideration.

On motion of Mr. Gholson, the Convention adjourned until to-morrow morning, 9½ o'clock.

WEDNESDAY, JANUARY 16TH, 1861.

The Convention met pursuant to adjournment.

The Journal of the preceding day was read and approved.

Mr. Clayton, of Lowndes, offered a series of resolutions, which, on his motion, were laid on the table, and 200 copies ordered to be printed.

On motion of Mr. Glenn.

Resolved. That the Convention on Military and Naval affairs, be instructed to enquire what measures, if any, are necessary for the protection and defense of the Sea-coast of the State of Mississippi, and the Island contiguous thereto, and report them as speedily as possible, by ordinance, or otherwise.

Mr. Barksdale made the following report,

Which was received and agreed to:

The committee on Enrolled ordinances, beg leave to report, that they have had under examination an ordinance entitled, "An ordinance to provide for postal arrangements in Mississippi," and find the same correctly enrolled.

On motion of Mr. Harris, the Convention resolved itself into committee of the Whole, for the purpose of considering an ordinance concerning the jurisdiction and property of the United States of America in the State of Mississippi.

Mr. Gholson in the chair.

After some time spent therein, the committee rose, reported back the ordinance, with the following amendments, and recommended its passage as amended.

Amend section 2d. as follows:

After the word "same," in the 3rd line, insert the words, "or pertaining to lands heretofore granted or sold by the said United States."

Amend section 3rd:

After the word "courts," in fifth line, insert, "or of the Supreme Court of the United States, in which a citizen of this State is a party."

Amendment 3rd as a substitute for section 5. "That the late Marshals of the United States for the Northern and Southern Districts of this State, and their assistants, be, and they are hereby authorized and empowered to continue the exercise of their duties as far as may be necessary to complete the census returns of the United States, but no further."

The report was received and agreed to, and the ordinance, as amended, ordered to be engrossed, and made the special order for to-morrow, at 11 o'clock.

On motion of Mr. Glenn, the Convention resolved itself into committee of the Whole, to consider the report of the "committee on a Southern Confederacy."

Mr. Clayton, of Marshall, in the chair.

After some time spent therein, the committee rose, reported progress and asked permission to sit again at 7 o'clock this evening.

Which was received and agreed to.

On motion of Mr. Holt, the Convention went into secret session.

SEVEN O'CLOCK. P. M.

The Convention met pursuant to adjournment.

On motion of Mr. Anderson,

Resolved, That when the Convention goes into secret session, that it shall be only on such matters exclusively as should be considered in secret session, and that all other matters be ruled out of order by the President.

On motion of Mr. Glenn, the Convention went into committee of the Whole, to consider the ordinance in-relation to a Southern Confederacy,

Mr. Clayton, of Marshall, in the chair.

After some time spent therein, the committee rose, reported the ordinance back, with various amendments, and recommended its passage as amended;

Which was received and report laid on the table for the present.

Mr. Jones made the following report:

The committee appointed to confer with the House of Representatives in regard to the use of this Hall, have performed the duty assigned them, and beg leave to report: That the House of Representatives have by resolution, agreed to yield the occupation of the Hall to this Convention from and after the hour of 2 o'clock, P. M. on each day, while both bodies are in session.

On motion of Mr. Gholson, the Convention adjourned.

THURSDAY, JANUARY 17TH, 1861.

The Convention met pursuant to adjournment.

Proceedings of yesterday read and approved.

On motion of Mr. Chalmers, the Convention resolved itself into committee of the whole, to consider the Ordinance regulating the Military Affairs of the State.

Mr. Gholson in the chair.

After some time spent therein the committee rose, reported progress, and asked leave to sit again at 7 o'clock this evening.

Which was received and agreed to.

On motion of Mr. Fontaine,

Resolved, That F. A. Pope, the Secretary of this Convention, and T. S. Hardec, who obligingly and gratuitously enrolled on parchment the Ordinance of Secession adopted by this body, be and they are hereby invested with the ex-

clusive right to lithograph for their joint use and benefit, the said Ordinance and the signatures thereto.

A communication from the Auditor of Public Accounts was submitted, which,

On motion of Mr. Gholson, was laid on the table and two hundred copies ordered to be printed.

Mr. Deason, chairman of the committee on Engrossed Ordinances, made the following report :

MR. PRESIDENT :

The Committee upon Engrossed Ordinances have had under examination, an Ordinance concerning the Jurisdiction and Property of the United States of America in the State of Mississippi, and beg leave to report that the same is correctly engrossed.

The question was then taken on the passage of the Ordinance reported as above and decided in the affirmative.

On motion of Mr. Glenn, the report of the Committee of the Whole on Southern Confederacy, was called from the table.

The question being on agreeing to the report of the Committee of the Whole, the following amendments reported back to the Convention were then adopted, to-wit :

Amend first resolution by inserting after the word Delegates in the second line, the following words, "one from each Congressional District and two for the State at large."

Amend resolution third by striking out the word "late" in the fifth line before the words "United States."

Amend resolution fourth by striking out the word "instruct" in the first line and insert the word "authorize."

In third line strike out the word "late" before the words "United States."

Further amend by striking out in the fourth line the words "before the fourth day of March next" and insert the words "as early as practicable."

Amend the same line by striking out the word "instructed" and substitute the word "authorize."

Amend the sixth line by striking out the word "late" before the words "United States."

Amend resolution fifth by striking out the words "that they" and substitute the word "to."

Amend the same resolution by striking out in the fourth line the word "late" before the words "Federal Union."

The following amendment to resolution fourth was rejected :

Amend by striking out in the eighth and ninth lines the words "one year from the first Monday and the fourth day of February, A. D., 1861," and insert in lieu thereof the words "two years from the first day of July."

Mr. Aldridge offered the following amendment :

Amend the first resolution by filling the blank with the words "eighteenth of January 3 o'clock, P. M."

Which was adopted.

Mr. Gholson offered the following amendment :

Amend second line in first resolution by inserting after the word "Delegates" the words "who are not members of the Convention."

The yeas and nays being called for the amendment was lost by the following vote :

YEAS.—Messrs. Bond, Bolling, J. S. Davis, Dease, Douglas, Dyer, Eckford, Farrar, Glenn, Gibson, Gholson, Hill, Jones, Keirn, Kennedy, King, Marshall, Miller of Pontotoc, Myers, Neely, Ramsey, Sanders, Semmes, Smart, Sumner, Stevens, Welsh, Wilkinson, Wright and Young—32.

NAYS.—Mr. President, Messrs. Anderson, Aldridge, Barksdale, Baldwin, Backstrom, Booth, Brantley, Brooke, Benton, Blair, Berry, Bullard, Bookter, Clayton of Marshall, Clayton of Lowndes, Catchings, Chalmers, Cummings, Colbert, Clapp, O. Davis, Deason, Ellett, Fizer, Flournoy, Fontaine, George, Gwin, Harris, Herring, Holt, Hurst, Isom, Johnston of DeSoto, Johnston of Jefferson, Keith, Lea, Lamar, Lewers, Lewis, Mayson, McGehee of Bolivar, McGehee of Panola, Miller of Tunica, Nelson, Orr, Powell of Covington, Powell of Jones, Roberts, Rogers, Reynolds, Terral, Tison, Taylor, Thornton, Thompson, Walter, Witty, Woods and Yerger—61.

Mr. Gholson offered the following amendment :

Amend first resolution in third line by inserting after the word "those" the words "slave holding."

The yeas and nays being called for the amendment was lost by the following vote :

YEAS.—Messrs. Backstrom, Bookter, Colbert, Dease, Ellett, Fontaine, Gibson, Gholson, Gwin, Harris, Lewis, Mayson, Miller of Pontotoc, Miller of Tunica, Neely, Nelson, Powell of Covington, Ramsey, Rogers, Semmes, Vaughan, Welsh and Woods—23.

NAYS.—Mr. President, Messrs. Anderson, Aldridge, Barksdale, Baldwin, Booth, Brantley, Brooke, Benton, Blair, Berry, Bonds, Bolling, Bullard, Clayton of Marshall, Clayton of Lowndes, Catchings, Chalmers, Cummings, Clapp, O. Davis, J. S. Davis, Douglas, Dyer, Deason, Eckford, Farrar, Fizer, Flournoy, George, Glenn, Herring, Hill, Holt, Hurst, Isom, Johnston of DeSoto, Johnston of Jefferson, Jones, Keirn, Keith, Kennedy, King, Lea, Lamar, Lewers, Marshall, McGehee of Bolivar, McGehee of Panola, Myers, Orr, Powell of Jones, Roberts, Reynolds, Sanders, Smart, Sumner, Stevens, Terral, Tison, Taylor, Thompson, Walter, Wilkinson, Wright, Yerger and Young—67.

Mr. Ellett offered an amendment by way of additional section.

Which was adopted.

Mr. Barksdale offered the following amendment :

Amend fifth line of 5th section of the ordinance on Southern Confederacy by striking out the word "when" and insert "if."

Which was adopted.

Mr. Barksdale moved to further amend the 5th resolution by inserting after the word "back" in the 5th line the following words: "to the people of this State or to a convention chosen under the recommendation of the Legislature."

Pending which,

The Convention adjourned until 7 o'clock this evening.

SEVEN O'CLOCK, P. M.

The Convention met pursuant to adjournment,

And resumed the consideration of the ordinance on a Southern Confederacy.

Mr. Gholson offered the following amendment as a substitute for that of Mr. Barksdale :

Amend 5th resolution in the 5th line by striking out all after the word "back" and inserting the words, "to a Convention of the people of the State of Mississippi for ratification or rejection, to be called by proclamation of the Governor so soon as he may be officially advised of the action of the said Convention of seceding States in relation thereto, which Convention of the people of Mississippi shall be composed of the same number now composing this body, and elected and returned as members of the House of Represen-

tatives of the State of Mississippi, and as now elected and returned by law."

Pending the amendment.

On motion of Mr. Lamar, the ordinance and amendments were recommitted to the committee, with instructions to draft a new ordinance and report the same to this Convention.

Leave of absence was granted Messrs. Johnston and Parker.

Mr. Miller, from the Committee on State Constitution, made a report, which,

On his motion, was laid on the table, and 200 copies ordered to be printed.

On motion of Mr. Chalmers, the Convention adjourned until to-morrow 2 o'clock, P. M.

FRIDAY, JANUARY 18TH, 1861.

The Convention met pursuant to adjournment.

Proceedings of yesterday read and approved.

On motion of Mr. Chalmers, the ordinance to regulate the Military system of the State was recommitted to the Committee on Military and Naval Affairs, with leave to report again.

On motion of Mr. Orr, the Convention went into secret session.

After some time spent therein the doors of the Convention were opened.

On motion of Mr. Chalmers, the Convention resolved itself into Committee of the Whole, to consider the ordinance to raise means for the defence of the State.

After some time spent therein the committee rose, reported progress, and asked leave to sit again at 7 o'clock this evening.

Which was received and agreed to.

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

SEVEN O'CLOCK, P. M.

The Convention met pursuant to adjournment.

On motion of Mr. Wright, the Convention went into Committee of the Whole, to consider the ordinance entitled "an ordinance to raise means for the defence of the State."

After some time spent therein the committee rose, reported back the ordinance without any recommendation.

Mr. Marshall offered the following resolutions,

Which were adopted, to-wit :

Resolved, That the Auditor of Public Accounts be required to furnish the Convention a statement of the aggregate amount of the tax assessed on real and personal property in this State for the current fiscal year ; the amount of Auditor's warrants now remaining unpaid ; and an estimate of the ordinary expenditures of the State during the present year.

Resolved, That the Committee on Military and Naval Affairs, be instructed to ascertain and report to the Convention the number and character of arms now owned by the State, and the additional arms necessary to equip and prepare for the field all the troops proposed to be raised for its efficient defense, and the probable cost thereof.

On motion of Mr. Gholson, the Convention adjourned until to-morrow 2 o'clock, P. M.

SATURDAY, JANUARY, 19th, 1861.

The Convention met pursuant to adjournment.

The Journal of preceding day read and approved.

On motion of Mr. Clayton of Lowndes,

Resolved, That a committee consisting of five be appointed to call attention of the planting interest of the State by a short address to the people to the vast importance, under existing circumstances, of home production in the State of Mississippi, of a supply of provisions for all its wants, and to urge upon them especial reference to this subject in planting the crop of the present year.

Messrs. Edwards of Choctaw, and Pattison of Tallahatchie, came forward and signed the Ordinance of Secession.

On motion of Mr. Gholson,

Resolved. That the Convention confirm the appointment of Commissioners heretofore made by the Governor of this State under a resolution of the Legislature of Mississippi, approved the 30th day November, 1860.

On motion of Mr. Brooke, the Convention took up the Ordinance on Citizenship.

On motion of Mr. Orr, the Convention went into Committee of the Whole for the purpose of considering the Ordinance.

Mr. Orr in the Chair.

After some time spent therein the committee rose, reported back the Ordinance with an amendment by way of substitute, with the recommendation that the substitute be adopted.

The report was received and agreed to.

The substitute was ordered to be engrossed and made the special order for Tuesday at 2 o'clock.

Ordered, That the title stand as follows :

An Ordinance to regulate the right of citizenship in the State of Mississippi.

The following communication was received from the Hon. A. Burt, Commissioner from the State of South Carolina, which was ordered to be placed on the Journal of the Convention :

JACKSON, MISSISSIPPI, January 12th, 1861.

Hon. W. S. BARRY,

President of the Convention :

Sir:—The objects of my mission to the Convention of the people of Mississippi having been accomplished, my official relation to that body is at an end. I cannot take leave of that Convention without expressing my sense of the alacrity and heroism with which it has met and discharged its high duties. Its generous appreciation of the action of South Carolina, and its noble sentiments of fraternal consideration and regard for that State excites my sincere and profound gratitude. The counsels of Mississippi and South Carolina are now united, and their hands clasped in a common and glorious cause. I will not repress my own feelings by omitting to say how deeply sensible I am of unmerited kindness and hospitality from the whole State of Mississippi—her Executive Department—her Convention—her Legislature and her people—to myself officially and individually. I have the honor to assure the Convention, and you, sir, of the high consideration with which I am their and your obedient servant,

ARMISTEAD BURT.

Mr. Anderson offered the following resolution, which was lost :

Resolved, That a special committee of three be appointed by the President to consult with the Governor in regard to the expediency of procuring a fire proof building for the purpose of a powder magazine and other munitions of war.

On motion of Mr. Ellett,

Resolved. That when this Convention adjourns to-day, it adjourn to meet at Concert Hall on Monday next, at 10 o'clock A. M.

The President announced the following as the committee of consultation with the Legislature :

Messrs. Welsh, Reynolds, Harris, Booth and Backstrom.

Mr. Miller of Pontotoc, Chairman of the Committee on State Constitution, submitted the following report :

MR. PRESIDENT :

The Committee on the State Constitution to which was referred a resolution instructing it to inquire into the propriety of preparing an appropriate flag and coat of arms emblematic of the sovereignty and independence of the State, have had the same under consideration, and have instructed me to report the same back to the Convention, and to ask that the committee may be discharged from the further consideration thereof.

All of which is respectfully submitted.

On his motion the report was received and agreed to.

On his further motion, the original resolution was referred to a Special Committee of five.

Mr. Miller of Pontotoc, from the Committee on State Constitution, made the following report :

MR. PRESIDENT :

The Committee on the State Constitution to which was referred an Ordinance providing for the appointment of Ambassadors, Ministers, Consuls, &c., to foreign governments, and for the appointment of an Executive Council, have had the same under consideration, and has instructed me to report that, in the opinion of the committee it is neither expedient nor necessary to take any action thereon at the present time, and to ask that the committee be discharged from the further consideration thereof.

All of which is respectfully submitted.

On his motion, the report was received and agreed to.

Mr. Anderson, from the Committee of Ways and Means submitted a minority report, which on his motion was laid on the table and two hundred copies ordered to be printed.

Mr. Aldridge offered a substitute for the report of the

Committee of Ways and Means, which on his motion was laid on the table and two hundred copies ordered to be printed.

On motion of Mr. Wright, the Convention resolved itself into Committee of the Whole for the purpose of considering the Ordinance to raise means for the defense of the State.

Mr. ——— in the Chair.

After some time spent therein the Committee rose, reported back the Ordinance together with a resolution offered by Mr. Berry, and asked leave to sit again on Monday at 10 o'clock.

Which was received and agreed to.

On motion of Mr. Harris,

Resolved, That the late Clerks of the District and Circuit Courts of the United States be and they are hereby authorized to make and certify transcripts of the records of said Courts as heretofore provided by law, and be authorized to allow inspection of the records and files of said Courts, under the regulations heretofore customary.

Mr. Orr informed the Convention that Hon. W. S. Barry would necessarily be absent from the city on Monday morning, and on his motion the Hon. H. T. Ellett was elected President *pro tem.* of the Convention.

The following gentlemen obtained leave of absence :

Messrs. Witty, Gwin, Myers, Catching and Nelson.

On motion of Mr. Alcorn, the Convention adjourned to meet again at 7 o'clock in secret session.

SEVEN O'CLOCK P. M.

The injunction of secrecy was removed from the following proceedings had in secret session.

Mr. Harris introduced,

An Ordinance entitled "An Ordinance to authorize the Governor to borrow a sufficient amount of money to sustain the troops of this State now in the field."

On motion of Mr. Harris, the rule was suspended the Ordinance read a second time and passed.

Mr. Lamar introduced the following resolutions, which were adopted unanimously :

Resolved, That this Convention, sympathizing with South Carolina in her present condition, accept her invitation to meet with the seceding States for the purpose of forming a Southern Confederacy.

Resolved, That the President be requested to furnish the

Hon. Armistead Burt, Commissioner from the State of South Carolina, to the State of Mississippi, with an authentic copy of the Ordinance of secession; and an authentic copy of the resolution recognizing the State South Carolina as a sovereign and independent nation and an authentic copy of the resolutions to provide for the formation of a Southern Confederacy adopted by this Convention, and that he be requested to submit to the same the Executive authority of the State of South Carolina.

Resolved, That we perform a pleasing duty in testifying to the authorities of South Carolina our appreciation of the very able and acceptable manner in which their Commissioner, Hon. Armistead Burt has fulfilled the important duties of his delicate mission.

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

MONDAY, JANUARY 21th, 1861.

The Convention met pursuant to adjournment.

Journal of Saturday read and approved.

Mr. Clayton of Lowndes, offered the following resolution:

Resolved, That the Secretary be required to furnish the Senate and House of Representatives, now in session, copies of all Ordinances passed by the Convention, requiring any action on the part of the State Legislature.

On motion of Mr. Anderson, the resolution was laid on the table.

On motion of Mr. Fontaine, the Convention went into secret session.

After some time spent therein the doors of the Convention were opened.

Mr. Glenn, from the Committee on Southern Confederacy, made a report, which on his motion, was laid on the table and 200 copies ordered to be printed.

On motion of Mr. Wright, the Convention resolved itself into Committee of the Whole to consider the report of the Committee of Ways and Means.

After some time spent therein the Committee rose, reported progress and asked leave to sit again at 3 o'clock P. M., which was received and agreed to.

On motion of Mr. Alcorn, Mr. Power, Reporter for the *Mississippian*, was allowed a seat in the Convention during secret session.

On motion of Mr. Miller of Pontotoc, the Convention adjourned until 3 o'clock P. M.

THREE O'CLOCK P. M.

The Convention met pursuant to adjournment.

On motion of Mr. Miller of Pontotoc, the Convention resolved itself into Committee of the Whole to consider the report of the Committee of Ways and Means.

After some time spent therein the Committee rose, and reported the Ordinance back to the Convention without recommendation.

Mr. Ellett offered the following resolution :

Resolved, That the Committee of Ways and Means be instructed to prepare and report an ordinance providing for the collection of a special State tax of 50 per centum on the present State tax, to be collected as speedily as possible ; and further providing for the issuance of treasury notes or certificates of loan, in such sums as may be applied for by any person desiring to loan money to the State. To an amount not exceeding one million dollars; one-third redeemable in one year, one-third in two years, and the other third in three years. Bearing interest at 10 per cent. from date, and further providing for the collection of a special State tax for the redemption thereof as the same may fall due.

Mr. Clayton of Marshall, offered the following amendment as a substitute :

Resolved, That the ordinance be recommitted to the Committee of Ways and Means, with instructions to report an ordinance providing for the issuance of bonds and treasury notes to the amount \$———, and further to report in favor of a direct tax to be laid on all the taxable property in the State, and to be collected in the —— fiscal year, sufficient to raise the sum of \$———.

Mr. Berry offered the following amendment to the amendment :

Resolved, That the Committee of Ways and Means be instructed to adhere to the subjects of taxation, and the rates of taxation fixed by the present revenue system of this State, and to prepare an ordinance for immediate taxation for a sum sufficient to meet the present exigencies of the State.

A call for the previous question being sustained, the question was taken on the adoption of the amendment to the amendment, and decided in the negative.

The question was then taken on the adoption of Mr. Clayton's amendment, and decided in the negative.

The question was then taken on the adoption of the original resolution, and decided in the affirmative.

Mr. George offered the following resolution :

Resolved, That the Committee on Ways and Means be instructed in the ordinance they have been directed to report, to provide that slaves shall be taxed one dollar per head instead of fifty per centum on the present State tax.

On motion, the resolution was laid on the table.

Mr. Baldwin offered the following resolution :

Resolved, That the Committee of Ways and Means be instructed to exempt all polls from taxation.

Which was lost.

On motion of Mr. Glenn, the report of the Committee on Southern Confederacy was made the special order for 12 o'clock to-morrow.

Mr. Chalmers, from the Committee on Military and Naval Affairs, offered a report, which on his motion, was laid on the table and two hundred copies ordered to be printed.

On motion, the Convention adjourned to 10 o'clock to-morrow.

TUESDAY, JANUARY 22d, 1861.

The Convention met pursuant to adjournment.

The Journal of yesterday was read and approved.

Mr. Gholson moved that the following instruction be given to the Committee of Ways and Means :

"Instruct the committee to report so as to increase the tax on negroes to two dollars—or one dollar and twenty-five cents additional tax.

Also taxing all money now vested or that may be employed or deposited out of this State belonging to citizens of this State—also all money in this State—also all bonds, bills of exchange, or securities for the payment of money due or to become due, in this State, and discriminating against all property of non-residents."

Mr. Orr moved, that the resolution of instruction be laid upon the table.

The yeas and nays being called thereon, the motion was sustained by the following vote :

AYES—Mr. President, Messrs. Alcorn, Backstrom, Booth, Brooke, Blair, Bonds, Bookter, Clayton of Lowndes, Catching, Chalmers, Cummings, Colbert, Clapp, Dease, Douglas, Dyer, Eckford, Ellett, Fizer, Flournoy, Gibson, Harris, Holt, Hurst, Keirn, Keith, Kennedy, Marshall, Mayson, McGhee of Bolivar, McGhee of Panola, Neely, Orr, Pattison, Powell of Covington, Roberts, Sanders, Semmes, Smart, Terral, Taylor, Thompson, Vaughan, Walter, Welsh, Wilkinson, Yerger and Young.—45.

NAYS.—Messrs. Anderson, Aldridge, Baldwin, Brantley, Beene, Berry, Bolling, Clayton of Marshall, O. Davis, J. S. Davis, Denson, Edwards, Fontaine, George, Glenn, Gholson, Gwin, Isom, Johnston of Panola, King, Lea, Lamar, Lewers, Miller of Pontotoc, Miller of Tunica, Nelson, Powell of Jones, Ramsey, Rogers, Sumner, Stevens, Tison and Woods. 33.

Mr. Mayson submitted the following report :

MR. PRESIDENT :

The Committee on Engrossed Ordinances beg leave to report that they have had under examination an ordinance entitled "An Ordinance to regulate the rights of citizenship in Mississippi," and find the same correctly engrossed.

On motion of Mr. Brooke, the Ordinance of Citizenship was recommitted to the committee.

On motion of Mr. Chalmers, the Convention took up the Ordinance on Military Affairs, and that the Ordinance be acted upon by sections.

Mr. Woods offered the following amendment :

Amend by changing the county of Kemper from the Eight Regiment to the Fifth.

Which was adopted.

Mr. Brooke offered the following amendment :

Amend by changing the county of Jefferson from the Seventh Regiment to the Third.

Which was adopted.

Mr. Aldridge offered the following amendment :

Amend by changing Tallahatchie from the First to the Fourth Regiment.

Which was adopted.

Mr. Glenn offered the following amendment :

Amend by changing Hancock from the Seventh to the Eighth Regiment.

Which was adopted.

Mr. Miller offered the following amendment :

Amend by striking out the word "divide," in the thirteenth line of section six and insert the word "organize."

Which was adopted.

Mr. George offered the following amendment :

And provided, further, That the whole amount of the compensation of the commissioned officers per annum shall not exceed the following rates :

Major-General, \$2,500 ; Brigadier-General, \$2,000 ; Colonel, \$1,200 ; Lieutenant-Colonel, \$1,000 ; Major, \$800 ; Captain, \$600 ; 1st Lieutenant, \$400 ; 2d and 3d Lieutenants, 300 each ; Adjutant, \$400.

Which on motion of Mr. Boling, was laid on the table.

Mr. Rogers offered the following amendment :

Amend section seventh by inserting after the word "board," in fifth line, the words "except the Governor."

Which was adopted.

Mr. King offered to amend by striking out the word "five," and insert the word four.

Which was adopted.

Mr. Gholson offered to amend as follows :

Amend seventh section by inserting in the third line after the word "officers," the words "the pay of privates shall be twenty dollars per month."

Which was lost.

Mr. Baldwin offered the following amendment :

Amend third line of section seven by striking out the words "and privates," and inserting the words "the privates shall receive fifteen dollars per month." after the word army.

Which was lost.

Mr. Gholson moved, to amend section seven by inserting in the third line, after the words "officers," the words "pay of privates shall be twenty dollars per month."

Which was lost.

Mr. Chalmers offered the following amendment to section seventh :

Strike out volunteers and insert officers in 1st line.

Strike out "and privates," and insert after the word army, in 5th line, "that the pay of the privates and non-commissioned officers shall be \$16 per month, together with the rations and clothing allowed in said army."

Which was adopted.

Mr. King offered the following amendment :

Amend section eight by striking out all after the word "fill," in the second line, and insert "vacancies in the offices of Major and Brigadier Generals shall be filled by the appointment of the Governor subject to the approval of the Senate of this State."

Which was lost.

Mr. Barksdale offered the following amendment, which was lost :

Amend 8th section by striking out the words "and Governor," in 4th line and inserting instead thereof, a majority of the Military Board.

Mr. Nelson offered to amend section eight by striking out "Major General" and substitute "General."

Which was lost.

Mr. Holt offered the following amendment to section ninth :

Amend in the sixth line by striking out the words "two years" and insert "one year."

Which was adopted.

Mr. Dyer offered the following amendment by way of additional section :

Amend by adding the following after the 9th section :

SEC. 10. That all such officers and privates as may be disabled while in actual service, before the formation of a Southern Confederacy, shall be entitled to one years pay after their discharge from the service, and the widows of those who shall be killed in the service shall also receive the for one year, the compensation that their husbands would be entitled to if living.

Which was adopted.

Mr. Brantley offered the following amendment :

Amend by inserting in the third line of the seventh section after the word "army," the words "until the Southern Confederacy is formed, after which time both officers and men shall receive such pay as may be allowed to the officers and men of the army of said Southern Confederacy.

Which was adopted.

Mr. Fontaine offered to insert the following amendment to the ninth section :

And provided further, That the term of office of all commissioned officers provided for in this ordinance shall continue for one year after being enrolled into actual service in their respective appointments and no longer.

Which was lost.

Mr. George offered to amend the eleventh section by striking out all after the words "State Legislature."

Which was lost.

No further amendments being offered, the ordinance as amended was ordered to be engrossed and made the special order for to-morrow at 10 o'clock.

Mr. Wright, from the Committee of Ways and Means, made a report, which on his motion, was laid on the table and two hundred copies ordered to be printed.

On motion of Mr. Welsh,

The Convention adjourned until 3½ o'clock P. M.

HALF-PAST THREE O'CLOCK P. M.

The Convention met pursuant to adjournment.

On motion of Mr. Orr,

Resolved, That Capt. Lipscomb, the Reporter of the Vicksburg papers and the New Orleans Crescent, be allowed a seat on the floor of the Convention.

Mr. Barksdale, Chairman of the Committee on Enrolled Ordinances, made the following report :

The Committee on Enrolled Ordinances have had under examination an ordinance entitled "An ordinance concerning Federal property and jurisdiction in Mississippi," and find the same correctly enrolled.

On motion of Mr. Glenn, the Convention proceeded to consider the report of the Committee on a Southern Confederacy.

Mr. Clayton of Lowndes, offered the following amendment :

Strike out all after the word "Delegates," in 2d line of first resolution to the words "whose duty," in 3d line.

Which was adopted upon a call of the yeas and nays :

YEAS.—Mr. President, Messrs. Anderson, Backstrom, Booth, Brooke, Benton, Berry, Booker, A. M. Clayton, G. R. Clayton, Catchings, Chalmers, Clapp, Dease, Deason, Eckford, Ellett, George, Glenn, Gholson, Gwin, Harris, Holt, Hurst, Isom, Jones, Keith, King, Lea, Lamar, Marshall, McGehee of Panola, Miller of Tunica, Neely, Nelson, Orr, Pattison, Rogers, Thompson, Terral, Taylor, Woods, Vaughan, Wilkinson, and Yerger—46.

NAYS—Messrs. Aldridge, Barksdale, Brantley, Beene, Blair, Bonds, Bolling, Bullard, Cummings, Colbert, J. L. Davis, Denson, Douglas, Dyer, Flournoy, Fontaine, Hill,

Johnston of DeSoto Keiru, Kennedy, Lewers, Mayson, Powell of Covington, Powell of Jones, Ramsey, Roberts, Reynolds, Sanders, Semmes, Smart, Sumner, Stevens, Tison, Walter, Welsh, and Young—36.

Mr. Ellett offered the following amendment.

Which was adopted:

Strike out the words, "on the _____ day of _____, at the hour of _____," and insert "immediately after the passage of these resolutions."

Mr. Clayton, of Marshall, offered the following amendment, which was adopted:

Fourth section—After the word "therein," in the ninth line, insert the words to be composed of delegates, elected by the people of said States, in such manner as the said Convention, or the Legislatures of the several States may prescribe.

Mr. King offered the following amendment to the fourth section, which was lost:

Amend by striking out the word "Southern," between the words "other" and "States," in the 6th line of the 4th resolution.

Mr. Rogers offered the following amendment:

Strike out all after the word "therein," in the 3rd line of the 5th section, and insert the following:

Then such Constitution, or Plan, shall be referred to the people of this State for ratification or rejection, to be assembled in Convention, by a call made either by the convention assembled at Montgomery, or by the Legislature of this State.

Mr. Clayton, of Marshall, offered the following amendment as a substitute for Mr. Rodgers,' which was lost.

Fifth section—In 4th line, strike out all after the words, "referred to," and in lieu thereof, insert, "to a Convention for ratification or rejection, which convention shall be composed of delegates, elected by the people of said States, in such manner as the said convention at Montgomery, or the Legislatures of the several States may prescribe."

Mr. Glenn moved to lay Mr. Rodgers' amendment on the table, which was decided in the negative, by yeas and nays, as follows:

YEAS—Mr. President, Messrs. Alcorn, Anderson, Aldridge, Barksdale, Booth, Brantley, Brooke, Beene, Blair, Chalmers, Dease, Dyer, Deason, Edwards, Ellett, George,

Glenn, Gwinn, Harris, Hurst, Keirn, Keith, Lea, Lamar, Lewers, Miller of Tunica, Neely, Nelson, Orr, Powell of Covington, Ramsay, Roberts, Senimes, Thompson, Vaughan, Walter, Welsh, Wilkinson, and Woods—41.

NAYS—Messrs. Baldwin, Backstrom, Benton, Berry, Bonds, Bolling, Bullard, Bookter, Clayton of Marshall, Clayton of Lowndes, Catchings, Cummings, Colbert, Clapp, O. Davis, J. S. Davis, Denson, Douglas, Eckford, Flournoy, Fontaine, Gholson, Hill, Holt, Ison, Johnston of DeSoto, Kennedy, King, Marshall, Mayson, McGehee of Panola, Pattison, Powell of Jones, Rodgers, Reynolds, Sanders, Smart, Sumner, Stevens, Terral, Tison, Taylor, Wright, Yerger and Young—44.

On motion, the Convention adjourned until 7 o'clock this evening.

SEVEN O'CLOCK P. M.

The Convention met pursuant to adjournment,

And resumed the consideration of the report of the Committee on Southern Confederacy,

The question being on the adoption of the amendment offered by Mr. Rogers.

Mr. Fontaine offered the following as a substitute for the amendment of Mr. Rogers, which was accepted and the resolution of Mr. Rogers withdrawn, to-wit :

Strike out all after the word "thereon," in the third line and insert :

Then such constitution or plan shall be referred to the people of this State for ratification or rejection, to be assembled in Convention, by a call made by the Convention at Montgomery, or by the proclamation of the Governor, and in either case the delegates to be elected according to the provisions of the act of the Legislature under which this Convention has been assembled.

Mr. Tison moved the previous question,

Which being sustained,

The question was taken on the adoption of Mr. Fontaine's amendment, and decided in the negative by yeas and nays as follows :

AYES.—Messrs. Barksdale, Baldwin, Backstrom, Benton, Beene, Blair, Berry, Bonds, Bolling, Bullard, Clayton of Marshall, Clayton of Lowndes, Cummings, Colbert, Clapp,

J. S. Davis, Denson, Douglas, Eckford, Flournoy, Fontaine, Gholson, Herring, Holt, Johnston of DeSoto, Kennedy, King, Marshall, Mayson, McGehee of Panola, Parker, Pattison, Powell of Jones, Rogers, Reynolds, Sanders, Smart, Sumner, Stevens, Tison, Taylor, Wright, Yerger and Young. 43.

NAYS.—Mr. President, Messrs. Alcorn, Anderson, Aldridge, Booth, Brantley, Brooke, Bookter, Catching, Chalmers, O. Davis, Dease, Dyer, Deason, Edwards, Ellett, Fizer, George, Glenn, Gwin, Harris, Hill, Hurst, Isom, Jones, Keirn, Keith, Lea, Lamar, Lewers, Lewis, McGehee of Bolivar, Miller of Tunica, Myers, Neely, Nelson, Orr, Powell of Covington, Ramsey, Roberts, Semmes, Terral, Thompson, Vaughan, Walter, Welsh, Wilkinson and Woods.—49.

Mr. Glenn offered the following amendment :

Amend fourth line of fifth section by striking out "ratification or rejection," and substitute "its action."

Which was adopted.

Mr. Brooke moved to strike out the fifth section, which was lost by the following vote :

AYES.—Messrs. Alcorn, Aldridge, Barksdale, Baldwin, Brooke, Beene, Blair, Berry, Bonds, Bolling, Bullard, Clayton of Marshall, Cummings, Colbert, O. Davis, J. S. Davis, Denson, Flournoy, Fontaine, Gholson, Herring, Isom, King, Marshall, Mayson, McGehee of Bolivar, McGehee of Panola, Parker, Pattison, Rodgers, Reynolds, Sanders, Stevens, Walter, Wright, Yerger and Young.—38.

NAYS.—Mr. President, Messrs. Anderson, Backstrom, Booth, Brantly, Benton, Bookter, Clayton of Lowndes, Catching, Chalmers, Clapp, Dease, Douglas, Dyer, Deason, Eckford, Edwards, Ellett, Fizer, George, Glenn, Gwin, Harris, Hill, Holt, Hurst, Johnston of DeSoto, Jones, Keirn, Keith, Kennedy, Lea, Lamar, Lewers, Lewis, Miller of Tunica, Myers, Neely, Nelson, Orr, Powell of Covington, Ramsey, Roberts, Semmes, Smart, Sumner, Terral, Tison, Taylor, Thompson, Vaughan, Welsh, Wilkinson and Woods. 54.

Mr. Clayton of Marshall, moved that the vote adopting the amendment of Mr. Clayton of Lowndes, be reconsidered.

The yeas and naves being called for, the motion was lost by the following vote :

AYES.—Messrs. Alcorn, Aldridge, Barksdale, Baldwin,

Brantly, Beane, Blair, Bonds, Bolling, Bullard, Cummings, Colloet, J. S. Davis, Denson, Douglas, Dyer, Edwards, Fiser, Flournoy, Fontaine, Herring, Hill, Johnston of De Soto, Keith, Kennedy, King, Lewers, Lewis, McGee of Bolivar, Myers, Parker, Powell of Jones, Reynolds, Sanders, Smart, Sumner, Stevens, Tison and Young.—40.

YAYS.—Mr. President, Messrs. Anderson, Backstrom, Booth, Brooke, Benton, Berry, Bookter, Clayton of Marshall, Clayton of Lowndes, Catching, Chalmers, Clapp, O. Davis, Dease, Deaton, Eckford, Ellett, George, Glenn, Gholson, Gwin, Harris, Holt, Hurst, Isom, Jones, Lea, Lamar, Marshall, Myson, McGehee of Panola, Miller of Tunica, Neely, Nelson, Orr, Pattison, Powell of Covington, Ramsey, Roberts, Rogers, Seams, Terral, Taylor, Thompson, Vaughan, Walter, Welsh, Wilkinson, Woods, Wright and Yerger.—52.

Mr. Glenn offered the following amendment :

Amend the fourth section by striking out the word "Southern," before the word "States," in the sixth line.

Which was adopted.

Mr. Glenn moved, that the ordinance be considered as engrossed and the ordinance put upon its passage.

Which was adopted.

The question was then taken on the passage of the ordinance, and decided in the affirmative.

On motion of Mr. Glenn,

Resolved, That the Convention go into the election of Delegates to the Montgomery Convention to-morrow at 11 o'clock.

On motion, the Convention adjourned until to-morrow at 10 o'clock.

WEDNESDAY, JANUARY 23RD, 1861.

The Convention met pursuant to adjournment.

Journal of preceding day read and approved.

On motion of Mr. Glenn,

Resolved, That the Committee on a Southern Confederacy be instructed to enquire into the propriety or expediency of having this State represented in such Provisional Govern-

NOTA BENA.

In explanation of the following ballots, the Printer takes the liberty of inserting the following extracts from the revised reports of the Convention, as published in the *Mississippian* :

Before the Convention proceeded to ballot.

Mr. Dyer said, it was well known that the delegates representing the counties embraced in the 4th Geographical District, have recommended to this body Maj. E. Barksdale as a proper person to be selected to represent the State in part in the Montgomery Convention. This fact has made his name prominent in the list from which selections will be made. In order that members may not cast their ballots under a misapprehension of his wishes, he was authorized and requested to announce to this body that it is *unconditionally* withdrawn.

Mr. Ellett then rose and said that by request of Mr. Glenn his name could not go before the Convention. Mr. Glenn having been unanimously nominated by the members from his District, the statement was proper as it was impossible for Mr. Glenn to accept the position, if conferred on him.

Before proceeding to the second ballot, Mr. Lamar said, the vote just given required him to announce publicly what he had repeatedly said to his friends in private, that it was not within his power to accept an appointment as delegate to Montgomery. His reasons were purely private and personal, but such as would be satisfactory to the Convention if he felt at liberty to state them.

Mr. Ellett also gracefully, but positively, withdrew his name.

Mr. Aldridge, also, returned thanks to the friends who, in their kind partiality, cast their votes for him. He was, however, satisfied that there were many gentlemen who, from their age and experience, were more competent to represent the State than himself. For that reason, and others he might enumerate, he desired that his friends should not cast their votes for him.

Messrs. Yerger and Alcorn also withdrew their names.

Mr. Dyer arose and again withdrew the name of Maj. Barksdale, stating by authority of that gentleman that his withdrawal was unconditional, and that while he was grateful for the preference which a large number of members had indicated for him, he did not desire the position. That circumstances rendered it impossible for him to serve even if elected by the partiality of the Convention.

Before the 5th ballot was taken, Mr. Clapp said .

MR. PRESIDENT :—I have up to this time, in deference to the suggestions of friends and against the promptings of my own inclination, refrained from withdrawing my name from the ballotings in which we are engaged, but I feel that it is due to the Convention and to myself to say, that whilst I recognize the position of delegate to the Montgomery Convention, especially when conferred by a body entitled to such profound respect as this, as one of high distinction—an honor of which any gentleman has good reason to feel proud; yet I have at the same time regarded it as a trust involving such delicate duties and high responsibilities, as to be neither sought nor courted; and as one of my distinguished colleagues has been already selected as one of the honored representatives of the State, whilst tendering my grateful acknowledgments to those gentlemen who have complimented me with their votes, I request that my name be withdrawn.

ment as may be formed by the Convention at Montgomery, and the best mode by which such representation can be had, and report by resolution or otherwise as soon as practicable.

The President announced the following Committees :

Committee to prepare flag and coat of arms for the State, Messrs. Clapp, Ellett, Thompson, Ramsey and Young.

Committee to prepare an address to the people of the State in reference to planting, Messrs. Clayton of Lowndes, Vaughan, M. McGehee, Keirn and Lea.

On motion of Mr. King,

Resolved. That the Hons. A. G. Brown, Jefferson Davis, Reuben Davis, John J. McRae, Wm. Barksdale and O. R. Singleton, the Senators and Representatives in Congress, be invited when present to seats upon the floor of this house during all the sittings of this Convention.

Mr. Clayton of Marshall, offered the following ordinance,

Which was referred to the Committee on State Constitution :

Be it ordained and declared, and it is hereby ordained and declared by this Convention. That if any part of the present Constitution of the State of Mississippi, shall be in conflict with any ordinance passed by this Convention, such part of said Constitution shall be held to be abrogated and annulled to the extent of such conflict but no further.

On motion of Mr. Glenn,

Resolved. That the Convention do now proceed to vote for seven Delegates to the Montgomery Convention without any special nominations being made, and no one shall be elected a Delegate unless he or they shall receive a majority of all the votes polled.

On motion of Mr. Chalmers, the election was conducted by ballot.

The President appointed Messrs. Gholson, Chalmers and Reynolds, to act as tellers.

The Convention then proceeded to ballot for Delegates to the Montgomery Convention with the following result :

FIRST BALLOT.

	VOTES.
H. T. Ellett.....	26
W. Brooke.....	38
L. Q. C. Lamar.....	22
R. O. Beene.....	16
J. S. Yerger.....	3

FIRST BALLOT CONTINUED.

	VOTES.
J. W. C. Watson.....	11
F. M. Rogers.....	13
H. R. Miller.....	19
J. W. Clapp.....	22
D. B. Wright.....	6
W. P. Harris.....	50
W. S. Wilson.....	34
E. Barksdale.....	24
Jeff. Davis.....	14
A. G. Brown.....	25
S. S. Boyd.....	7
J. Harrison.....	1
A. M. Clayton.....	35
J. A. P. Campbell.....	24
P. W. Lucas.....	1
D. C. Glenn.....	26
W. F. Dowd.....	4
A. K. Blythe.....	16
W. S. Barry.....	31
J. Thompson.....	17
J. Drane.....	2
R. Davis.....	1
H. W. Walter.....	1
C. R. Crusoc.....	1
Wm. Barksdale.....	3
H. Cassidy.....	5
J. L. Alcorn.....	3
Joseph Matthews.....	11
A. B. Dilworth.....	4
D. W. Hurst.....	1
O. R. Singleton.....	1
J. Z. George.....	4
G. R. Clayton.....	14
J. J. McRae.....	5
F. M. Aldridge.....	9
J. T. Harrison.....	15
Fulton Anderson.....	6
—— Benton.....	8
W. S. Featherston.....	1
W. L. Harris.....	5
W. R. Hill.....	5
G. H. Young.....	2

FIRST BALLOT CONTINUED.

	VOTES.
J. A. Orr.....	3
C. B. Baldwin.....	5
C. D. Fontaine.....	2
—— Sale.....	3
J. T. McMurrin.....	3
Wm. Yergler.....	8
J. D. Freeman.....	1
Beverly Matthews.....	1
J. M. Thompson.....	1
P. B. Starke.....	3
W. S. Brooke.....	1
A. E. Reynolds.....	1
I. Welsh.....	2
T. H. Harrison.....	1
L. C. Huston.....	1
G. B. Wilkinson.....	1
W. C. Smedes.....	1
G. M. Hillyer.....	1
Whole number of votes cast.....	92
Necessary to a choice.....	47

Mr. W. P. Harris being the only person who had received a majority he was declared elected.

The Convention then proceeded to a second ballot with the following result :

SECOND BALLOT.

	VOTES.
W. S. Wilson.....	49
W. S. Barry.....	33
A. M. Clayton.....	43
H. R. Miller.....	20
E. Barksdale.....	27
W. Brooke.....	59
W. S. Featherston.....	10
J. W. Clapp.....	32
W. F. Dowd.....	4
G. R. Clayton.....	12
J. W. C. Watson.....	6
S. S. Boyd.....	5
R. O. Beene.....	11

SECOND BALLOT CONTINUED.

	VOTES.
Jeff. Day	12
J. A. P. Campbell	21
A. G. Brown	25
W. Yerger	2
F. A. Jackson	7
J. T. Harrison	17
Jake Thorapson	26
Thompson	1
H. Cassidy	4
Benton	5
Aldridge	2
Rogers	18
L. Q. C. Lamar	1
A. W. Blythe	10
A. M. Reasons	5
J. J. McRae	5
W. R. Hill	5
G. H. Young	2
E. S. Fisher	2
J. W. Matthews	10
W. L. Harris	6
C. Cruse	2
A. B. Dilworth	3
C. B. Baldwin	6
R. Davis	6
C. D. Fontaine	1
C. P. Smith	3
J. Z. George	2
W. McWille	2
D. B. Wright	4
J. A. Orr	2
S. J. Gholsom	2
Hurst	3
Welsh	3
Sale	2
Alcorn	3
W. R. Harris	1
Houston	1
Glenn	1
J. R. Chalmers	1
H. W. Walter	1
J. Drane	1

SECOND BALLOT CONTINUED.

	VOTES.
O. Davis.....	1

Whole number of votes cast.....	91
---------------------------------	----

Necessary to a choice.....	46
----------------------------	----

Messrs. Wilson and Brooke receiving a majority of all the votes cast were declared elected.

The Convention then proceeded to a third ballot with the following result :

THIRD BALLOT.

	VOTES.
W. S. Barry.....	38
J. W. Clapp.....	39
J. A. P. Campbell.....	23
A. M. Clayton.....	53
A. G. Brown.....	24
J. T. Harrison.....	22
W. L. Harris.....	2
F. M. Rogers.....	24
H. R. Miller.....	20
Cassidy.....	4
J. Thompson.....	25
G. H. Young.....	1
W. R. Hill.....	7
A. K. Blythe.....	11
G. R. Clayton.....	9
Jeff. Davis.....	9
W. Yerger.....	1
E. Barksdale.....	4
D. C. Glenn.....	1
J. W. Matthews.....	1
Benton.....	4
F. Anderson.....	7
S. S. Boyd.....	3
Alcorn.....	1
Featherston.....	6
H. W. Walter.....	2
J. L. Autry.....	1
Gholson.....	4
W. Anderson.....	2
Baldwin.....	2

THIRD BALLOT CONTINUED:

	VOTES.
C. R. Crusoe.....	1
H. Dickinson.....	1
R. Beene.....	4
Clayton.....	1
Dilworth.....	1
W. McWillie.....	1
Hurst.....	2
McRae.....	1
Dowl.....	1
Sale.....	1
D. B. Wright.....	2
J. A. Orr.....	4
<hr/>	
Whole number of votes cast.....	92
Necessary to a choice.....	47

Mr. A. M. Clayton having received a majority of all the votes cast was declared elected.

No one else having received a majority the Convention proceeded to a fourth ballot with the following result :

FOURTH BALLOT.

	VOTES.
W. S. Barry.....	41
Rogers.....	32
Campbell.....	30
J. W. Matthews.....	11
H. R. Miller.....	25
J. Thompson.....	28
A. K. Blythe.....	7
Clapp.....	27
J. T. Harrison.....	28
A. G. Brown.....	16
W. L. Harris.....	4
D. B. Wright.....	4
Featherston.....	4
G. R. Clayton.....	5
Baldwin.....	2
Jeff. Davis.....	3
F. Anderson.....	7
Walter.....	1
Antry.....	1

FOURTH BALLOT CONTINUED.

	VOTES.
Boyd	4
W. R. Hill.....	3
Benton	1
H. Dickinson.....	1
J. A. Orr.....	2
Crusoe	1

Whole number of votes cast.....92

Necessary to a choice.....47

No one receiving a majority of all the votes cast the Convention proceeded to a fifth ballot.

Pending which,

The Convention adjourned until 3½ o'clock, P. M.

THREE AND A HALF O'CLOCK, P. M.

The Convention met pursuant to adjournment,
And resumed the ballot for Delegates to the Montgomery Convention.

The fifth ballot resulted as follows :

FIFTH BALLOT.

	VOTES.
W. S. Barry.....	42
F. M. Rogers.....	41
J. A. P. Campbell.....	43
J. T. Harrison.....	41
G. R. Clayton.....	8
J. Thompson.....	28
H. R. Miller.....	37
W. R. Hill.....	7
D. B. Wright.....	5
E. C. Walthall.....	1
Featherston	3
Clapp	7
Brown.....	4
Benton	1
Welsh.....	1
Boyd.....	2
Orr.....	2
F. Anderson.....	4

FIFTH BALLOT CONTINUED.

	VOTES.
S. Oliver.....	1
Fontaine.....	1
W. L. Harris.....	1
<hr/>	
Whole number of votes cast.....	94
Necessary to a choice.....	48

No one receiving a majority of all the votes cast the Convention proceeded to the sixth ballot with the following result :

SIXTH BALLOT.

	VOTES.
W. S. Barry.....	47
F. M. Rogers.....	40
J. A. P. Campbell.....	47
J. T. Harrison.....	47
H. R. Miller.....	39
J. Thompson.....	19
Clapp.....	6
Wright.....	4
Clayton.....	5
Hill.....	5
Lea.....	1
West.....	2
Featherston.....	4
W. L. Harris.....	1
Aldridge.....	1
Lewis.....	1
Gholson.....	1
Brown.....	1
Benton.....	1
Orr.....	1
Aury.....	1
<hr/>	
Whole number of votes cast.....	91
Necessary to a choice.....	46

Messrs. W. S. Barry, J. T. Harrison and J. A. P. Campbell, having received a majority of all the votes cast, were declared duly elected.

Mr. Glenn, from the Committee on Southern Confederacy submitted a series of resolutions, which,

On his motion, were laid on the table and 200 copies ordered to be printed.

On motion of Mr. Chalmers, the Convention took up the ordinance to regulate the Military system of the State of Mississippi.

The question was then taken on the passage of the ordinance and decided in the affirmative.

On motion of Mr. Chalmers, the Convention proceeded to the election of a Major-General by ballot.

The President appointed Messrs. Gholson, Anderson and Beene, to act as tellers.

Upon the first ballot.

Jefferson Davis received.....	88	votes.
Reuben Davis.....	1	"
Earl Van Dorn.....	1	"

Whole number of votes cast.....90

Necessary to a choice.....46

Jefferson Davis having received a majority of all the votes cast was declared elected Major-General.

On motion of Mr. Chalmers, the Convention proceeded to the election of four Brigadier-Generals.

On motion of Mr. Welsh, the election was conducted by ballot.

Messrs. Gholson, Anderson and Beene, acting as tellers.

The Convention proceeded to ballot with the following result :

FIRST BALLOT.

	VOTES.
W. C. Faulkner.....	8
C. Clark.....	19
D. R. Russell.....	1
Earl Van Dorn.....	20
J. L. McMannus.....	3
C. H. Mott.....	7
J. L. Alcorn.....	18
J. C. Russell.....	1
John H. Miller.....	2
A. K. Blythe.....	1
Thomas W. Harris.....	2
H. H. Miller.....	2
Charles H. Abert.....	1
W. F. Gaines.....	1

FIRST BALLOT CONTINUED.

	VOTES.
J. R. Davis.....	1
Richard Griffith.....	1
	—
Whole number of votes cast.....	89
Necessary to a choice.....	45

No one having received a majority of the whole the Convention proceeded to a second ballot with the following result :

SECOND BALLOT.

	VOTES.
Charles Clark.....	24
Earl Van Dorn.....	35
J. L. Alcorn.....	24
H. H. Miller.....	1
J. L. McMannus.....	2
C. H. Mott.....	3
T. W. Harris.....	1
	—
Whole number of votes cast.....	90
Necessary to a choice.....	46

No one having received a majority of all the votes cast the Convention proceeded to a third ballot with the following result :

THIRD BALLOT.

	VOTES.
Charles Clark.....	11
Earl Van Dorn.....	61
J. L. Alcorn.....	19
	—
Whole number of votes cast.....	91
Necessary to a choice.....	46

Earl Van Dorn having received a majority of all the votes cast was declared elected first Brigadier-General.

The Convention then proceeded to ballot for 2nd Brigadier-General with the following result :

FOURTH BALLOT.

	VOTES.
J. L. Alcorn.....	42
Charles Clark.....	36
C. H. Mott.....	6
R. Griffith.....	2
T. W. Harris.....	2
H. H. Miller.....	1
—	
Whole number of votes cast.....	89
Necessary to a choice.....	45

No one having received a majority of all the votes cast the Convention proceeded to a fifth ballot.

Pending the ballot,

On motion of Mr. Fontaine, the Convention adjourned until 7½ o'clock, P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Convention met pursuant to adjournment.

On motion of Mr. Glenn, the resolutions from the Committee on Southern Confederacy, were made the special order of the day for 10½ o'clock to-morrow morning.

Mr. Clapp offered the following resolution, which,

On motion of Mr. Orr, was laid on the table :

Resolved, That each member shall vote for three persons at one time, and the highest shall be declared first elected, provided he gets a majority of the whole vote cast, and in case of a tie it shall be determined by the Convention who shall be first.

The Convention then proceeded to a fifth ballot for 2nd Brigadier-General with the following result :

FIFTH BALLOT.

	VOTES.
Charles Clark.....	64
J. L. Alcorn.....	27
C. H. Mott.....	1
—	
Whole number of votes cast.....	92
Necessary to a choice.....	47

Charles Clark receiving a majority of all the votes cast was declared duly elected second Brigadier-General.

The result of sixth ballot was as follows :

SIXTH BALLOT.

	VOTES.
J. L. Alcorn.....	52
R. Griffith.....	5
W. C. Faulkner.....	7
H. H. Miller.....	3
T. W. Harris.....	8
C. H. Mott.....	12
Wm. Griffith.....	1
J. H. Miller.....	2

Whole number of votes cast.....90

Necessary to a choice.....46

J. L. Alcorn having received a majority of all the votes cast was declared duly elected third Brigadier-General.

The Convention then proceeded to ballot for a fourth Brigadier-General with the following result :

SEVENTH BALLOT.

	VOTES.
T. W. Harris.....	—
C. H. Mott.....	37
H. H. Miller.....	4
J. H. Miller.....	2
W. C. Faulkner.....	7
C. H. Abert.....	1
A. K. Blythe.....	3
Richard Griffith.....	2
Wm. Griffith.....	—
J. L. McMannus.....	2
T. Harris.....	7

Whole number of votes cast..... 94

Necessary to a choice.....48

No one receiving a majority of all the votes cast the Convention proceeded to ballot with the following result :

EIGHTH BALLOT.

	VOTES.
C. H. Mott	48
T. Harris	2
W. H. Miller	3
W. C. Faulkner	31
McMannus	3
Blythe	1
R. Griffith	1
J. H. Miller	3

Whole number of votes cast 92

Necessary to a choice 47

C. H. Mott having received a majority of the votes cast was declared duly elected fourth Brigadier-General.

On motion of Mr. Gholson, the Convention adjourned until to-morrow morning at 10 o'clock.

THURSDAY, JANUARY 24TH, 1861.

The Convention met pursuant to adjournment.

Journal of preceding day read and approved.

Communications to the President were read and referred to the appropriate committees.

Mr. Clapp submitted an ordinance from the Committee on Postal Affairs.

Which was laid on the table and 200 copies ordered to be printed.

Mr. Orr offered the following resolution :

Resolved, That a special committee of five, be appointed to enquire into the expediency of suspending the execution of decrees, judgments, executions, mortgages and deeds of trust for twelve months : also, the laws for instituting suits in the various courts of this State, except the attachment laws.

Pending which.

The Convention, on motion of Mr. Glenn, proceeded to the consideration of the special order, to-wit : the resolutions of the Committee on Southern Confederacy.

Mr. Ellett offered an amendment thereto, which,

On his motion, was laid on the table and two hundred copies ordered to be printed; and the whole subject was made the special order for ten o'clock to-morrow.

On motion of Mr. Fontaine, the Convention went into secret session.

After some time spent therein the doors of the Convention were opened.

On motion of Mr. Wright, the Convention resolved itself into Committee of the Whole, to take into consideration the ordinance reported by the Committee of Ways and Means, entitled an ordinance to raise means for the defense of the State.

Mr. Orr in the chair.

After some time spent therein the committee rose and reported back the ordinance without any recommendation.

Which was received and agreed to.

The Convention proceeded to the consideration of the ordinance by sections.

Mr. George offered the following amendment to the first section:

Provided, that in order to make the State tax on slaves equal to the State tax on other personalty and on land, the above mentioned tax of fifty per centum on the present State tax, shall not apply to slaves, but instead thereof an additional special tax of one dollar and twenty-five cents be imposed on each taxable slave, to be collected and disbursed as the other taxes herein provided for.

Mr. Chalmers offered the following amendment to the amendment:

"And that the regular tax on slaves be and it is hereby so changed, that the tax assessed on each taxable slave shall be the same as on taxable land, and that no slave shall be taxed who is over sixty or under ten years of age, and that slaves shall be so assessed at the next regular assessment of the property of the State."

Mr. ————— moved to lay the amendment and the amendment to the amendment on the table.

A division being called for,

The question was first taken on laying the amendment to the amendment on the table and decided in the affirmative.

The question was then taken on laying the amendment of Mr. George on the table, and decided in the negative by yeas and nays, as follows:

YEAS.—Messrs. Alcorn, Anderson, Barksdale, Backstrom, Booth, Bolling, Clayton of Lowndes, Colbert, Clapp, Dease, Dyer, Ellett, Fizer, Flournoy, Harris, Hill, Holt, Hurst, Jones, Keim, Kennedy, King, Lamar, Marshall, McGehee of Bolivar, McGehee of Panola, Neely, Pattison, Roberts, Sanders, Semmes, Smart, Terral, Taylor, Thompson, Vaughan, Walter, Wilkinson and Yerger—38.

NAYS.—Mr. President, Messrs. Aldridge, Baldwin, Brantley, Brooke, Benton, Blair, Berry, Bonds, Bullard, Clayton of Marshall, Catching, Chalmers, Cummings, O. Davis, J. S. Davis, Denson, Douglas, Deason, Eckford, Edwards, Fontaine, George, Glenn, Gholson, Gwin, Herring, Ison, Johnston of DeSoto, Keith, Lea, Lewers, Lewis, Miller of Pontotoc, Miller of Tunica, Nelson, Orr, Parker, Powell of Covington, Ramsey, Rogers, Reynolds, Sumner, Stevens, Tison, Witty, Woods, Wright and Young—47.

Pending further action,

The Convention adjourned until three o'clock this evening.

THREE O'CLOCK, P. M.

The Convention met pursuant to adjournment.

Mr. Herring asked to have his vote recorded in the negative on the proposition to lay the amendment of Mr. George on the table.

Mr. Eckford offered the following resolution :

Resolved, That the Governor be and he is hereby authorized to appropriate to the use of Volunteers when called into service or before if he may deem it necessary such cloth or other material manufactured in the Penitentiary and now on hand, or which may be hereafter manufactured, as may be suitable for clothing said troops or making tents for the same.

Mr. Walter offered the following amendment as a substitute :

Resolved, That the Military Board created by the ordinance passed by this Convention be authorized to employ so much of the labor of the Penitentiary for making tents, clothing, &c., for the volunteers to be raised by said ordinance as they may deem necessary.

On motion of Mr. Walter, the resolution and amendment were referred to the Committee on Military Affairs.

The Convention resumed the consideration of the ordinance to raise means for the defense of the State.

The pending question being on the adoption of the amendment offered by Mr. George.

Mr. Ellett offered the following amendment to the amendment :

Amend by striking out all after the words "additional special tax" and insert "sufficient to make the tax on slaves equal to twenty cents on every one hundred dollars in value thereof, the value to be ascertained in the same manner that the value of land is now ascertained under the revenue law of this State, and the tax assessor shall accompany the tax collector and make out his assessment as the tax is paid, and return such assessment to the clerk of the Probate court, who shall make out and transmit to the proper officer such copies thereof as he is now required by law to make of other assessments."

The previous question was then moved and the call sustained.

Pending the vote,

A call of the Convention was ordered.

The following members were absent :

Messrs. Alcorn, Bookter, Deason, Farrar, Gibson, Hurst, Johnston of Jefferson, Lamar, Mayson, McGehee of Panola, Powell of Jones, Thornton, Thompson, Winchester and Wood.

On motion, the further call of the Convention was suspended.

The question was then taken on the adoption of Mr. Ellett's amendment to the amendment and decided in the affirmative, by yeas and nays, as follows :

YEAS.—Messrs. Alcorn, Aldridge, Backstrom, Benton, Blair, Bolling, Bullard, Chalmers, Cummings, Clapp, Dease, Dyer, Eckford, Edwards, Ellett, Flournoy, Glenn, Gwin, Harris, Herring, Hill, Holt, Jones, Keirn, Lewers, Lewis, Marshall, McGehee of Bolivar, Neely, Nelson, Parker, Powell of Covington, Roberts, Semmes, Smart, Stevens, Terral, Taylor, Thompson, Vaughan, Walter, Welsh, Wilkinson, Woods, Wright and Yeager—45.

NAYS.—Mr. President, Messrs. Anderson, Barksdale, Baldwin, Booth, Brantley, Brooke, Beene, Berry, Bonds, Clayton of Marshall, Clayton of Lowndes, Catching, Colbert, O. Davis, J. S. Davis, Denson, Douglas, Fizer, George, Gholson, Herring, Isom, Johnston of DeSoto, Keith, Ken-

ned, King, Lea, McGehee of Panola, Miller of Pontotoc, Miller of Tunica, Pattison, Ramsey, Rogers, Reynolds, Sanders, Sumner, Tison, Witty and Young—43.

The question was then taken on the adoption of Mr. George's amendment as amended and decided in the negative, by yeas and nays, as follows :

YEAS.—MESSRS. Aldridge, Baldwin, Benton, Beene, Blair, Bonds, Clayton of Marshall, Chalmers, Clapp, Dease, Fontaine, Gwin, Lewers, Miller of Pontotoc, Nelson, Parker and Young—17.

NAYS.—Mr. President, Messrs. Alcorn, Anderson, Barksdale, Backstrom, Booth, Brantley, Brooke, Berry, Bolling, Bullard, Clayton of Lowndes, Catching, Cummings, Colbert, O. Davis, J. S. Davis, Douglas, Dyer, Eckford, Ellett, Flournoy, George, Glenn, Gholson, Harris, Herring, Hill, Holt, Isom, Johnston of DeSoto, Jones, Keirn, Keith, Kennedy, King, Lea, Lewis, Marshall, McGehee of Bolivar, McGehee of Panola, Miller of Tunica, Neely, Orr, Pattison, Ramsey, Roberts, Rogers, Sanders, Semmes, Smart, Sumner, Stevens, Terral, Tison, Taylor, Thornton, Thompson, Vaughan, Walter, Welsh, Witty, Wilkinson, Woods, Wright and Yerger—68

Mr. Blair moved a reconsideration of the vote adopting the amendment of Mr. Ellett's to the amendment offered by Mr. George.

On motion of Mr. Anderson, the motion to reconsider was laid on the table.

Pending further action,

The Convention adjourned until 9 o'clock to-morrow morning.

FRIDAY, JANUARY 25TH, 1861.

The Convention met pursuant to adjournment.

The Journal of the preceding day read and approved.

The roll of the Convention being called, and a quorum not

being present, the Sergeant-at-Arms was directed to bring in the absentees.

A quorum appearing, the further call was dispensed with. On motion of Mr. Rogers,

Resolved, That the President appoint a committee of three, whose duty it shall be to examine the records of this Convention, correct any errors, if any therein, and prepare the same for publication.

On motion of Mr. Holt,

Resolved, That the Governor be hereby requested to forward promptly to the Executives of the North-western States, an authenticated copy of the ordinance passed by this Convention, declaratory of our determination not to obstruct in any manner the peaceable navigation of the Mississippi river, within our limits.

On motion of Mr. Orr, the resolution in relation to a Navy law was taken up.

Mr. Fontaine moved to lay the resolution on the table :

Which was decided in the affirmative, by yeas and nays, as follows:

YEAS—Mr. President, Messrs. Alcorn, Aldridge, Barksdale, Backstrom, Booth, Brooke, Benton, Beene, Bonds, Bolling, Bullard, Clayton, Chalmers of Marshall, Clayton of Lowndes, Cummings, Clapp, O. Davis, Douglas, Dyer, Deason, Eekford, Edwards, Ellett, Fizer, Flournoy, George, Gibson, Gholson, Gwin, Henry, Holt, Hurst, Johnston of DeSoto, Jones, Keirn, Kennedy, King, Lea, Marshall, McGehee of Bolivar, McGehee of Panola, Myers, Nelson, Parker, Pattison, Powell of Jones, Ramsey, Roberts, Rogers, Reynolds, Sanders, Semmes, Tison, Taylor, Thornton, Thompson, Vaughan, Walter, Welsh, Witty, Woods and Yerger—65.

NAYS—Brantley, Berry, Catchings, Dease, Denson, Keith, Lewers, Neely, Orr, Powell of Covington, and Terrall—11.

Mr. Brooke presented the following ordinance :

Be it ordained by the people of the State of Mississippi, in Convention assembled, That no law for the purpose of hindering or delaying the execution of legal process for the collection of debts, or postponing the foreclosure of mortgages, or deeds of trust, shall be passed by the Legislature, unless the same shall be passed by three-fourths of each House.

On his motion, the ordinance was referred to the committee on State Constitution.

Mr. Jones offered the following resolution, which, on motion of Mr. Bolling, was laid on the table :

Resolved, That the "committee on the State Constitution," be instructed to consider and report, whether any, and if any, what amendment to the constitution is advisable, in order to enable the Legislature to enact such laws for the collection of revenue to be derived from real estate, as shall avoid the difficulties arising under constitutional questions in the courts, which have heretofore defeated the validity of titles to lands, sold in this State, for default of owners, in the non-payment of their taxes.

The Convention proceeded to the consideration of the special order, being an ordinance to raise means for the defense of the State.

Mr. George offered the following amendment to 1st section :

Add to the 1st section, " Provided that the above-mentioned tax of fifty per centum on the present State Tax, shall not apply to slaves; but, instead thereof, an additional special tax of one dollar and twenty cents be imposed on each taxable slave, which shall be collected, disbursed and accounted for in the same manner as the other taxes herein provided for.

A motion being made to table the amendment, the yeas and nays were demanded, and the motion prevailed, by the following vote :

YEAS—Messrs. Alcorn, Anderson, Barksdale, Backstrom, Booth, Bolling, Bullard, Clayton of Lowndes, Catching, Cummings, Clapp, Dease, Dyer, Eckford, Edwards, Ellett, Fizer, Flournoy, Gibson, Gwin, Harris, Holt, Hurst, Johnston of DeSoto, Jones, Keirn, Keith, Kennedy, King, Lewers, Marshall, McGehee of Bolivar, McGehee of Panola, Neely, Powell of Covington, Roberts, Sanders, Semmes, Terrell, Taylor, Thompson, Vaughan, Walter, Welsh, and Witty—44.

NAYS—Mr. President, Aldridge, Baldwin, Brantley, Brooke, Benton, Beene, Blair, Berry, Bonds, Clayton of Marshall, Chalmers, O. Davis, Denson, Douglas, Deason, Fontaine, George, Gholson, Herring, Isom, Lea, Miller of Pontotoc, Miller of Tunica, Nelson, Pattison, Powell of Jones, Ramsey, Rogers, Reynolds, Stevens, Tison, Thornton, Woods and Young—37.

Mr. King offered the following amendment :

C—15

Strike out the first section, and insert in lieu thereof, the following :

SECTION 1. That it shall be the duty of the tax-collectors of the several counties in this State, forthwith after the passage of this ordinance, to collect, in the manner now provided by law for the collection of other taxes, from every tax-payer in his county, an additional special State tax of fifty per centum on the regular State tax of such tax-payer, and also a tax from every inhabitant of this State of three per centum upon all money owned or controlled by such inhabitant, and deposited, loaned or employed in the purchase of notes, bills, stocks, or any securities for the payment of money, without the limits of this State, or kept from circulation within the same, at any time during the fiscal year, and to pay the same into the State Treasury, subject to all the laws, restrictions and penalties that apply to and regulate the collection and payment of other State taxes; and the money so collected shall constitute a Military Fund, and a separate account thereof shall be kept by the Auditor and Treasurer, and the same shall be disbursed by warrant, issued on the order of the Governor, and shall be applied by the Governor to such purposes of defense and military service of this State as may be authorized by law, this Convention, or the Legislature: Provided that the money invested in the loan to the State, authorized by the second section of this ordinance, shall be exempt from all taxes, whether the same be State, county, municipal, special, school or military: And provided further, that money temporarily deposited without the limits of this State, or kept from use and circulation within the same, in contemplation of use, other than for loan or employment in the purchase of stocks, bonds, bills, or other evidence of debt or permanent deposit without the limits of this State, shall be exempt from said tax of three per cent: And provided further, that the Boards of Police of such counties as shall have a surplus of money in their respective county treasuries, shall apply such surplus money by causing the same to be paid to the proper tax-collectors, in or towards the discharge of said tax of fifty per centum, in their respective counties.

The question was taken on the adoption of the amendment, and decided in the affirmative.

Mr. Clayton of Marshall, offered the following amendment to section second, which was lost :

In section 2nd, 4th line, strike out the words, one, two, and three, and insert two three and four years, and in fifth line after the words 1861, strike out the words, bearing interest at ten per cent. per annum from date, and insert, with coupons of interest attached at the rate of ten per cent. per annum payable annually.

Mr. Barry offered the following amendment to the fourth section,

Which was adopted :

And it shall be the duty of each tax collector who shall have on hand any money collected under the provisions of this ordinance to receive and pay any treasury note or certificate of loan issued in pursuance of this ordinance, and which shall be payable at the end of the fiscal year for which the tax in the hands of the assessor was collected; and if any tax collector having sufficient money on hand arising from said tax shall refuse to pay any certificate or note as aforesaid to the holder on presentation and demand thereof, he shall be liable to the holder thereof in a sum equal to the amount of the said note or certificate to be recovered on an execution in any court having jurisdiction thereof.

Mr. King offered the following amendment by way of additional sections,

Which was adopted :

SECTION —. That it shall be the duty of the tax collectors when collecting the taxes levied by this ordinance until the assessors shall make other assessments of personalty, to assess the said tax of three per cent. on all money owned or controlled by the inhabitants of this State and deposited, loaned or employed without the limits of this State or kept from use and circulation within the same at any time during the fiscal year, and to require such inhabitants to give in the said assessment under oath to be administered by said tax collectors, and to return one copy of said assessment to the Board of Police of the proper county and one to the Auditor of Public Accounts, and should such inhabitant fail or refuse to give in said assessment, the said collectors shall levy and collect from such inhabitant the sum of . . .
Provided, that the tax collectors shall for their compensation for collecting the taxes raised by this ordinance receive three per centum upon the amount collected from the tax payers and nothing for receiving the amounts that shall be paid by the Board of Police in discharge of the said tax of 50 per centum.

SEC. —. That each assessor of taxes in this State in all subsequent assessments for taxes until said treasury notes are paid, shall require each inhabitant of his county, to render on oath to be by him administered, the amount of money owned or controlled by him, and deposited, loaned, or employed in the purchase of notes, bills, bonds, stocks, mortgages or any securities for the payment of monies without the limits of this State or kept from use and circulation within the same, at any time during the fiscal year as aforesaid, and should said tax payer fail or refuse to render said amount or take said oath, then said assessor shall assess against him or her the sum of \$5,000, as taxes for money deposited, loaned, or employed without the State or kept from use and circulation within the same as aforesaid, and which sum so assessed shall be collected and paid over as other taxes are to be collected and paid over as herein before provided.

Mr. Jones offered the following amendment to section first,

Which was lost :

Provided, that the pay maker making his or her returns to the assessor as herein required, on money loaned or controlled in or out of this State, shall be allowed a deduction or credit on the amount of his or her money taxed, to the extent of his or her own indebtedness to other parties at the date of said return.

Mr. Alcorn moved to strike out section 9th and insert in lieu thereof the following :

Which was adopted

That the sum of two hundred and fifty dollars is hereby set aside from any money in the State Treasury, not otherwise appropriated, to defray the expense of engraving, issuing and negotiating said certificates or notes—the Auditor shall issue his warrants for such sum within said maximum as the Governor may certify as necessary—to be supplied for engraving and for the compensation for negotiating and labor performed by the assistants of this State shall be fixed by the Legislature—the same not to exceed the appropriation.

Mr. George offered the following amendment by way of additional sections.

Which was adopted, -wit :

SEC. —. *Be it further ordained*, That immediately on the passage of this ordinance each Sheriff and Tax Collector in this State shall execute a bond, with good security, pay-

able to the State, and in a penalty equal to the present State tax of his county, and conditioned for the due and faithful performance of the duties imposed on him by this ordinance, which said bond shall be approved, filed and recorded in the same manner as Sheriffs' bonds are now required by law to be approved, filed and recorded.

SEC. —. *Be it further ordained*, That if any Sheriff shall fail to execute said bond, with security, as provided in the last preceding section of this ordinance, by the 1st day of March next, his office shall thereby become vacated, and the vacancy thereby occasioned shall be filled as other vacancies in the offices of Sheriff are now required by law to be filled.

On motion of Mr. Wright, the ordinance as amended was ordered to be engrossed and made the special order of the day for 10 o'clock to-morrow morning.

Mr. Barksdale from the Committee on Enrolled Ordinances, reported the Resolutions on Southern Confederacy correctly enrolled.

Mr. Harris, from the Committee on Federal Jurisdiction and Property, reported an ordinance supplemental to an ordinance concerning the jurisdiction and property of the United States of America in the State of Mississippi, passed on the — day of January, 1861, and recommended its passage.

Which was received and agreed to.

On his motion, the ordinance was made the special order of the day for 3 o'clock to-morrow.

Leave of absence was granted Messrs. Chalmers, Deason, Ramsey, Myers and Tison.

On motion, the Convention adjourned until 3 o'clock P. M.

THREE O'CLOCK P. M.

The Convention met pursuant to adjournment.

Mr. Brantley submitted an ordinance relative to the "disbursement of the Military Fund."

Which on his motion, was made the special order for 3 o'clock to-morrow.

On motion of Mr. Glenn, the Convention then took up the report of the Committee on Southern Confederacy.

Mr. Glenn offered the following amendments, which were adopted, to-wit:

Amend the first section by inserting in third line after the word "appoint" the word "immediately."

After the word election in second section, third line, insert the word "immediately."

Amend third section by inserting after the word election, in the 3d line, the word "immediately."

Add the following section :

SEC. 4. That all laws providing for the election of Senators and Representatives in the Congress of the United States, are hereby annulled so far as they authorize the election of Senators or Representatives in the said Congress; but such laws shall continue in force so far as to authorize and regulate the election of Senators and Representatives in the Congress of any new Confederacy or Government of which this State may become a member.

Mr. Ellett offered the following amendment :

Amend by striking out the first, second and third sections, and inserting in lieu thereof the following :

Amend by striking out all after the word "Resolved," in the first line, and insert the following, to-wit :

That Jefferson Davis and Albert G. Brown, be and they are hereby appointed Senators to represent the State of Mississippi in the Senatorial branch of any Congress, or other legislative body, of any Confederacy or Government to be formed between the State of Mississippi and other States, as contemplated by the action of this Convention; and that they hold their office until the end of the next regular or called session of the Legislature, when their successors shall be chosen in the manner now provided by law for the election of Senators in the Congress of the United States; and should any vacancy occur in the meantime, the Governor shall make an appointment to fill such vacancy.

SEC. 2. That Reuben Davis, Lucius Q. C. Lamar, William Barksdale, Otho R. Singleton and John J. McRae, be and they are hereby appointed Representatives of the State of Mississippi, in the Representative branch of any Congress, or other legislative body, of any Confederacy or Government to be formed between the State of Mississippi and other States, as contemplated by the action of this Convention; and that they hold their office until superseded by election to be held in the manner hereinafter provided; and if a vacancy shall happen, or if the State shall be entitled to more than five Representatives, such vacancy or deficiency, shall be filled for the unexpired term, by a special election, to be ordered, conducted and returned in the manner directed by law for filling vacancies in any State office.

Sec. 3. That an election shall be held, at the time of holding the next regular State election, for the number of Representatives to which this State may be entitled in the Congress of any new Confederacy or Government of which the State may become a member, to hold for such term as the Constitution of such Confederacy may prescribe; if entitled to five Representatives, the election shall be by Districts as now established by law; but if the number of Representatives to which the State is entitled be increased above five, then one shall be chosen in each District as now organized, and the additional number shall be chosen by the electors of the State at large; and if the number of Representatives be diminished, then the whole number shall be chosen by the electors of the State at large; but the Legislature may in the meantime reorganize the said Districts, and increase or diminish the same if necessary, and the election shall be held accordingly.

The yeas and nays being called for, the amendment was adopted by the following vote:

YEAS.—Mr. President, Barksdale, Backstrom, Booth, Brooke, Benton, Berry, Bonds, Clayton of Marshall, Catching, Cummings, Clapp, O. Davis, Dease, Eckford, Edwards, Ellett, Fizer, George, Gholson, Gwin, Herring, Holt, Isom, Johnston of DeSoto, Keirn, Keith, Kennedy, Lea, Lewers, Marshall, McGehee of Bolivar, McGehee of Panola, Miller of Pontotoc, Miller of Tunica, Neely, Nelson, Parker, Pattison, Powell of Covington, Powell of Jones, Ramsey, Roberts, Rogers, Semmes, Smart, Stevens, Terral, Taylor, Vaughan, Walter, Welsh, Witty, Woods and Wright—55.

NAYS.—Messrs. Aldridge, Brantley, Beene, Blair, Bolling, Clayton of Lowndes, Douglas, Flournoy, Fontaine, Glenn, Gibson, Harris, King, Reynolds, Sanders, Sumner, Thompson and Woods—18.

On motion of Mr. Orr, the Ordinance as amended was ordered to be engrossed and made the special order for 7 o'clock this evening.

Mr. Holt offered the following resolution:

Resolved, That all officers in the military service of the late United States who have or shall hereafter resign their commissions in said service and shall enlist in the military service of the State of Mississippi shall, until in actual service, receive such pay as their rank entitles them to receive at the time of said resignation.

On motion of Mr. Flournoy, the resolution was laid on the table.

On motion of Mr. Clapp, the Postal Ordinance was taken up.

Mr. Clapp offered the following amendment :

Amend Sec. 1, by adding thereto as follows :

And all laws passed and regulations made by the authority of the United States which are in conflict with such postal arrangements as may be adopted by the Governor and officers of State aforesaid, in the contingency herein provided for, are hereby repealed and annulled.

Which was adopted.

Mr. Clayton of Marshall offered the following amendment :

In Sec. 1, line 4, strike out the words, "and his council," and insert the words the Secretary of State, Auditor of Public Accounts, Treasurer and Attorney General.

And same amendment in Sec. 2, line 2.

Pending further action, the Ordinance and amendments were recommitted to the committee.

Mr. Benton offered the following resolution :

Resolved, That the Governor's Council be instructed to report an Ordinance providing for a permanent Council of the State, of three in number, and defining the duties of said counsellors, and providing a reasonable compensation for their services, said counsellors to continue in office until a Southern Confederacy is established.

Mr. Fontaine offered the following amendment :

Strike out that portion of resolution which refers to "compensation" of counsellors.

Which was adopted.

The question was then taken on the adoption of the resolution as amended and decided in the affirmative.

Mr. Clayton of Marshall, offered the following resolution which was referred to the Committee on Postal Affairs, to-wit :

Resolved, That an officer be appointed by this Convention to be called the Postmaster-General of the State of Mississippi, whose office and duties shall commence when the present postal system is abolished, with powers to provide mail facilities for this State, and to that end, that he be invested with power to make contracts and raise the rate of postage to meet the wants and requirements of that service.

Mr. Ellett offered the following resolution, which was adopted, to-wit :

Resolved by the People of Mississippi in Convention Assembled, That the delegates to the General Convention of the seceding States, be entitled to receive the same compensation and mileage now allowed by law to members of the Legislature, the mileage to be computed by the estimated distance from the residence of the delegate to the place of meeting of said Convention, by the most direct route of travel; and the Auditor shall issue his warrant therefor, on the written statement by each delegate of the amount due him.

Mr. Yerger offered the following resolution, which was referred to the Committee on Postal Affairs, to-wit:

Resolved, That the Committee on Postal Affairs be and they are hereby instructed to report an Ordinance for the issuance of Post office stamps and the rate of postage to be stamped on the envelopes so that all postal matter may be prepaid before its transportation or conveyance by mail; provided that such Ordinance shall not go into effect nor be in force unless the present postal service be suspended or superseded by Congress.

On motion, the Convention adjourned until 10 o'clock tomorrow morning.

SATURDAY, JANUARY 26TH, 1861.

Convention met pursuant to adjournment.

Journal of preceeding day read and approved.

Messrs. Dyer and Colbert asked and obtained leave of absence.

Mr. Brooke from the Committee on Citizenship reported An Ordinance to regulate the right of citizenship in the State of Mississippi, and recommended its passage.

The report was received and agreed to.

On motion of Mr. Brooke, the rule was suspended, the Ordinance read a second time and passed.

Ordered that the title stand as stated.

Mr. Fontaine moved that the Convention go into secret session.

Which was adopted.

The injunction of secrecy was removed from the following proceedings had in secret session.

Mr. Holt offered the following resolution :

Resolved, That in the opinion of this Convention it is not the purpose or policy of the people of the State of Mississippi to re-open the African slave trade.

Mr. Miller of Pontotoc moved to lay the resolution on the table—the yeas and nays being demanded, the motion to lay on the table was lost by the following vote :

YEAS.—Messrs. Barksdale, Backstrom, Brantley Beene, Bullard, Catching, Cummings, Clapp, Dease, Douglas, Eckford, Ellett, Fontaine, George, Gholson, Gwin, King, McGehee, Miller of Pontotoc, Miller of Tunica, Neely, Pattison, Semmes, Terral, Witty, Woods—26.

NAYS.—Mr. President, Messrs. Alcorn, Anderson, Aldridge, Baldwin, Booth, Brooke, Benton, Berry, Bonds, Bolling, Clayton of Marshall, Clayton of Lowndes, O. Davis, Edwards, Fizer, Flournoy, Glenn, Gibson, Harris, Holt, Hurst, Isom, Johnston of DeSoto, Keirn, Keith, Kennedy, Lea, Lamar, Lewers, Marshall, Nelson, Orr, Parker, Powell of Covington, Roberts, Rogers, Reynolds, Sanders, Smart, Sumner, Stevens, Taylor, Thornton, Thompson, Walter, Welsh, Wright, Yerger, Young—50.

The previous question being moved and sustained,

The question was then taken on the adoption of the resolution, and decided in the affirmative by yeas and nays as follows :

YEAS.—Mr. President, Messrs. Alcorn, Anderson, Aldridge, Baldwin, Booth, Brooke, Benton, Berry, Bonds, Bolling, Clayton of Marshall, Clayton, of Lowndes, Catching, Clapp, O. Davis, Dyer, Douglas, Eckford, Edwards, Ellett, Fizer, Flournoy, Fontaine, Glenn, Gibson, Gholson, Gwin, Harris, Herring, Holt, Hurst, Isom, Johnston of DeSoto, Keirn, Keith, Kennedy, Lea, Lamar, Lewers, Marshall, McGehee of Bolivar, McGehee of Panola, Miller of Tunica, Nelson, Orr, Parker, Pattison, Powell of Covington, Roberts, Rogers, Reynolds, Sanders, Semmes, Smart, Sumner, Stevens, Taylor, Thornton, Thompson, Vaughan, Walter, Welsh, Wright, Yerger, Young—66.

NAYS.—Messrs. Barksdale, Backstrom, Brantly, Beene, Bullard, Cummings, Dease, George, King, Miller of Pontotoc, Neely, Witty, Woods—13.

The doors of the Convention being opened, Mr. Glenn offered the following resolution :

Resolved, That when this Convention adjourns, that it do so subject to be reassembled upon the call of the President of the same whenever in his judgment the public necessities may require it, and in case of the death or resignation of that officer, then upon the call of a majority of a Committee of three now to be named by the President, and unless reassembled on or before the 1st Monday in June, A. D., 1861, then and in that case, it shall stand adjourned *sine die*.

Mr. Yerger offered the following amendment :

Amend by striking out all in the resolution after the word "adjourns" and inserting "that it adjourns *sine die* not subject to be reassemble by the order of the President thereof or the Governor of this State.

On motion of Mr. Glenn the amendment was laid on the table, upon a call of the yeas and nays as follows :

YEAS.—Mr. President, Messrs. Aleorn, Anderson, Barksdale, Booth, Brantley, Brooke, Blair, Berry, Catching, Clapp, O. Davis, Dease, Douglas, Eckford, Fizer, George, Glenn, Gibson, Gwin, Harris, Herring, Keirn, Keith, King, Lea, Lamar, McGehee of Bolivar, McGehee of Panola, Miller of Pontotoc, Miller of Tunica, Neely, Nelson, Orr, Powell of Covington, Roberts, Sanders, Semmes, Smart, Sumner, Ter-ral, Taylor, Thompson, Vaughan, Walter, Welsh, Witty, Woods, Wright—50.

NAYS.—Messrs. Aldridge, Baldwin, Backstrom, Beene, Bonds, Bolling, Bullard, Clayton of Lowndes, Cummings, Flournoy, Fontaine, Gholson, Holt, Isom, Kennedy, Lewers, Marshall, Parker, Pattison, Rogers, Reynolds, Stevens, Thronton, Yerger, Young—25.

Mr. Miller of Pontotoc offered the following amendment, which was adopted.

Strike out "1st Monday in June," and insert "1st Monday in October."

The question was then taken on the adoption of the resolution as amended, and decided in the affirmative.

The President appointed as said committee, raised under the resolution of Mr. Glenn,

Messrs. P. S. Catching, A. P. Hill and W. P. Anderson.

Mr. Ellett offered the following resolution :

Resolved by the people of the State of Mississippi in Convention assembled, That the reconstruction of the Union of the United States of America is impracticable and undesira-

ble, and that hereafter Mississippi ought to confederate only with States having similar domestic institutions to her own.

Mr. Berry moved to lay the resolution on the table.

The yeas and nays being called for, the resolution was tabled by the following vote :

YEAS.—Mr. President, Messrs. Anderson, Baldwin, Brantley, Brooke, Beene, Blair, Berry, Bonds, Bolling, Bulard, Clayton of Lowndes, Cummings, O. Davis, Douglas, Fizer, Flornoy, Herring, Ison, Johnston of DeSoto, Keith, Kennedy, King, Lea, Lamar, Lewers, Marshall, McGehee, of Bolivar, Parker, Powell of Covington, Reynolds, Sanders, Sumner, Stevens, Terral, Taylor, Thornton, Thompson, Vaughan, Walter, Witty, Wright, Yerger and Young.—44.

NAYES.—Messrs. Alcorn, Aldridge, Barksdale, Backstrom, Catching, Clapp, Dease, Eckford, Ellett, Fontaine, George, Glenn, Gibson, Gholson, Gwin, Harris, Keim, Lewis, McGehee of Panola, Miller of Pontotoc, Miller of Tunica, Neely, Nelson, Orr, Pattison, Roberts, Rogers, Semmes, Smart, Welsh and Woods.—32.

On motion of Mr. Brantley, the Convention took up the ordinance entitled "An Ordinance to provide for surveys and fortifications of military sites within the State of Mississippi."

Mr. Brantley moved to amend by striking out the words "Governor and Council" where they occur, and substitute therefor the word "Legislature."

Which amendment was adopted.

On motion of Mr. Brantley, the rule was suspended, the ordinance read a second time and passed as amended,

Ordered, That the title stand as stated.

Mr. Walter moved to reconsider the vote by which the Convention fixed the hour of 2 P. M. for adjournment.

Which was carried.

On motion of Mr. Harris, the Convention took up the ordinance entitled "An Ordinance supplemental to an ordinance concerning the jurisdiction and property of the United States of America in the State of Mississippi."

Mr. Clayton of Lowndes, offered the following amendment :

Provided, That nothing herein contained shall impair the right of any person having title to pre-emption, according to the laws of the United States, in force on the 9th day of January, 1861.

Which was adopted.

On motion of Mr. Harris, the rule was suspended, the ordinance read a second time and passed, as amended.

Ordered, That the title stand as stated.

On motion of Mr. Wright, the Convention took up the ordinance entitled "An Ordinance to raise means for the defense of the State."

Mr. Anderson offered the following amendment by way of additional section, which was adopted, to-wit:

SEC. — That the tax now imposed by the present revenue law on money loaned at interest be so amended or construed as to include all money used or that may have been used or employed by being loaned at interest or in the purchase of notes, bills of exchange, bonds or other securities during the past fiscal year, and the parties so interrogated shall answer under oath, to be administered by the Tax Collector, and all money so used or employed, not heretofore assessed as money loaned at interest, shall be taxed three tenths of one per cent.

On motion of Mr. Wright, the rule was suspended, the ordinance read a second time and passed as amended.

Mr. Clapp, from the Committee on Postal Affairs, reported an ordinance for postal arrangements in Mississippi, and recommended its passage.

Which was received and agreed to.

Mr. Clapp moved to amend by filling the blank in the first section of the ordinance with the words "twenty-five hundred."

Mr. Wright moved to amend by filling the blank with the words "ten thousand."

The question was first taken on the adoption of Mr. Wright's amendment, and decided in the negative.

The amendment of Mr. Clapp was then adopted.

Mr. Clapp moved to fill the blank in the second section with the word "quintuple."

Which was adopted.

On motion of Mr. Clapp, the blank in the third section was filled with the words "one hundred thousand dollars."

The ordinance as amended was then passed.

Ordered, That the title stand as stated.

On motion of Mr. Miller of Pontotoc, the Convention took up the report of the Committee on State Constitution.

Mr. Miller, of Pontotoc, moved to amend by way of additional section.

Which was adopted.

On motion of Mr. Miller of Pontotoc, the rule was sus-

pended, the ordinance read a second time and passed as amended.

Ordered. That the title be as follows :

“ An ordinance to amend the Constitution of the State of Mississippi in certain particulars.”

Mr. Miller of Pontotoc, made the following report, which on his motion was received and agreed to, to-wit :

MR. PRESIDENT :

The Committee on the State Constitution have had under consideration an ordinance to amend the Constitution of the State in relation to the powers of the Legislature, and have instructed me to report the same to the Convention and to recommend its adoption.

Mr. Anderson moved to lay the ordinance on the table, Which motion prevailed by yeas and nays as follows :

YEAS.—Mr. President, Messrs. Anderson, Baldwin, Backstrom, Booth, Brantley, Berry, Bolling, Clayton of Marshall, Catching, Clapp, O. Davis, Dease, Douglas, Eckford, Ellett, Edwards, Fizer, Flournoy, Fontaine, George, Glenn, Gholson, Gwin, Harris, Isom, Johnston of DeSoto, Keith, Kennedy, Lea, Lewers, Marshall, McGehee of Panola, Miller of Tunica, Neely, Orr, Parker, Pattison, Powell of Covington, Powell of Jones, Reynolds, Sanders, Semmes, Sumner, Stevens, Terral, Taylor, Thompson and Welsh.—49.

NAYS.—Messrs. Aldridge, Barksdale, Brooke, Bonds, Bullard, Clayton of Lowndes, Gibson, Herring, Holt, Keirn, Lewis, Miller of Pontotoc, Nelson, Roberts, Thornton, Walter and Yerger.—17.

Mr. Walter offered the following resolution, which was adopted :

Resolved, That the Secretary of the Convention forward to each member of the Convention two copies of the ordinance in reference to revenue, heretofore ordered to be printed, when the same is printed, and that said Secretary have printed immediately three hundred additional copies of said ordinance, and that as soon as the same are printed, that he forward two copies of the same to the Sheriff and Assessor of Taxes of each county in this State.

On motion of Mr. Anderson,

Resolved, That the Address herewith setting forth the declaration of the immediate causes which induce and justify the secession of Mississippi from the Federal Union and the

11

ordinance of Secession be referred to a special committee of five.

The President appointed as said committee, Messrs. A. M. Clayton, W. P. Anderson, D. C. Glenn, L. Q. C. Lamar and J. L. Alcorn.

Mr. Barksdale submitted a resolution with the following title :

Resolutions to provide for publishing the Ordinances and Journal of the Convention.

Mr. Fontane moved to amend by striking out the word "Resolutions" and substitute the words "An Ordinance."

Which was adopted.

Mr. Rogers offered a substitute for the ordinance, which On motion of Mr. George, was laid on the table.

On motion of Mr. Barksdale, the rule was suspended, the ordinance read a second time and passed as amended.

On motion of Mr. O. Davis,

Resolved, That Mr. J. L. Power be allowed the sum of four dollars per day, during the session of this Convention, for the reports of its proceedings which have appeared in the *Daily Mississippian*.

Mr. Miller of Pontotoc, submitted the following report :

MR. PRESIDENT :

The Committee on the State Constitution to which was referred "An ordinance in reference to the power of the Legislature of the State of Mississippi," proposing to confer upon the Legislature power to alter or abolish ordinances of this Convention, with certain exceptions, have had the same under consideration and have instructed me to report the same back to the Convention with the recommendation that it be not adopted, &c.

On motion of Mr. Miller of Pontotoc, the report was received and agreed to.

On motion of Mr. Glenn, the Convention took up the resolutions to provide for the representation of the State of Mississippi in the Congress of a Southern Confederacy.

On motion of Mr. Glenn, the rule was suspended, the resolutions read a second time and adopted.

Mr. Marshall offered the following resolutions, and moved their adoption, to-wit :

Resolved, That the proposition of the Mayor and Council of the City of Vicksburg for the erection of an Arsenal near that city, be and the same is hereby recommended to the favorable consideration of the Military Board ; and if

they deem it expedient to establish an Arsenal at that place, they are hereby authorized to take such steps for the accomplishment of that end as they think necessary. Should the Board determine to erect said building and the cost exceed the amount proposed to be given by the City of Vicksburg and county of Warren, such excess shall be paid by the Treasurer, on the warrant of the Auditor of Public Accounts, out of the Military Fund, on demand of the Governor.

Resolved. That the Convention recommend the City Hospital at Vicksburg to the favorable consideration of the Legislature, and suggest the propriety of making a suitable appropriation in aid thereof.

A division of the question being called for, the question was taken on the adoption of the first resolution and decided in the negative.

The question was then taken on the adoption of the second resolution, and decided in the affirmative.

Mr. George submitted the following protest and asked and obtained leave to have the same spread upon the Journal of the Convention

The undersigned respectfully ask leave of this Convention to enter on the Journal of the Convention the following protest against the resolution passed by this body on the subject of the African slave trade :

The undersigned respectfully protest against said resolution for the following reasons :

1st. The resolution undertakes to declare the policy and purpose of the people of this State in relation to a matter which, so far as the undersigned know, was not made the subject of discussion or debate in the canvass for the election of delegates to this Convention ; and hence the people of this State, in said election, have not declared, or authorized this body to declare any policy or purpose on that subject.

2d. The policy of the people of this State on that subject has been declared by the Legislature—the only department of the government which has authority to do so. This policy is declared to be against the African slave trade (see Revised Code, p. 241, Art. 29.) This Convention has no authority to revise that policy. The right to declare a policy on this subject includes necessarily the right to declare a new policy, different from the policy declared by the Legislature ; since, if this Convention can declare a policy on this subject, it can declare just such policy as it deems proper. To revise the policy declared by the Legislature would be manifestly beyond the jurisdiction of this body.

3d. The Legislature having declared a policy on this subject, which is in exact conformity to the resolution passed by this Convention, the action of this body was and is entirely unnecessary, unless it was intended to declare a part of the fundamental law—a policy for the people of this State which shall be irrevocable by the Legislature. If such was the design, then the undersigned respectfully submit that the said resolution is a usurpation of the just powers of the Legislature, and a negation to that body of the right to exercise a plain constitutional function which has been delegated to them by the people.

The undersigned, for these and other reasons which have no reference to their individual views on the subject matter of the said resolution, protest against the same, and respectfully ask that this their said Protest may be spread on the Journals of this body.

J. Z. GEORGE,

R. O. BEENE,

W. R. BARKSDALE,

W. F. BRANTLEY,

WILLIAM H. WITTY,

THOMAS H. WOODS,

O. Y. NEELY,

HUGH R. MILLER,

J. A. BLAIR,

A. B. BULLARD,

S. H. TERRAL,

O. C. DEASE.

On motion, the Convention adjourned until 3 o'clock p. m.

THREE O'CLOCK P. M.

The Convention met pursuant to adjournment.

On motion, of Mr. Clayton of Lowndes,

Resolved, That the Committee appointed to prepare an Address in relation to the importance of producing in the State provisions sufficient for its wants, and to urge upon the planting interest reference to this subject in planting the crop of the present year, be authorized to prepare said Address after the adjournment of the Convention, and to furnish the same to the papers for publication.

On motion of Mr. Welsh it was unanimously resolved as follows, to-wit:

WHEREAS, The Mobile and Ohio Railroad Company has generously offered the *free use* of their cars and road to the Governor of this State, for the transportation of troops and the munitions of war; therefore be it

Resolved, That this Convention do express their high appreciation of this act of patriotic liberality on the part of said Railroad Company, and hereby tender to the Directors and General Superintendent of said Company the thanks of the people of this State.

On motion of Mr. Gholson, the Convention took a recess for one hour.

The recess having expired the Convention resumed its session.

Mr. Clayton of Marshall, from the committee to whom was referred the subject of preparing an address, setting forth the causes which induce and justify the secession of Mississippi from the Federal Union, submitted the following report :

A DECLARATION OF THE IMMEDIATE CAUSES WHICH INDUCE AND JUSTIFY THE SECESSION OF THE STATE OF MISSISSIPPI FROM THE FEDERAL UNION.

In the momentous step which our State has taken of dissolving its connection with the government of which we so long formed a part, it is but just that we should declare the prominent reasons which have induced our course.

Our position is thoroughly identified with the institution of slavery—the greatest material interest of the world. Its labor supplies the product which constitutes by far the largest and most important portions of the commerce of the earth. These products are peculiar to the climate verging on the tropical regions, and by an imperious law of nature, none but the black race can bear exposure to the tropical sun. These products have become necessities of the world, and a blow at slavery is a blow at commerce and civilization. That blow has been long aimed at the institution, and was at the point of reaching its consummation. There was no choice left us but submission to the mandates of abolition, or a dissolution of the Union, whose principles had been subverted to work out our ruin.

That we do not overstate the dangers to our institution, a reference to a few unquestionable facts will sufficiently prove.

The hostility to this institution commenced before the adoption of the Constitution, and was manifested in the well-known Ordinance of 1787, in regard to the North-western Territory.

The feeling increased, until, in 1819-20, it deprived the South of more than half the vast territory acquired from France.

The same hostility dismembered Texas and seized upon all the territory acquired from Mexico.

It has grown until it denies the right of property in slaves, and refuses protection to that right on the high seas, in the Territories, and wherever the government of the United States had jurisdiction.

It refuses the admission of new slave States into the Union, and seeks to extinguish it by confining it within its present limits, denying the power of expansion.

It tramples the original equality of the South under foot.

It has nullified the Fugitive Slave Law in almost every free State in the Union, and has utterly broken the compact which our fathers pledged their faith to maintain.

It advocates negro equality, socially and politically, and promotes insurrection and incendiarism in our midst.

It has enlisted its press, its pulpit and its schools against us, until the whole popular mind of the North is excited and inflamed with prejudice.

It has made combinations and formed associations to carry out its schemes of emancipation in the States and wherever else slavery exists.

It seeks not to elevate or to support the slave, but to destroy his present condition without providing a better.

It has invaded a State, and invested with the honors of martyrdom the wretch whose purpose was to apply flames to our dwellings, and the weapons of destruction to our lives.

It has broken every compact into which it has entered for our security.

It has given indubitable evidence of its design to ruin our agriculture, to prostrate our industrial pursuits and to destroy our social system.

It knows no relenting or hesitation in its purposes; it stops not in its march of aggression, and leaves us no room to hope for cessation or for pause.

It has recently obtained control of the Government, by the prosecution of its unhallowed schemes, and destroyed the last expectation of living together in friendship and brotherhood.

Utter subjugation awaits us in the Union, if we should consent longer to remain in it. It is not a matter of choice, but of necessity. We must either submit to degradation,

and to the loss of property worth four billions of money, or we must secede from the Union framed by our fathers, to secure this as well as every other species of property. For far less cause than this our fathers separated from the Crown of England.

Our decision is made. We follow in their footsteps. We embrace the alternative of separation; and for the reasons here stated, we resolve to maintain our rights with the full consciousness of the justice of our course, and the undoubting belief of our ability to maintain it.

On motion of Mr. Clayton of Marshall, the report was received and agreed to.

The address was then adopted.

Mr. Harris, from the special committee of the Governor's Council, reported an ordinance entitled "an ordinance providing a permanent council of three for the Governor of this State," and recommended its adoption.

Which was received and agreed to.

On motion of Mr. Harris, the ordinance was considered as engrossed and the ordinance adopted.

Mr. Harris moved that the Convention proceed to the election provided for under said ordinance by ballot, and presented the names of Messrs. W. P. Anderson, Madison McAfee and T. C. Tupper, as said council.

On motion of Mr. Flournoy, the election by ballot was dispensed with, and the above named gentlemen were elected by acclamation.

Mr. Anderson reported an ordinance with the following title:

An Ordinance to appropriate money to pay the current expenses of the Convention not provided for by law.

On motion of Mr. Anderson, the rule was suspended, and the ordinance being put upon its final passage was adopted.

On motion of Mr. Anderson,

Resolved, That twenty-five hundred copies of the declaration and address of the immediate causes of the secession of Mississippi from the Federal Union, together with the ordinance of secession with the names of the members who signed it, be printed in pamphlet form and distributed to the members of this Convention.

On motion of Mr. George,

Resolved, That Wiley P. Harris and Warren P. Anderson, be and they are hereby appointed Auditors, with authority to audit and allow accounts for such incidental expenses as may have been incurred by the officers of the

Convention; and that the Auditor of Public Accounts be directed to issue his warrant in favor of the person to whom such accounts may be due, upon the certificate of said Auditors.

On motion of Mr. Benton,
Resolved, That the Secretary of this Convention be allowed five days after the adjournment of the Convention to complete the duties assigned him, and that he be allowed the compensation fixed by law, to be paid out of any money in the Treasury not otherwise appropriated on the warrant of the Auditor of Public Accounts on the Treasurer of the State.

On motion of Mr. Stephens,
Resolved, That the thanks of this Convention be due and are hereby tendered to the Hon. W. S. Barry, for the dignified and impartial manner in which he has discharged the duties of President thereof.

On motion of Mr. Miller of Pontotoc,
Resolved, That a committee of three be appointed to wait on His Excellency, the Governor of the State, and to inform him that this Convention is about to adjourn, and to inquire whether he desires to make any further communication to it in connexion with the public interest.

The President appointed as said committee, Messrs. H. R. Miller, O. Davis and Eckford.

On motion of Mr. Dyer,
Resolved, That our Senators and Representatives in the Congress of the Southern Confederacy, when it shall be formed, be, and they are hereby requested to use their influence to have established, in the South, a Military Academy similar to that of the United States at West Point, and that the Cadets from the seceding States, now or recently at West Point, upon application, be transferred to said Academy, and that others be received therein from time to time, in accordance with the provisions of the act of Congress establishing it.

Be it further resolved, That the Secretary of this Convention furnish said Senators and Representatives with a copy of these resolutions.

Mr. Clapp submitted the following report:

MR. PRESIDENT:

The special committee appointed to prepare a suitable Flag and Coat of Arms for the State, report that they have had the subject under consideration, and they recommend for suitable Flag the following:

A Flag of white ground, a Magnolia tree in the centre, a blue field in the upper left hand corner with a white star in the centre, the Flag to be finished with a red border and a red fringe at the extremity of the Flag. .

For a coat of arms, the committee recommend the one accompanying the communication of the Governor to the President of this Convention which was referred to the committee, and is returned along with this report, except that the committee recommend that the recumbent figure designed to represent "the father of waters" be omitted, and a cannon and plough appropriately engraved be substituted.

On motion of Mr. Clapp, the report was received and agreed to.

Mr. Miller, from the committee to wait on the Governor, reported that His Excellency had no further communication to make in connection with the public interest.

Mr. Gholson moved that the Convention adjourn.

Before the President put the motion, he said, in substance:

Gentlemen of the Convention: It becomes my duty to declare this body adjourned until the public necessities require its assembling again. The action of this Convention is of vast importance. Its record is a part, for good or evil, of the history of the country. In obedience to the will of the people, you have accomplished the work of destruction; but the courage, the thought, the wisdom, necessary to destroy are not always equal to the task of re-building. More is required in the future than has been in the past. May we realize the hope of being transferred to a government more satisfactory, more stable, more just. What lies before us will test the heroism, the higher, the nobler qualities of our race, inherited from revolutionary sires. I would be very unjust to my own feelings did I not express my sense of gratitude for the manner in which I have been sustained in all the duties of my office. Your department has rendered my labors light. I wish you all the certainty of a cordial welcome and approval of your conduct, when you return to your constituents, and, what is better than public approbation, the consciousness of having discharged your duty, and I take pleasure in testifying to the patience and industry with which you have devoted yourselves to the public service. Renewing my thanks for your uniform courtesy to myself, I now declare the present session of this Convention adjourned.

F. A. POPE, *Secretary.*

CONSTITUTION

OF THE

STATE OF MISSISSIPPI.

ARTICLE I. Declaration of rights.	§ V. Executive Department; militia.
II. Distribution of Powers.	VI. Impeachments.
III. Legislative Department.	VII. General provisions; slaves.
IV. Judicial Department.	Amending Constitution; schedule.

ARTICLE I.

DECLARATION OF RIGHTS.

THAT the general, great and essential principles of liberty and free government may be recognized and established, WE DECLARE :

SECTION 1. That all freemen, when they form a social compact, are equal in rights; and that no men, or set of men, are entitled to exclusive, separate public emoluments or privileges from the community, but in consideration of public services. Equality and natural rights.

SEC. 2. That all political power is inherent in the people, and all free governments are founded on their authority and established for their benefit; and, therefore, they have, at all times, an inalienable and indefeasible right to alter or abolish their form of government in such manner as they may think expedient.

Religious
worship. SEC. 3. The exercise and enjoyment of religious profession and worship, without discrimination, shall forever be free to all persons in this State: *Provided*, That the right hereby declared and established shall not be so construed as to excuse the acts of licentiousness, or justify practices inconsistent with the peace and safety of the State.

SEC. 4. No preference shall ever be given by law to any religious sect or mode of worship.

SEC. 5. That no person shall be molested for his opinion on any subject whatever, nor suffer any civil or political incapacity, or acquire any civil or political advantage in consequence of such opinions, except in cases provided for in this constitution.

Freedom
of speech. SEC. 6. Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that liberty.

SEC. 7. No law shall ever be passed to curtail or restrain the liberty of speech or of the press.

Truth to
be given in
evidence
in all pro-
secutions
for libel. SEC. 8. In all prosecutions or indictments for libel, the truth may be given in evidence: and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives and for justifiable ends, the party shall be acquitted; and the jury shall have the right to determine the law and the facts.

SEC. 9. That the people shall be secure in their persons, houses, papers and possessions, from unreasonable seizures and searches: and that no warrant to search any place, or to seize any person or thing, shall issue without describing the place to be searched, and the person or thing to be seized, as nearly as may be, nor without probable cause, supported by oath or affirmation.

The ac-
cused;
how heard
and con-
victed. SEC. 10. That in all criminal prosecutions, the accused hath a right to be heard by himself, or counsel, or both; to demand the nature and cause of the accusation; to be confronted by the witnesses against him; to have a compulsory process for obtaining witnesses in his favor; and, in all prosecutions, by indictment or information, a speedy and public trial by an impartial jury of the country where the offence was committed; that he cannot be compelled to give evidence against himself; nor can he be deprived of his life, liberty or property, but by due course of law.

SEC. 11. No person shall be accused, arrested or detained, except in cases ascertained by law, and according to the form which the same has prescribed; and no person shall be punished but in virtue of a law established and promulgated prior to the offence, and legally applied.

SEC. 12. That no person shall, for an indictable offence, be proceeded against criminally by information, except in cases arising in the land or naval forces, or in the militia, when in actual service, or by leave of the court, for misdemeanor in office.

Proceedings in indictable offences.

SEC. 13. No person shall, for the same offence, be twice put in jeopardy of life or limb; nor shall any person's property be taken or applied to public use without the consent of the Legislature, and without just compensation being first made therefor.

SEC. 14. That all courts shall open, and every person, for an injury done him in his lands, goods, person or reputation, shall have remedy by due course of law, and right and justice administered without sale, denial or delay.

SEC. 15. That no power of suspending laws shall be exercised except by the Legislature or its authority.

SEC. 16. That excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted.

Excessive bail.

SEC. 17. That all prisoners shall, before conviction, be bailable by sufficient securities, except for capital offences, where the proof is evident, or the presumption great; and the privilege of the writ of habeas corpus shall not be suspended, unless, when in a case of rebellion or invasion, the public safety may require it.

Bailable offences, habeas corpus, &c

SEC. 18. That the person of a debtor, when there is not strong presumption of fraud, shall not be detained in prison after delivering up his estate for the benefit of his creditors, in such a manner as shall be prescribed by law.

When debtor not to be imprisoned.

SEC. 19. No conviction for any offence shall work corruption of blood or forfeiture of estate; the Legislature shall pass no bill of attainder, or *post facto* law, nor law for impairing the obligation of contracts.

SEC. 20. No property qualification for eligibility to office, or for the right of suffrage, shall ever be required by law in this State.

The estates of suicides. SEC. 21. That the estates of suicides shall descend or vest as in cases of natural death; and if any person shall be killed by casualty, there shall be no forfeiture by reason thereof.

The right of petition SEC. 22. That the citizens have a right, in a peaceable manner, to assemble together for their common good; and to apply to those invested with the powers of government for redress of grievances, or other purposes, by petition, address or remonstrance.

Right to bear arms. SEC. 23. Every citizen has a right to bear arms in defence of himself and of the State.

No standing army. SEC. 24. No standing army shall be kept up without the consent of the Legislature; and the military shall, in all cases and at all times, be in strict subordination to the civil power.

SEC. 25. That no soldier shall, in time of peace, be quartered in any house without the consent of the owner, or in time of war, but in the manner to be prescribed by law.

SEC. 26. That no hereditary emoluments, privileges or honors shall ever be granted or conferred in this State.

Emigration, &c. SEC. 27. Emigration from this State shall not be prohibited, nor shall any free white citizen of this State ever be exiled under any pretence whatever.

Trial by jury. SEC. 28. The right of trial by jury shall remain inviolate.

Prosecution of suits. SEC. 29. No person shall be debarred from prosecuting or defending any civil cause for or against him or herself, before any tribunal of this State, by him or herself or counsel, or both.

Tenure of office. SEC. 30. No person shall ever be appointed or elected to any office in this State for life or during good behavior; but the tenure of all offices shall be for some limited period of time, if the person appointed or elected thereto shall so long behave well.

CONCLUSION.

To guard against transgressions of the high powers herein delegated, WE DECLARE that everything in this article is excepted out of the general powers of government, and shall forever remain inviolate : and that all laws contrary thereto, or to the following provisions, shall be void :

ARTICLE II.

DISTRIBUTION OF POWERS.

SEC. 1. The powers of the government of the State of Mississippi shall be divided into three distinct departments, and each of them confided to a separate body of magistracy, to-wit : those which are legislative to one, those which are judicial to another, and those which are executive to another. Distribu-
tion of
powers.

SEC. 2. No person, or collection of persons, being of one of those departments, shall exercise any power properly belonging to either of the others, except in the instances hereinafter expressly directed or permitted.

ARTICLE III.

LEGISLATIVE DEPARTMENT.

SEC. 1. Every free white male person of the age of twenty-one years or upwards, who shall be a citizen of, and shall have resided in this State one year next preceeding an election, and the last four months within the county, city or town, in which he offers to vote, shall be deemed a qualified elector ; and any such qualified elector, who may happen to be in any county, city or town, other than that of his residence, at the time of an election, or who shall have removed to any county, city or town within four months preceeding the election, from any county, city or town, in which he would have been a qualified elector had he not so removed may vote for any State or district officer, for whom he could have voted in the county of his residence, or the county, city or town from which he may have so removed. Qualified
electors.

Electors. SEC. 2. Electors shall, in all cases except in those of treason, felony, or breach of the peace, be privileged from arrest during their attendance on elections, and going and returning from the same.

SEC. 3. The first elections shall be by ballot, and all future elections by the people shall be regulated by law.

SEC. 4. The legislative powers of this State shall be vested in two distinct branches: the one to be styled "the Senate," the other, "the House of Representatives," and both together "the Legislature of the State of Mississippi;" and the style of their laws shall be, "*Be it enacted by the Legislature of the State of Mississippi.*"

SEC. 5. The members of the House of Representatives shall be chosen by the qualified electors, and shall serve for the term of two years, from the day of the commencement of the general election, and no longer.

SEC. 6. The representatives shall be chosen every two years, on the first Monday and day following in November.

Qualifications.

SEC. 7. No person shall be a representative unless he be a citizen, and shall have been an inhabitant of this State two years next preceeding his election, and the last year thereof a resident of the county, city or town for which he shall be chosen, and shall have attained the age of twenty-one years.

Elections, where held.

SEC. 8. Elections for representatives for the several counties shall be held at the places of holding their respective courts, or in the several election districts into which the county may be divided;

When a city or town entitled to separate representation.

Provided, that when it shall appear to the legislature that any city or town has a number of free white inhabitants equal to the ratio then fixed, such city or town shall have a separate representation, according to the number of free white inhabitants therein, which shall be retained so long as such city or town shall contain a number of free white inhabitants equal to the existing ratio, and thereafter, and during the existence of the right of separate representation in such city or town, elections for the county in which such city or town, entitled to separate representation, is situated, shall not be held in such city or town: *And provided*, that if the residu-

um or fraction of any city or town, entitled to separate representation, shall, when added to the residuum in the county in which it may lie, be equal to the ratio fixed by law for one representative, then the aforesaid county, city or town, having the largest residuum, shall be entitled to such representation; *And provided, also,* That when there are two or more counties adjoining, which have residuum over and above the ratio then fixed by law, if such residuums, when added together, will amount to such ratio, in that case one representative shall be added to the county having the largest residuum.

SEC. 9. The legislature shall, at their first session, and at periods of not less than every four, nor more than every six years, until the year 1845, and thereafter at periods of not less than every four nor more than every eight years, cause an enumeration to be made of all the free white inhabitants of this State, and the whole number of representatives shall, at the several periods of making such enumeration, be fixed by the legislature and apportioned among the several counties, cities or towns entitled to separate representation, according to the number of free white inhabitants in each, and shall not be less than thirty-six nor more than one hundred: *Provided, however,* That each county shall always be entitled to at least one representative.

SEC. 10. The whole number of senators shall, at the several periods of making the enumeration before mentioned, be fixed by the legislature, and apportioned among the several districts to be established by law, according the number of free white inhabitants in each, and shall never be less than one-fourth nor more than one-third of the whole number of representatives.

SEC. 11. The senators shall be chosen by the qualified electors, for four years, and on their being convened in consequence of the first election, they shall be divided by lot from their respective districts into two classes, as nearly equal as can be; and the seats of the senators of the first class shall be vacated at the expiration of the second year.

SEC. 12. Such mode of classifying new additional senators shall be observed as will as nearly as possible preserve an equality of members in each class.

SEC. 13. When a senatorial district shall be composed of two or more counties, it shall not be entirely separated by any county belonging to another district, and no county shall be divided in forming a district.

Qualifications of senators.

SEC. 14. No person shall be a senator unless he be a citizen of, and shall have been an inhabitant of this State for four years next preceding his election, and the last year thereof a resident of the district for which he shall be chosen, and have attained the age of thirty years.

Speaker of the house and other officers.

SEC. 15. The House of Representatives, when assembled, shall choose a speaker and its other officers, and the Senate shall choose a president and its officers, and each house shall judge of the qualifications and elections of its own members, but a contested election shall be determined in such manner as shall be directed by law. A majority of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members, in such manner and under such penalties as each house may provide.

Powers of each house.

SEC. 16. Each house may determine the rules of its own proceedings, punish members for disorderly behavior, and, with the consent of two-thirds, expel a member, but not a second time for the same cause; and shall have all other powers necessary for a branch of the legislature of a free and independent State.

Journals of yeas and nays.

SEC. 17. Each house shall keep a journal of its proceedings, and publish the same; and the yeas and nays of the members of either house, on any question, shall, at the desire of any three members present, be entered on the journal.

Vacancies.

SEC. 18. When vacancies happen in either house, the Governor, or the person exercising the powers of the Governor, shall issue writs of elections to fill such vacancies.

Privileged from arrest; exception.

SEC. 19. Senators and Representatives shall, in all cases, except of treason, felony, or breach of the peace, be privileged from arrest during the session of the legislature, and in going to and returning from the same, allowing one day for every twenty miles such member may reside from the place at which the legislature is convened.

SEC. 20. Each house may punish, by imprisonment during the session, any person, not a member, for disrespectful or disorderly behavior in its presence, or for obstructing any of its proceedings: *Provided*, such imprisonment shall not, at any one time, exceed forty-eight hours.

SEC. 21. The doors of each house shall be open, except on such occasions of great emergency as, in the opinion of the house, may require secrecy.

SEC. 22. Neither house shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which they may be sitting.

SEC. 23. Bills may originate in either house, and be amended, altered or rejected by the other, but no bill shall have the force of a law until, on three several days, it be read in each house, and free discussion be allowed thereon, unless four-fifths of the house in which the bill shall be pending may deem it expedient to dispense with this rule; and every bill, having passed both houses, shall be signed by the speaker and president of their respective houses.

SEC. 24. All bills for raising revenue shall originate in the House of Representatives, but the Senate may amend or reject them, as other bills.

SEC. 25. Each member of the legislature shall receive, from the public treasury, a compensation for his services, which may be increased or diminished by law, but no increase of compensation shall take effect during the session at which such increase shall have been made.

Compensation of the members.

SEC. 26. No senator or representative shall, during the term for which he shall have been elected, nor for one year thereafter, be appointed to any civil office of profit under the State, which shall have been created, or the emoluments of which shall have been increased during such term, except such offices as may be filled by elections by the people; and no member of either house of the legislature shall, after the commencement of the first session of the legislature after his election, and during the remainder of the term for which he is elected, be eligible to any office or place, the appointment to which may be made, in whole or in part, by either branch of the legislature.

Members not eligible to office.

Officers not eligible to legislature. SEC. 27. No judge of any court of law or equity, secretary of state, attorney-general, clerk of any court of record, sheriff or collector, or any person holding a lucrative office under the laws of this State, shall be eligible to the legislature: *Provided*, That officers in the militia, to which there is attached no annual salary, and the office of the justice of the peace, shall not be deemed lucrative.

Defaulters SEC. 28. No person who has heretofore, or hereafter, been a collector or holder of public moneys, shall have a seat in either house of the legislature until such person shall have accounted for, and paid into the treasury, all sums for which he may be accountable.

First election, when holden. SEC. 29. The first election for senators and representatives shall be general throughout the State, and shall be held on the first Monday, and day following, in November, 1833; and thereafter there shall be biennial elections for senators to fill the places of those whose term of service may have expired.

Seat of government. SEC. 30. The first and all future sessions of the legislature shall be held in the town of Jackson, in the county of Hinds, until the year 1850. During the first session thereafter, the legislature shall have power to designate, by law, the permanent seat of government: *Provided, however*, That unless such designation be then made by law, the seat of government shall continue permanently at the town of Jackson. The first session shall commence on the third Monday in November, in the year 1833; and in every two years thereafter, at such time as may be prescribed by law.

SEC. 31. The governor, secretary of state treasurer, auditor of public accounts and attorney-general shall reside at the seat of government.

ARTICLE IV.

JUDICIAL DEPARTMENT.

Judicial power. SEC. 1. The judicial power of the State shall be vested in one high court of errors and appeals, and such other courts of law and equity as are hereafter provided for in this constitution.

SEC. 2. The high court of errors and appeals shall consist of three judges, any two of whom shall form a quorum. The legislature shall divide the State into three districts, and the qualified electors of each district shall elect one of said judges for the term of six years.

High court of errors and appeals.

SEC. 3. The office of one of said judges shall be vacated in two years, and one in four years, and one in six years—so that, at the expiration of every two years, one of said judges shall be elected, as aforesaid.

Judges, how elected, term of office.

SEC. 4. The high court of errors and appeals shall have no jurisdiction but such as properly belongs to a court of errors and appeals.

Jurisdiction.

SEC. 5. All vacancies that may occur in said court, from death, resignation, or removal, shall be filled by election as aforesaid: *Provided, however,* That if the unexpired term do not exceed one year, the vacancy shall be filled by executive appointment.

Vacancies Qualifications.

SEC. 6. No person shall be eligible to the office of judge of the high court of errors and appeals, who shall not have attained, at the time of his election, the age of thirty years.

Where holden.

SEC. 7. The high court of errors and appeals shall be held twice in each year, at such place as the legislature shall direct, until the year eighteen hundred and thirty-six, and afterwards at the seat of government of the State.

First election.

SEC. 8. The secretary of state, on receiving all the official returns of the first election, shall proceed forthwith, in the presence and with the assistance of two justices of the peace, to determine, by lot, among the three candidates having the highest number of votes, which of said judges shall serve for the term of two years, which shall serve for the term of four years, and which shall serve for the term of six years; and, having so determined the same, it shall be the duty of the Governor to issue commissions accordingly.

Term of office.

SEC. 9. No judge shall sit on the trial of any cause when the parties or either of them shall be connected with him by affinity or consanguinity, or when he may be interested in the same, except by consent of the judge and of the parties; and when-

When judge disqualified.

ever a quorum of said court are situated as aforesaid, the Governor of the State shall in such case especially commission two or more men of law knowledge, for the determination thereof.

Salaries. SEC. 10. The judges of said court shall receive for their services a compensation to be fixed by law, which shall not be diminished during their continuance in office.

Judges of circuit court. SEC. 11. The judges of the circuit court shall be elected by the qualified electors of each judicial district, and hold their offices for the term of four years, and reside in their respective districts.

Qualifications. SEC. 12. No person shall be eligible to the office of judge of the circuit court, who shall not at the time of his election, have attained the age of twenty-six years.

Circuits. SEC. 13. The State shall be divided into convenient districts, and each district shall contain not less than three, nor more than twelve counties.

Jurisdiction, &c. SEC. 14. The circuit courts shall have original jurisdiction in all matters, civil and criminal, within this State; but in civil cases only when the principal of the sum in controversy exceeds fifty dollars.

Chancery courts. SEC. 15. A circuit court shall be held in each county of this State, at least twice in each year; and the judges of said court shall interchange circuits with each other, in such manner as may be prescribed by law, and shall receive for their services a compensation to be fixed by law, which shall not be diminished during their continuance in office.

Jurisdiction. SEC. 16. A separate superior court of chancery shall be established, with full jurisdiction in all matter of equity: *Provided, however,* The legislature may give to the circuit courts of each county equity jurisdiction in all cases where the value of the thing or the amount in controversy does not exceed five hundred dollars; also, in all cases of divorce, and for the foreclosure of mortgages. The chancellor shall be elected by the qualified electors of the whole State, for the term of six years, and shall be at least thirty years old at the time of his election.

Style of process. SEC. 17. The style of all process shall be "The State of Mississippi," and all prosecutions shall be carried on in the name and by the authority of "The State of Mississippi," and shall conclude, "against the peace and dignity of the same."

SEC. 18. A court of probates shall be established in each county of the State, with jurisdiction in all matters testamentary, and of administration in orphans' business, and the allotment of dower, in cases of idiocy and lunacy, and of persons *non compos mentis*. The judge of said court shall be elected by the qualified electors of the respective counties, for the term of two years.

Probate court.

Jurisdiction.

Clerks.

SEC. 19. The clerk of the high court of errors and appeals shall be appointed by the said court, for the term of four years; and the clerks of the probate and other inferior courts, shall be elected by the qualified electors of the respective counties, and shall hold their offices for the term of two years.

SEC. 20. The qualified electors of each county shall elect five persons, for the term of two years, who shall constitute a board of police for each county, a majority of whom may transact business; which body shall have full jurisdiction over roads, highways, ferries and bridges, and all other matters of county police; and shall order all county elections, to fill the vacancies that may occur in the offices of their respective counties. The clerk of the court of probate shall be the clerk of the board of police.

Board of Police.

SEC. 21. No person shall be eligible as a member of said board, who shall not have resided one year in the county; but this qualification shall not extend to such new counties as may hereafter be established, until one year after their organization; and all vacancies that may occur in said board shall be supplied by election as aforesaid to fill the unexpired term.

Qualification.

Vacancies

SEC. 22. The judges of all the courts of this State, and also the members of the board of the county police, shall, in virtue of their offices, be conservators of the peace, and shall be, by law, vested with ample powers in this respect.

Conservators of the peace.

SEC. 23. A competent number of justices of the peace and constables shall be chosen in each county, by the qualified electors thereof, by districts, who shall hold their offices for the term of two years; the jurisdiction of justices of the peace shall be limited to causes in which the principal of the amount in controversy shall not exceed fifty dollars; in all

Constables.

Justices of the peace.

causes tried by justices of the peace, the right of appeal shall be secured, under such rules and regulations as shall be prescribed by law.

Inferior.

SEC. 24. The legislature may, from time to time, establish such other inferior courts as may be deemed necessary, and abolish the same whenever they deem it expedient.

Attorney-general.

SEC. 25. There shall be an attorney-general elected by the qualified electors of the State, and a competent number of district attorneys shall be elected by the qualified voters of their respective districts; whose compensation and term of service shall be prescribed by law.

Contested elections.

SEC. 26. The legislature shall provide, by law, for determining contested elections of judges of the high court of errors and appeals, of the circuit and probate courts, and other officers.

Judges, how removed.

SEC. 27. The judges of the several courts of this State, for willful neglect of duty or other reasonable cause, shall be removed by the governor, on the address of two-thirds of both houses of the legislature: the address to be by joint vote of both houses. The cause or causes for which such removal shall be required, shall be stated at length in such address, and on the journals of each house. The judge so intended to be removed, shall be notified and admitted to a hearing in his own defense, before any vote for such address shall pass; the vote on such address shall be taken by the yeas and nays, and entered on the journals of each house.

Officers, indicted.

SEC. 28. Judges of probate, clerks, sheriffs, and other county officers, for the willful neglect of duty, or misdemeanor in office, shall be liable to presentment or indictment by a grand jury, and trial by a petit jury; and, upon conviction, shall be removed from office.

ARTICLE V.

EXECUTIVE DEPARTMENT.

Governor, tenure of office.

SEC. 1. The chief executive power of this State shall be vested in a Governor, who shall hold his office for two years from the time of his installation.

SEC. 2. The Governor shall be elected by the qualified electors of the State. The returns of every election for governor shall be sealed up and transmitted to the seat of government, directed to the Secretary of State, who shall deliver them to the speaker of the House of Representatives at the next ensuing session of the legislature, during the first week of which session the said speaker shall open and publish them in the presence of both houses of the legislature. The person having the highest number of votes shall be Governor : but if two or more shall be equal, and highest in votes, then one of them shall be chosen Governor by the joint ballot of both houses of the legislature. Contested election for Governor shall be determined by both houses of the legislature in such manner as prescribed by law.

How elected.

Contested election for Governor.

SEC. 3. The Governor shall be at least thirty years of age, shall have been a citizen and shall have resided in this State at least five years next preceding the day of his election, and shall not be capable of holding the office more than four years in any term of six years.

Qualifications.

SEC. 4. He shall at all times receive for his services a compensation, which shall not be increased or diminished during the term for which he shall be elected.

Compensation.

SEC. 5. He shall be commander-in-chief of the army and navy of this State, and of the militia.

Commander-in-chief.

SEC. 6. He may require information, in writing, from the officers in the executive department, on any subject relating to the duties of their respective offices.

SEC. 7. He may, in cases of emergency, convene the Legislature at the seat of government, or at a different place, if that shall have become, since their last adjournment, dangerous from an enemy or from disease ; and in case of disagreement between the two houses with respect to the time of adjournment, adjourn them to such time as he shall think proper, not beyond the day of the next stated meeting of the Legislature.

Governor to convene and adjourn the Legislature.

SEC. 8. He shall, from time to time, give to the Legislature information of the state of the government, and recommend to their consideration such

Duty of Governor.

measures as he may deem necessary and expedient.

SEC. 9. He shall take care that the laws be faithfully executed.

Power of Governor. SEC. 10. In all criminal and penal cases, except in those of treason and impeachment, he shall have power to grant reprieves and pardons, and remit fines, and in cases of forfeiture, to stay the collection until the end of the next session of the Legislature, and to remit forfeitures by and with the advice and consent of the Senate. In cases of treason, he shall have power to grant reprieves by and with the advice and consent of the Senate, but may respite the sentence until the end of the next session of the Legislature.

Com'rs SEC. 11. All commissions shall be in the name and by the authority of the State of Mississippi, be sealed with the great seal, and signed by the Governor, and be attested by the Secretary of State.

Seal of the State. SEC. 12. There shall be a seal of this State, which shall be kept by the Governor, and used by him officially, and shall be called the Great Seal of the State of Mississippi.

SEC. 13. All vacancies not provided for in this Constitution, shall be filled in such manner as the Legislature may prescribe.

Secretary of State. SEC. 14. The Secretary of State shall be elected by the qualified electors of the State, and shall continue in office during the term of two years. He shall keep a fair register of all the official acts and proceedings of the Governor, and shall, when required, lay the same, and all papers, minutes and vouchers relative thereto, before the Legislature, and shall perform other duties as may be required of him by law.

Governor to sign or return bills: SEC. 15. Every bill which shall have passed both houses of the Legislature, shall be presented to the Governor: if he approve, he shall sign it, but if not, he shall return it, with his objections, to the house in which it shall have originated, which shall enter the objections at large upon their journals, and proceed to reconsider it: if, after such reconsideration, two-thirds of the house shall agree to pass the bill, it shall be sent, with the objections, to the other house, by which it shall likewise be reconsidered: if approved by two-thirds of that house, it shall become a law; but in such case, the vote of

Veto.

both houses shall be determined by yeas and nays, and the names of the members voting for and against the bill shall be entered on the journal of each house respectively: if any bill shall not be returned by the Governor within six days (Sundays excepted) after it shall have been presented to him, the same shall become a law in like manner as if he had signed it, unless the Legislature, by their adjournment, prevent its return; in which case it shall not become a law.

SEC. 16. Every order, resolution or vote to which the concurrence of both houses may be necessary, except resolutions for the purpose of obtaining the joint action of both houses, and on questions of adjournment, shall be presented to the Governor, and, before it shall take effect, be approved by him, or, being disapproved, shall be re-passed by both houses, according to the rules and limitations prescribed in the case of a bill.

SEC. 17. Whenever the office of Governor shall become vacant, by death, resignation, removal from office, or otherwise, the president of the Senate shall exercise the office of Governor until another Governor shall be duly qualified; and in case of the death, resignation, removal from office, or other disqualification of the president of the Senate, so exercising the office of Governor, the speaker of the House of Representatives shall exercise the office until the president of the Senate shall have been chosen: and when the office of Governor, president of the Senate, and speaker of the House, shall become vacant in the recess of the Senate, the person acting as Secretary of State for the time being, shall, by proclamation, convene the Senate, that a president may be chosen to exercise the office of Governor.

Office of
Governor
vacant &c

Further
provision.

SEC. 18. When either the president or speaker of the House of Representatives shall so exercise said office, he shall receive the compensation of the Governor only: and his duties as president or speaker shall be suspended, and the Senate or House of Representatives, as the case may be, shall fill the vacancy until his duties as Governor shall cease.

SEC. 19. A sheriff and one or more coroners, a treasurer, surveyor and ranger, shall be elected in

each county, by the qualified electors thereof; who shall hold their offices for two years, unless sooner removed; except that the coroner shall hold his office until his successor be duly qualified.

Treasurer and Auditor. SEC. 20. A State Treasurer and Auditor of Public Accounts shall be elected by the qualified electors of the State, who shall hold their offices for the term of two years, unless sooner removed.

MILITIA.

Militia. SECTION. 1. The Legislature shall provide, by law, for organizing and disciplining the militia of this State, in such manner as they may deem expedient.

Militia Officers. SEC. 2. Commissioned officers of the militia (staff officers and the officers of volunteer companies excepted,) shall be elected by the persons liable to perform military duty, and the qualified electors within their respective commands, and shall be commissioned by the Governor.

Powers of Governor to call out militia. SEC. 3. The Governor shall have power to call forth the militia to execute the laws of the State, to suppress insurrection, and to repel invasion.

ARTICLE VI.

IMPEACHMENTS.

Impeachment. SECTION 1. The House of Representatives shall have the sole power of impeaching.

Extent of, etc. SEC. 2. All impeachments shall be tried by the Senate: when sitting for that purpose, the senators shall be on oath or affirmation: no person shall be convicted without the concurrence of two-thirds of the members present.

SEC. 3. The Governor and all civil officers shall be liable to impeachment for any misdemeanor in office; but judgment in such cases shall not extend further than to removal from office, and disqualification to hold any office of honor, trust, or profit under the State; but the party convicted shall nevertheless, be subject to indictment, trial and punishment, according to law, as in other cases.

ARTICLE VII.

GENERAL PROVISIONS.

SECTION 1. Members of the Legislature, and all officers, executive and judicial, before they enter upon the duties of their respective offices, shall take the following oath or affirmation, to-wit: "I do solemnly swear, (or affirm, as the case may be,) that I will support the constitution of the State of Mississippi, so long as I continue a citizen thereof, and that I will faithfully discharge, to the best of my abilities, the duties of the office of _____, according to law—So help me, God."

Oath of office.

SEC. 2. The Legislature shall pass such laws to prevent the evil practice of dueling, as they may deem necessary ; and may require all officers, before they enter upon the duties of their respective offices, to take the following oath or affirmation : "I do solemnly swear (or affirm, as the case may be,) that I have not been engaged in a duel, by sending or accepting a challenge to fight a duel, or by fighting a duel, since the first day of January, in the year of our Lord one thousand eight hundred and thirty-three, nor will I be so engaged during my continuance in office—So help me, God."

Dueling.

SEC. 3. Treason against the State shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or his own confession, in open court.

Treason.

SEC. 4. Every person shall be disqualified from holding an office or place of honor or profit under the authority of this State, who shall be convicted of having given or offered any bribe to secure his election. Laws shall be made to exclude from office or suffrage those who shall hereafter be convicted of bribery, perjury, forgery or other high crimes or misdemeanors. The privilege of the free suffrage shall be supported by laws regulating elections, and prohibiting, under adequate penalties, all undue influences therein, from power, bribery, tumult, or other improper conduct.

Bribery at elections.

Convicts excluded from office

suffrage.

SEC. 5. No person who denies the being of a

Atheist. God, or a future state of rewards and punishments, shall hold any office in the civil department of this State.

When laws go into effect. SEC. 6. No laws of a general nature, unless otherwise provided for, shall be enforced until sixty days after the passage thereof.

Money drawn from treasury. SEC. 7. No money shall be drawn from the treasury, but in consequence of an appropriation made by law; nor shall any appropriation of money for the support of an army be made for a longer term than one year.

SEC. 8. No money from the treasury shall be appropriated to objects of internal improvement, unless the bill for that purpose be passed by two-thirds of both branches of the Legislature; and a regular statement and account of the receipts and expenditures of public moneys shall be published annually.

State loans. SEC. 9. No law shall ever be passed to raise a loan of money upon the credit of the State, or to pledge the faith of the State for the redemption of any loan or debt, unless such law be proposed in the Senate or House of Representatives, and be agreed to by a majority of the members of each house, and entered on the journals, with the yeas and nays taken thereon, and be referred to the next succeeding Legislature, and published for three months previous to the next regular election, in three newspapers of this State; and unless a majority of each branch of the Legislature so elected, after such publication, shall agree to and pass such a law; and in such case, the yeas and nays shall be taken and entered on the journals of each house: *Provided*, that nothing in this section shall be so construed as to prevent the Legislature from negotiating a further loan of one and a half millions of dollars, and vesting the same in stock reserved to the State by the charter of the Planters' Bank of the State of Mississippi.

And provided further, That the Legislature may raise a loan of money and pledge the faith of the State for the payment thereof, when required to suppress insurrections, repel invasions, or provide for the defense of the State.

Suits SEC. 10. The Legislature shall direct, by law,

in what manner, and in what courts, suits may be brought against the State. against the State.

SEC. 11. Absence on business of this State, or on a visit, or necessary private business, shall not cause a forfeiture of citizenship or residence once obtained. Citiz'ship.

SEC. 12. It shall be the duty of the Legislature to regulate, by law, the cases in which deductions shall be made from salaries of public officers for neglect of duty in their official capacity, and the amount of such deduction. Deduction from salaries.

SEC. 13. No person holding any office of profit or trust under any foreign power, shall hold or exercise any office of trust or profit under this State. Who disqualified from office

SEC. 14. Religion, morality and knowledge being necessary to good government, the preservation of liberty and the happiness of mankind, schools and the means of education shall forever be encouraged in this State. Schools and education.

SEC. 15. Divorces from the bonds of matrimony shall not be granted but in cases provided for by law, by suit in chancery. Divorces.

SEC. 16. Returns of all elections by the people shall be made to the Secretary of State, in such manner as may be prescribed by law. Election returns.

SEC. 17. No new county shall be established by the Legislature, which shall reduce the county or counties, or either of them, from which it may be taken, to less contents than five hundred and sixty-six square miles; nor shall any new county be laid off of less contents. New counties.

SEC. 18. The Legislature shall have power to admit to all the rights and privileges of free white citizens of this State all such persons of the Choctaw and Chickasaw tribes of Indians as shall choose to remain in this State, upon such terms as the Legislature may from time to time deem proper. Indians.

SLAVES.

SECTION 1. The Legislature shall have no power to pass laws for the emancipation of slaves without the consent of their owners, unless where the slave shall have rendered to the State some distin- Emancipation of, how made

gushed service, in which case the owner shall be paid a full equivalent for the slave so emancipated. They shall have no power to prevent emigrants to this State from bringing with them such persons as are deemed slaves by the laws of any one of the United States, so long as any person of the same age or description shall be continued in slavery by the laws of this State; *Provided*, that such person or slave be the *bona fide* property of such emigrants: *and provided, also*, that laws may be passed to prohibit the introduction into this State of slaves who may have committed high crimes in other States. They shall have power to pass laws to permit the owners of slaves to emancipate them, saving the rights of creditors, and preventing them from becoming a public charge. They shall have full power to oblige the owners of slaves to treat them with humanity, to provide for them necessary clothing and provisions, to abstain from all injuries to them extending to life or limb, and in case of their neglect or refusal to comply with the directions of such laws, to have such slave or slaves sold for the benefit of the owner or owners.

Slaves con-
victed of
crimes.

Treatme't
of slaves.

Slaves as
merchan-
dize.

SEC. 2. The introduction of slaves into this State as merchandize, or for sale, shall be prohibited from and after the first day of May, eighteen hundred and fifty-three; *Provided*, that the actual settler or settlers shall not be prohibited from purchasing slaves in any other State in this Union and bringing them into this State for their own individual use, until the year eighteen hundred and forty-five.

Prosecu-
tion of
slaves.

SEC. 3. In the prosecution of slaves for crimes of which the punishment is not capital, no inquest by a grand jury shall be necessary; but the proceedings in such cases shall be regulated by law.

MODE OF REVISING THE CONSTITUTION.

Constitu-
tion, how
revised.

Whenever two-thirds of each branch of the legislature shall deem any change, alteration or amendment necessary to this constitution, such proposed change, alteration or amendment shall be read and passed by a majority of two-thirds of each house respectively on each day for three several days;

public notice thereof shall then be given by the secretary of state, at least six months preceding the next general election, at which the qualified electors shall vote directly for or against such change, alteration or amendment: and if it shall appear that a majority of the qualified electors voting for members of the legislature shall have voted for the proposed change, alteration or amendment, then it shall be inserted, by the next succeeding legislature, as a part of this constitution, and not otherwise.

SCHEDULE.

SEC. 1. All rights vested, and all liabilities incurred, shall remain the same as if this constitution had not been adopted. Rights vested.

SEC. 2. All suits at law or in equity, now pending in the several courts of this State, may be transferred to such courts as may have proper jurisdiction thereof.

SEC. 3. The Governor, and all officers, civil and military, now holding commissions under the authority of this State, shall continue to hold and exercise their respective offices until they shall be superseded pursuant to the provisions of this constitution, and until their successors be duly qualified. Officers, &c.

SEC. 4. All laws now in force in the State, not repugnant to this constitution, shall continue to operate until they shall expire by their own limitation, or be altered or repealed by the Legislature.

SEC. 5. Immediately upon the adoption of this constitution, the president of this convention shall issue writs of election, directed to the sheriffs of the several counties, requiring them to cause an election to be held on the first Monday and day following in December next, for members of the Legislature, at the respective places of holding elections in said counties; which elections shall be conducted in the manner prescribed by the existing election laws of the State; and the members of the Legislature, thus elected, shall continue in office until the next general election, and shall convene at the seat of government on the first Monday in January, eighteen hun-

dred and thirty-three; and shall, at their first session, order an election to be held in every county of this State, on the first Monday of May and day following, eighteen hundred and thirty three, for all state and county officers under this constitution, (members of the Legislature excepted;) and the other officers then elected shall continue in office until the succeeding general election, and after, in the same manner as if the election had taken place at the time last aforesaid.

How long
officers
first elect-
ed to con-
tinue in
office.

SEC. 6. Until the first enumeration shall be made, as directed by this constitution, the apportionment of senators and representatives among the several districts and counties in this State, shall remain as at present fixed by law.

P. RUFILUS R. PRAY,

*President of the Convention, and
Representative from the County of Hancock.*

ATTEST:

JOHN H. MALLORY, *Secretary.*

AMENDMENTS TO THE CONSTITUTION.

SLAVES.

The Legislature shall have, and are hereby vested with power to pass such laws regulating or prohibiting the introduction of slaves into this State, as may be deemed proper and expedient.

Adopted, February 2d, 1846.

BOARD OF POLICE.

The qualified electors of each county shall elect five persons, by districts, for the term of two years, who shall constitute a Board of Police of each county, a majority of whom may transact business: which body shall have full jurisdiction over roads, highways, ferries and bridges, and all other matters

of county policy ; and shall order all county elections to fill vacancies that may occur in the offices of their respective counties.

The clerk of the Court of Probate shall be clerk of the Boards of County Police.

Adopted, March 12th, 1852.

CHANCERY COURT.

Chancery Courts, with full jurisdiction in matters of equity, shall be held in each judicial district by the circuit judge thereof, at such time and place as may be directed by law. The Superior Court of Chancery, and the several Vice-Chancery Courts, shall continue as now organized, until the first Monday of November, one thousand eight hundred and fifty-seven, for the disposition of cases now depending therein. The Legislature shall provide by law for the preservation of the records of the said Superior Court of Chancery and of said Vice-Chancery Courts, and also for the transfer of all causes, that may remain undetermined therein, to other courts, for final decision.

Adopted, February 6th, 1856.

TENURE OF PUBLIC OFFICERS.

All public officers in this State, Legislative, Executive and Judicial, whose terms of office expire at the general election to be held in the year one thousand eight hundred and fifty-seven, or at any subsequent general election, shall continue to hold their offices until the first Monday of January next following the expiration of said terms, and until their successors shall be qualified : *Provided*, such of said officers as are required to give bond for the discharge of their duties, shall give bond and security for the said extended term, as may be provided by the Legislature : and the terms of office of all officers chosen at the general election in the year eighteen hundred and fifty-seven, or at any subsequent general election, shall commence on the first Monday of January next succeeding the election, and shall continue for the time now fixed by the

constitution, and until their successors shall be qualified.

Adopted, February 6th, 1856.

ELECTIONS.

All general elections by the people of this State shall be held on the first Monday in October, and be concluded in one day; on the first Monday in October, 1857, and biennially thereafter, an election shall be held for all State officers and members of the Legislature, except for officers and senators entitled to hold over after November, 1857, who shall continue in office until their successors are entitled to succeed them therein. The Legislature shall convene on the first Monday of November, 1857, and biennially thereafter, but may be especially convoked by the Governor at other times. The Governor's official term shall commence on the third Monday of November, and that of the Secretary of State, Auditor of Public Accounts, State Treasurer and Attorney General, on the first Monday of January next after his and their election; but the Attorney General shall hold his office, as heretofore, for the term of four years. On the first Monday of October, 1858, and biennially thereafter, an election shall be held for all county, district, judicial and ministerial officers, (except officers who may then be entitled to hold over after January, 1859, or until the time of holding another election;) and the official term of all such officers then and thereafter elected, shall commence on the first Monday of January next after this election; but all such officers elected in 1855, or previously, whose official terms, in the absence of this provision, would expire in November, 1857, shall continue in office until the first Monday of January, 1859.

Adopted, February 2d, 1856.

AMENDMENTS BY THE STATE CONVENTION.

Be it ordained and declared, and it is hereby ordained and declared, That the Legislature shall have power to fix the time of holding all elections, and may adjust the terms of office to conform to

any changes hereafter to be made, and may fix the time for the commencement of its biennial sessions.

Be it ordained and declared, and it is hereby ordained and declared, That if any part of the present Constitution of the State of Mississippi shall be in conflict with any ordinance passed by this Convention, such part of the said Constitution shall be held to be abrogated and annulled to the extent of such conflict, but no further.

Adopted, January 26th, 1861.

WILLIAM S. BARRY,
President of the Convention.

ORDINANCES

OF THE

STATE OF MISSISSIPPI.

CHAPTER I.

AN ORDINANCE to dissolve the Union between the State of Mississippi and other States United with her under the Compact entitled "the Constitution of the United States of America."

The people of the State of Mississippi, in Convention assembled, do ordain and declare, and it is hereby ordained and declared as follows, to-wit:

SECTION 1ST. That all the laws and ordinances by which the said State of Mississippi became a member of the Federal Union of the United States of America be, and the same are hereby repealed, and that all obligations on the part of the said State or the people thereof to observe the same, be withdrawn, and that the said State doth hereby resume all the rights, functions and powers which, by any of said laws or ordinances, were conveyed to the government of the said United States, and is absolved from all the obligations, restraints and duties incurred to the said Federal Union, and shall from henceforth be a free, sovereign and independent State.

SECTION 2ND. That so much of the first section of the seventh article of the Constitution of this State as requires members of the Legislature, and all officers, executive and judicial, to take an oath or affirmation to support the Constitution of the United States, be, and the same is hereby abrogated and annulled.

SECTION 3RD. That all rights acquired and vested under the Constitution of the United States, or under any act of Congress passed, or treaty made, in pursuance thereof, or under any law of this State, and not incompatible with this Ordinance, shall remain in force and have the same effect as if this Ordinance had not been passed.

SECTION 4TH. That the people of the State of Mississippi hereby consent to form a Federal Union with such of the States as may have seceded or may secede from the Union of the United States of America, upon the basis of the present Constitution of the said United States, except such parts thereof as embrace other portions than such seceding States.

Thus ordained and declared in Convention the 9th day of January, in the Year of Our Lord One Thousand Eight Hundred and Sixty-one.

IN TESTIMONY of the passage of which, and the determination of the members of this Convention to uphold and maintain the State in the position, she has assumed by said Ordinance, it is signed by the President and Members of this Convention this the fifteenth day of January, A. D., 1861.

W. S. BARRY, *President.*

Adams County—A. K. Farrar, J. Winchester.

Attala—E. H. Sanders.

Amite—D. W. Hurst.

Bolivar—M. H. McGehee.

Carroll—J. Z. George, W. Booth.

Claiborne—H. T. Ellett.

Coahoma—J. L. Alcorn.

Copiah—P. S. Catching, B. King.

Clarke—S. H. Terral.

- Choctaw*—W. F. Brantley, W. H. Witty, J. H. Edwards.
Chickasaw—J. A. Orr, C. B. Baldwin.
Covington—A. C. Powell.
Calhoun—W. A. Sumner, M. D. L. Stephens.
DeSoto—J. R. Chalmers, S. D. Johnston, T. Lewers.
Franklin—D. H. Parker.
Green—T. J. Roberts.
Hinds—W. P. Harris, W. P. Anderson, W. B. Smart.
Holmes—J. M. Dyer, W. L. Keirn.
Harrison—D. C. Glenn.
Hancock—J. B. Deason.
Issaquena—A. C. Gibson.
Itawamba—R. O. Beene, A. B. Bullard, W. H. H. Tison, M. C. Cummings.
Jasper—O. C. Dease.
Jackson—A. E. Lewis.
Jefferson—J. S. Johnston.
Jones—J. H. Powell.
Kemper—O. Y. Neely, T. H. Woods.
Lawrence—W. Gwin.
Lowndes—George R. Clayton.
Leake—W. B. Colbert.
Lauderdale—J. B. Ramsey, F. C. Semmes.
Lafayette—L. Q. C. Lamar, T. D. Isom.
Marshall—A. M. Clayton, J. W. Clapp, S. Benton, H. W. Walter, W. M. Lea.
Madison—A. P. Hill.
Monroe—S. J. Gholson, F. M. Rogers.
Marion—H. Mayson.
Noxubee—Israel Welsh.
Neshoba—D. M. Backstrom.
Newton—M. M. Keith.
Oktibbeha—T. C. Bookter.
Perry—P. J. Myers.
Pike—J. M. Nelson.
Panola—J. B. Fizer, E. F. McGehee.
Pontotoc—C. D. Fontaine, J. B. Herring, H. R. Miller, R. W. Flournoy.
Rankin—Wm. Denson.
Sunflower—E. P. Jones.
Simpson—W. J. Douglas.
Smith—W. Thompson.

Scott—C. W. Taylor.

Tallahatchie—A. Pattison.

Tishomingo—A. E. Reynolds, W. W. Bonds, T. P. Young, J. A. Blair.

Tunica—A. Miller.

Tippah—O. Davis, J. H. Berry, J. S. Davis, D. B. Wright.

Washington—J. S. Yerger.

Wilkinson—A. C. Holt.

Wayne—W. J. Eckford.

Warren—W. Brooke, T. A. Marshall.

Winston—J. Kennedy, W. S. Bolling.

Yallobusha—P. M. Aldridge, W. R. Barksdale.

Yazoo—H. Vaughan, G. B. Wilkinson.

CHAPTER II.

AN ORDINANCE to regulate the Military System of the State of Mississippi.

Of organ-
ization.

SECTION 1. *Be it ordained by the people of the State of Mississippi in Convention assembled, That one division of Volunteers be as early as practicable enlisted and mustered into service by order of the Military Board hereinafter constituted, to serve until discharged as hereinafter provided, and to consist of four brigades: each brigade to be composed of two regiments, and each regiment of ten companies of infantry, or riflemen, and each company of not less than forty-eight, nor more than one hundred men, and also not exceeding ten companies of cavalry of not less than fifty men each, and not exceeding ten companies of artillery of not less than sixty men each, and that the volunteers so enlisted shall not be subject in any manner to the officers of the militia.*

Infantry,
how raised

SEC. 2. That the eight Regiments of Infantry or Riflemen shall be raised as follows, to-wit:

First Regiment from the counties of DeSoto, Marshall, Tunica, Coahoma, Panola, and Lafayette.

Second Regiment from the counties of Tippah, Tishomingo, Pontotoc and Itawamba.

Third Regiment from Bolivar, Sunflower, Washington, Issaquena, Yazoo, Warren, Claiborne and Jefferson.

Fourth Regiment from Yallobusha, Calhoun, Carroll, Choctaw, Holmes, Attala and Tallahatchie.

Fifth Regiment from Chickasaw, Monroe, Oktibbeha, Lowndes, Winston, Noxubee, Neshoba and Kenper.

Sixth Regiment from Madison, Leake, Scott, Hinds, Rankin, Copiah and Simpson.

Seventh Regiments from Adams, Franklin, Lawrence, Wilkinson, Amite, Pike, Covington and Marion.

Eighth Regiment from Newton, Lauderdale, Smith, Jasper, Clarke, Jones, Wayne, Perry, Greene, Harrison, Jackson and Hancock.

And the Companies of Cavalry and Artillery shall be raised indiscriminately from the State at large, and in case any of the Regimental Districts as aforesaid shall fail to furnish ten Companies, the Military Board are hereby authorized to raise from other portions of the State, Companies sufficient to complete such Regiment. ^{Cavalry, how raised}

SEC. 3. That there shall be one Major-General ^{Of officers.} and four Brigadier-Generals of Volunteers, to be elected each in succession by this Convention. One Colonel and Lieutenant-Colonel, one Major for each Regiment, one Captain and three Lieutenants for each Company, who shall be elected by a majority of the Volunteers within their respective commands, and that the Division, Brigade, and Regimental Officers shall appoint their own Staffs, and each Captain shall appoint as many Sergeants and Corporals as may be necessary.

SEC. 4. That all officers of Volunteers of equal ^{Of rank.} grade shall take rank and precedence according to priority of election which shall be evidenced by the priority of commission, to be issued by the Governor of the State to all officers elected, as heretofore provided and to their staff.

SEC. 5. That the Volunteers after being mus- ^{Of fur-} tered into service as provided for in the first sec- ^{lough.} tion of this ordinance shall be considered as on

furlough, subject however to be drilled at such times and places within their respective counties as their company officers may order, until called out for drill or actual service by their Major-General, who, when ordered by the Governor, shall have power and authority to order all or any portion of said Volunteers or their officers out for drill at any time and to any place subject to the limitations hereinafter provided.

Of Milita-
ry Board.

SEC. 6. That the Governor of the State, ex-officio, the Major-General, and Brigadier-Generals elected as heretofore provided, shall constitute a Military Board, any three of whom shall be a quorum, to be assembled on the call of the Governor, and said board shall have power and authority

Powers of
Board.

To make all needful rules and regulations not contrary to law, for the government and discipline of the Volunteers, including articles of war, subject to the approval of the Convention or of the State Legislature after this Convention shall have finally adjourned.

To prescribe the uniform arms and equipments of the Volunteers; *Provided*, that the Companies now organized if mustered into service, shall be permitted to retain the arms and uniforms which they have adopted.

To order the number and rank of Division, Brigade and Regimental Staff.

To organize Engineers, Ordnance, Quarter-Master, Commissary, Medical and Pay Department, and to appoint the officers thereof and designate their rank.

To organize the Regiments into Brigades, and to assign the Brigadiers to their commands.

To determine how the Cavalry and Artillery Companies shall be disposed of, and, if they deem it necessary, to order the election of field officers for said corps; *Provided*, that the Major-General when in actual service may at any time alter the disposition of troops as he may deem fit.

To order the time and mode of electing all officers to be chosen by the Volunteers and making returns thereof.

And to have entire control over all the arms and military property of the State, until otherwise or-

dered by the Convention or by the State Legislature after the Convention shall have finally adjourned.

SEC. 7. That the officers enlisted under this ordinance when in actual service or when on drill by order of the Major-General, shall receive the same compensation as is now provided and allowed by law to the officers of the United States Army; that the pay of privates and non-commissioned officers shall be sixteen dollars per month, together with the rations and clothing allowed in said army, until the Southern Confederacy is formed; after which time both the officers and men shall receive such pay as may be allowed to the officers and men of the army of said Southern Confederacy; but before the Volunteers are called into actual service, except while on drill, as aforesaid, no officer or private shall receive any compensation, except that now allowed by law to volunteers; *Provided*, the members of the Military Board except the Governor, be allowed four dollars per day, when actually engaged in the duties of said Board.

SEC. 8. That in case any vacancy shall occur in any office below that of Brigadier-General, the vacancy shall be supplied as the office was originally filled. Any vacancy in the office of Brigadier-General shall be filled by the appointment of the Major-General, and a vacancy in the office of Major-General, shall be filled by the appointment of the Governor, the appointment of each being subject to the approval of the State Senate.

SEC. 9. That all Volunteers enlisted under this ordinance shall be allowed such exemptions and compensation as are now allowed by law to the Volunteers in the manner now prescribed, and also be exempt from poll tax, and shall be entitled to their discharge when friendly relations shall be established by treaty or otherwise between the State of Mississippi, or any Confederacy of which she is a member, and the non-seceding States of the late Federal Union; *Provided*, that said Volunteers shall not be required to serve more than one year after being called into actual service.

SEC. 10. That all such officers and privates as may be disabled while in actual service, before the

Compensation of officers.

Of privates and non-commissioned officers.

Of Military Board.

Of vacancies.

Of exemptions.

Pay of disabled volunteers

formation of a Southern Confederacy, shall be entitled to one year's pay after their discharge from the service, and the widows of those who shall be killed in the service shall also receive for one year, the compensation that their husbands would be entitled to if living.

SEC. 11. That all parts of the Constitution, all acts and all laws in conflict with this ordinance, and so much of the Constitution as may limit the right of any Volunteers from electing their own field officers in any manner prescribed by the Legislature, be and the same are hereby abrogated and annulled.

This ordinance, how altered. SEC. 12. That this ordinance shall take effect and be in force from and after its passage, and continue in operation until changed, altered or amended by this Convention, or the State Legislature after this Convention shall have finally adjourned.

Adopted, January 23d, 1861.

CHAPTER III.

AN ORDINANCE to raise means for the defense of the State.

The people of Mississippi, in Convention assembled, do declare and ordain, as follows, to-wit :

Tax how collected. SECTION 1. That it shall be the duty of the Tax Collectors of the several counties in this State forthwith, after the passage of this ordinance, to collect, in the manner now provided by law for the collection of other taxes, from every tax payer in his county, an additional special State tax of fifty per centum on the regular State tax of such tax payer, and also a tax from every inhabitant of this State of three-tenths per centum upon all money owned or controlled by such inhabitant, and deposited, loaned or employed in the purchase of notes, bills, stocks, or any securities for the payment of money, without the limits of this State, or kept from

use and circulation within the same, at any time during the fiscal year, and to pay the same into the State Treasury, subject to all the laws, restrictions and penalties that apply to and regulate the collection and payment of other State taxes; and the money so collected shall constitute a Military Fund, and a separate account thereof shall be kept by the Auditor and Treasurer, and the same shall be disbursed by warrant issued on the order of the Governor, and shall be applied by the Governor to such purposes of defense and military service of the State as may be authorized by law, this Convention, or the Legislature: *Provided*, That the money invested in the loan to the State, authorized by the second section of this ordinance shall be exempt from all taxes, whether the same be State, county, municipal, special, school or military: *And provided, further*, That money temporarily deposited without the limits of this State or kept from use and circulation within the same, in contemplation of use, other than for loan or employment in the purchase of stocks, bonds, bills, or other evidences of debt or permanent deposit without the limits of this State shall be exempt from said tax of three-tenths per centum: *And provided, further*, That the Boards of Police of such counties as shall have a surplus of money in their respective county treasuries shall be authorized to apply such surplus money by causing the same to be paid to the proper tax collector, in or towards the discharge of said tax of fifty per centum in their respective counties.

SEC. 2. That the Governor be authorized to cause certificates of loan or treasury notes, to be prepared, signed and issued, in such sums as may be applied for by persons desiring to loan money to the State, to an amount not exceeding in the aggregate the sum of one million of dollars, one-third thereof to be redeemable in one year, one-third in two years, and one-third in three years from the first day of June, A. D. 1861, bearing interest at ten per cent. per annum from date, and the Governor shall issue the same, from time to time, as the public exigencies may require, to such persons as may desire to loan money to the State thereon, and if necessary, he may adopt such means as he may

Taxes to constitute, what.

Of exemption from tax.

Certificates of loan how issued.

deem expedient to afford the people of the several counties an opportunity to participate in the loan hereby proposed.

Validity of certificates. SEC. 3. That the said certificates or notes, shall be signed by the Treasurer and countersigned by the Auditor, and the faith of the State is hereby pledged for the redemption of the same, and no law shall be passed to impair their validity and obligation.

Certificates when receivable. SEC. 4. That the said certificates or notes shall be negotiable, and shall be receivable in payment of any money due to the State in any fiscal year in which they may severally fall due, and any officer receiving the same in payment of public dues, shall endorse on one of them the date of such receipt and the amount of interest allowed thereon in such payment, and shall sign his name thereto, and the interest upon such certificates or notes shall cease from that date; and it shall be the duty of each tax collector who shall have on hand any money collected under the provisions of this ordinance to receive and pay any treasury notes, certificate of loan issued in pursuance of this ordinance and which shall be payable at the end of the fiscal year for which the tax in the hands of the assessor was collected; and if any tax collector, having sufficient money on hand arising from said tax, shall refuse to pay any certificate or note as aforesaid, to the holder, on presentation and demand thereof, he shall be liable to the holder thereof in a sum equal to the amount of the said note or certificate to be recovered on an execution in any court having jurisdiction thereof.

Collector duty of.

Treasurer and Auditor, duty of. SEC. 5. That the Treasurer and Auditor shall keep separate, full and accurate accounts of the number, date and amount of each of said certificates or notes, signed and countersigned by them respectively, and they shall keep similar accounts of all the said certificates or notes redeemed, as the same shall be returned and cancelled. They shall also make annual statements of the amount of said certificates or notes, signed and countersigned as aforesaid, and of the amount thereof that may have been redeemed, and shall furnish such accounts to the Governor, who may cause the same to be published, and shall lay the same before the Legislature,

SEC. 6. That the money raised upon the said certificates and notes shall be paid into the Treasury of the State, and shall constitute a part of the Military Fund, and shall be applied to the defense and military service of the State in the manner directed in the first section of this ordinance.

SEC. 7. That it shall be the duty of the tax collectors of the several counties in this State, in every year commencing with the fiscal year beginning on the first day of May next to collect from every tax payer in his county, in the manner taxes are required to be collected, an additional special State tax the same as is provided in the first section of this ordinance, and to pay the same into the State Treasury, subject to the same laws, restrictions and penalties that apply to and regulate the collection and payment of other State taxes; and the amount of such special tax, shall constitute a special fund for the redemption of the principal and interest of the certificates and notes to be issued in pursuance of this ordinance, and shall be faithfully applied to that purpose, and the said tax shall be irrevocable by the Legislature, until such certificates and notes shall be fully paid and satisfied, at which time the collection of said tax shall cease and determine: *Provided, however,* That if on the first day of December, in the present, or any subsequent year, it shall appear that so large an amount of tax as is contemplated by this ordinance will not be required to pay the principal and interest of said certificates and notes falling due and properly payable out of the tax of that fiscal year, it is hereby made the duty of the Governor, by proclamation directed to the tax collectors of every county, to reduce the said tax to an amount sufficient to pay such certificates and notes so falling due and payable, and to direct the collection of a smaller per centage on the State tax; and when the certificates and notes authorized by this ordinance shall be fully paid, the Governor, by like proclamation, shall direct the collection of such tax to be discontinued.

SEC. 8. That it shall be the duty of the tax collectors when collecting the taxes levied by this ordinance until the assessor shall make other

Money, assessments of personalty, to assess the said tax &c., out of the State to be tax'd of three-tenths of one per cent. upon all money owned or controlled by the inhabitants of this State and deposited, loaned or employed in the purchase of notes, bills, bonds, stocks, mortgages or any securities for the payment of money without the limits of this State, or kept from use and circulation within the same at any time during the fiscal year, and to require such inhabitants to give in the said assessment under oath, to be administered by said tax collectors, and to return one copy of said assessment to the Board of Police of the proper county and one to the Auditor of Public Accounts, and should such inhabitant fail or refuse to give in said assessment the said collectors shall levy and collect from such inhabitant the sum of five thousand dollars: *Provided*, That the tax collectors shall receive for their compensation for collecting the taxes raised by this ordinance three per centum upon the amount collected from the tax payers, and nothing for receiving the amounts that shall be paid by the Board of Police in discharge of the said tax of fifty per centum.

Fees of collector.

Oath required.

SEC. 9. That each assessor of taxes in this State in all subsequent assessments for taxes, until said treasury notes are paid, shall require each inhabitant of his county, to render on oath, to be by him administered, the amount of money owned or controlled by him, and deposited, loaned or employed in the purchase of notes, bills, bonds, stocks, mortgages or any securities for the payment of money without the limits of this State, or kept from use and circulation within the same, at any time during the fiscal year as aforesaid, and should said tax payer fail or refuse to render said amount or take said oath, then said assessor shall assess against him or her, the sum of five thousand dollars, as taxes for money deposited, loaned or employed without the State or kept from use and circulation within the same as aforesaid, and which sum so assessed shall be collected and paid over as other taxes are to be collected and paid over as hereinbefore provided.

SEC. 10. That when any of the said certificates or notes shall fall due, it shall be the duty of the Auditor to issue his warrant in favor of the holder

thereof for the amount due thereon, and shall thereupon take up and cancel such certificates or notes, and shall endorse thereon the amount of interest allowed, and if at any time there shall be money in the Treasury applicable to the redemption of such certificates or notes, the Governor shall cause notice to be given by proclamation, to the holders of such certificates or notes, that those of certain descriptions or denominations, will be redeemed on presentation, and all interest shall cease thereon after sixty days from the date of the publication of such notice.

Certificates, expenses of.

SEC. 11. That the sum of twenty-five hundred dollars is hereby set aside from any money in the State Treasury, not otherwise appropriated, to defray the expense of engraving, issuing and negotiating said certificates or notes. The Auditor shall issue his warrant for such sum within said maximum as the Governor may certify as necessary to be supplied for engraving, and while the compensation for negotiating and labor performed by the agents of this State shall be fixed by the Legislature, the same not to exceed the appropriation.

Certificates cancelled, when.

SEC. 12. *Be it further ordained,* That immediately on the passage of this ordinance, each sheriff or tax collector in this State shall execute a bond, with good security, payable to the State, and in a penalty equal to the present State tax of his county and conditioned for the due and faithful performance of the duties imposed on him by this ordinance—which said bond shall be approved, filed and recorded in the same manner as sheriffs' bonds are now required by law to be approved, filed and recorded.

Collector's bond.

SEC. 13. *Be it further ordained,* That if any sheriff shall fail to execute said bond with security as provided in the last preceding section of this ordinance by the 1st day of March next, his office shall thereby become vacated and the vacancy thereby occasioned shall be filled as other vacancies in the office of sheriff are now required by law to be filled.

SEC. 14. *Be it further ordained,* That the tax now imposed by the present revenue law on money loaned at interest be so amended or construed as

to include all money used or that may have been used or employed by being loaned at interest or in the purchase of notes, bills of exchange, bonds or other securities during the past fiscal year, and the parties so interrogated shall answer under oath, to be administered by the tax collector, and all money so used or employed, not heretofore assessed as money loaned at interest shall be taxed three-tenths of one per cent.

Adopted, January 26. 1861.

CHAPTER IV.

THE STATE OF MISSISSIPPI :

At a Convention of the people of the State of Mississippi, began and holden at Jackson, in said State, in the year of our Lord 1861.

Resolutions to provide for the formation of a Southern Confederacy.

We the people of Mississippi in Convention assembled do declare and resolve and it is hereby declared and resolved :

First, That this Convention will, immediately after the passage of this ordinance, proceed to the election, by ballot, of seven Delegates, whose duty it shall be when elected to represent the State of Mississippi in a Convention of those States which have seceded, or which may hereafter secede, from the Government formerly known as the United States of America.

Second, That this Convention receives and adopts the suggestion, that the Convention hereby contemplated, shall meet and hold its sessions in the city of Montgomery and the State of Alabama, and that the time for said meeting shall be the 1st Monday and the 4th day of February, 1861.

Third, That this Convention accept the suggestion that each of the States seceding from the

Government of the United States and concurring in the formation of a Southern Confederacy by said Convention, shall be entitled to one vote in the said Convention upon all questions which may be acted upon therein, and that each State send as many Delegates to said Convention as are equal in number to the number of Senators and Representatives to which it was entitled in the Congress of the United States.

Appoint-
ment of
Delegates.

Fourth. That the said Delegates be authorized to provide for the formation of Provisional Government for the States represented in said Convention, to be organized and put in operation as speedily as possible, to submit to the said Convention the Constitution of the United States of America as a basis of such Provisional Government, and to provide in the plan of said Provisional Government, or otherwise, that as early as conveniently and properly may be, a Convention of the States forming such Government and such other States as may have seceded and may then desire to attach themselves thereto, shall be assembled to revise the Constitution and Plan of Government so established, propose amendments and alterations therein, and adopt a Permanent Plan of Government for such States to be submitted for ratification to Conventions of the several States represented therein, and to be composed of Delegates elected by the people of said States in such manner as the said Convention or the Legislatures of the several States may prescribe, and that the said Provisional Government shall continue until the said Permanent Plan of Government shall be adopted and established.

Form of
Govern-
ment.

Fifth. That in case the said Convention to be assembled at Montgomery, as contemplated in the second of the preceding resolutions, shall proceed to consider and adopt a Constitution or Plan for a Permanent Government, establishing a Southern Confederacy between the States represented therein, then such Constitution or Plan shall be referred to to this Convention for its action: *Provided,* That if this Convention shall then have adjourned *sine die*, the said Constitution or Plan shall be referred to the people of this State for ratification in such

Ratifica-
tion of
Govern-
ment.

manner as the said Convention at Montgomery shall prescribe.

Sixth, That in the event the Convention of seceding States shall not for any cause assemble at the time and place indicated by these resolutions, then the Delegates appointed by this Convention shall be and they are hereby accredited to any Convention of seceding States which may meet at any other time and place and having for its object the formation of a Southern Confederacy.

Adopted, January 22, 1861.

CHAPTER V.

AN ORDINANCE supplemental to an ordinance entitled "An ordinance concerning the jurisdiction and property of the United States of America in the State of Mississippi, passed on the — day of January, 1861.

Duty of Receiver. *The people of the State of Mississippi in Convention assembled, declare and ordain and it is hereby declared and ordained, That until otherwise provided by this Convention, or the Legislature, the sale and entry of waste and unappropriated lands in this State be and the same are hereby suspended, and that the Registers and Receivers of the several land offices, in this State be and they are hereby authorized and required to perform all the duties of said offices in other respects according to the rules and restrictions heretofore existing under the laws of the said United States, and in case of the death or refusal of any of said officers to perform said duties, the Governor is hereby empowered to appoint suitable persons to perform the same: Provided, That nothing herein contained shall impair the right of any person having title to pre-emption—according to the laws of the United States in force on the 9th day of January, 1861.*

Adopted, January 26, 1861.

CHAPTER VI.

AN ORDINANCE to appropriate money to pay the current expenses of the Convention not provided for by law.

Be it ordained by the people of the State of Mississippi in Convention assembled, That the Auditor of the State of Mississippi shall issue his warrant on the State Treasury for the following accounts, to be paid out of any money not otherwise appropriated, which shall be in full of said accounts, to-wit :

F. A. Pope, Secretary, for purchase of four sheets of parchment.....	\$ 6 50
C. R. Dickson, Postmaster.....	108 45
J. Harvey, & Co., for frame and glass for ordinance.....	9 50
C. A. Moore.....	10 00
John Cleveland.....	6 00
L. Julienne.....	1 50
Trustee of Concert Hall, for work by order of the Covention.....	76 00
A. Reed, (negro) for attendance, &c....	40 00
Negro Isaac for attention, &c.....	48 00
Jackson Gas-Light Company.....	7 50
Hire boy Frank.....	8 00
Samuel Pool for expences fitting up Masonic Hall.....	15 00
For hire negro Jacob.....	15 00
E. Barksdale for printing.....	950 00
D. Flannerry for telegraphic dispatches by order of the Convention.....	118 40
To Masonic fraternity of the city of Jackson for use of Hall.....	50 00

Adopted, January 26, 1861.

C—28

CHAPTER VII.

AN ORDINANCE to authorize the Governor to borrow a sufficient amount of money to defray the expenses of the troops of this State now in the field.

The people of Mississippi in Convention assembled ordain and it is hereby ordained, That the Governor be empowered to borrow a sufficient amount of money to defray the expenses of the troops of this State now in the field, and to secure such loan, the Auditor of Public Accounts be, and is hereby required, to issue his drafts or warrants on the Sheriffs of any of the several counties of this State, which warrants so drawn shall be paid by the said Sheriffs out of any State taxes in their hands collected for the present fiscal year or received by them for the State taxes of any person presenting the same: Provided, however, That not more than ten thousand dollars of such warrants shall be drawn.

Adopted, January 26, 1861.

CHAPTER VIII.

AN ORDINANCE to amend the Constitution of the State of Mississippi in certain particulars.

The people of the State of Mississippi in Convention assembled, do declare and ordain, and it is hereby declared and ordained, that the Constitution of the said State be amended and altered in the following particulars, to-wit :

1st. That the words "the United States" where they occur in the first section of the third article of the said Constitution, be stricken out.

2nd. That the words "the United States" in the seventh section of the third article of the said Constitution, be stricken out.

3rd. That the words "the United States" in the fourteenth section of the third article of the said Constitution, be stricken out.

4th. That the words "the United States, or" in the twenty-seventh section of the third article of the said Constitution, be stricken out.

5th. That the words "the United States for twenty years" in the third section of the fifth article of the said Constitution, be stricken out, and the word "and" inserted instead of the words so stricken out.

6th. That the words "except when they shall be called into the service of the United States" in the fifth section of the fifth article of the said Constitution, be stricken out.

7th. That the words "not incompatible with the Constitution and laws of the United States in relation thereto," in the first section, under the title "militia" in the said Constitution, be stricken out.

8th. That the words "the Constitution of the United States and" in the first section of the seventh article of the said Constitution, be stricken out.

9th. That the words "or of the United States" in the eleventh section of the seventh article of the said Constitution, be stricken out.

10th. That the words "the United States (the office of Post-Master excepted) or any other State of the Union, or under," in the thirteenth section of the seventh article of the said Constitution, be stricken out.

11th. That the ninth section of the seventh article of the said Constitution be amended by adding thereto the following additional proviso, to-wit :

And provided further, That the Legislature may raise a loan of money and pledge the faith of the State for the payment thereof, when required to suppress insurrections, repel invasions, or provide for the defense of the State.

Additional
proviso.

12th. That the words "or member of Congress" in the first section of the third article of the said Constitution, be stricken out.

13th. That the words "members of Congress, nor any" in the thirteenth section of article seven of said Constitution, be stricken out.

14th. That the words "Representatives in Congress and" in amendment fifth, to the said Constitution, inserted by act of the Legislature, approved February the 2nd, 1856, be stricken out.

Additional section.

15th. That the Legislature shall have power to fix the time of holding all elections, and may adjust the terms of office to conform to any changes hereafter to be made; and may fix the time for the commencement of its biennial sessions.

Additional section.

16th. *Be it ordained and declared, and it is hereby ordained and declared,* That if any part of the present Constitution of the State of Mississippi shall be in conflict with any ordinance passed by this Convention, such part of said Constitution shall be held to be abrogated and annulled to the extent of such conflict, but no further.

Adopted, January 26th, 1861.

CHAPTER IX.

AN ORDINANCE to provide for Postal arrangements in Mississippi.

WHEREAS, It is proper and necessary to avoid as far as practicable any disturbance of existing arrangements and contracts for carrying, delivering and distributing the mails; therefore.

SECTION 1. *The people of Mississippi in Convention assembled do ordain and declare, and it is hereby ordained and declared,* That all laws, contracts and regulations made by the authority of the United States for carrying, delivering and distributing the mails, and for the protection thereof against depredations, which were subsisting and in force at the date of an ordinance adopted by the people of Mississippi, in Convention assembled, on the ninth day of January, one thousand eight hundred and sixty-one, entitled, "an ordinance to dissolve the Union between the State of Mississippi and the States united with her under the compact

entitled, 'The Constitution of the United States of America,' be and the same are hereby continued in full force and effect so far as they are not incompatible with the terms and intent of said ordinance, or with the provisions hereinafter made; and persons charged with the duties imposed by said contracts and regulations, shall continue to discharge the same, and all violations of the penal laws aforesaid, shall be prosecuted in the name and by the authority of the State of Mississippi, in the Courts of said State having jurisdiction of crimes and misdemeanors, in the same manner as other prosecutions are now conducted and determined by the laws of this State.

SEC. 2. *Be it further ordained,* That this ordinance shall take effect from and after its passage, and shall continue in force until repealed by this Convention, or superseded by such laws, or treaties, as may be adopted, or assented to, for that purpose by the State of Mississippi.

Adopted, January 14th, 1861.

CHAPTER X.

AN ORDINANCE further to provide for Postal arrangements in Mississippi.

SECTION 1. *Be it ordained by the people of Mississippi in Convention assembled,* That the office of Post-Master-General of Mississippi be, and the same is hereby created and established, and that in the event of the suspension or interruption of existing Postal arrangements in this State, the Governor of this State and his Council be, and they are hereby empowered to elect or appoint a Post-Master-General, with a salary at the rate of twenty-five hundred dollars per annum, who shall, by virtue of his office, be constituted a member of said Executive Council, and shall enter into bond with security to be approved by the Governor, in the penalty of

fifty thousand dollars payable to the State of Mississippi, and conditioned for the faithful discharge of the duties of his office, which bond shall be deposited in the office of Secretary of State, and may be sued upon as other official bonds in any of the Courts of this State having jurisdiction thereof.

Power of Post-Master-General SEC. 2. *Be it further ordained,* That the said Post-Master-General, after he shall have qualified as aforesaid, have full power and authority by, and with the consent of the Governor and his Council, to increase the rate of postage to an amount not exceeding quintuple the present rate, to prescribe suitable stamps for the pre-payment of postage, to appoint and remove Post-Masters, and to make all contracts and arrangements which may be necessary in the contingency contemplated in the first section of this ordinance, for carrying, delivering and distributing the mails in this State, which provisions and regulations shall remain in full force until suspended by this Convention, or by the action of such government as may be organized by Mississippi and the other seceding States, and all laws passed and regulations made by the authority of the United States, which are in conflict therewith, are hereby repealed and annulled.

Postal expenses, how paid. SEC. 3. *Be it further ordained,* That in order to carry this ordinance into effect, the said Post-Master-General be, and he is hereby empowered to employ any money in the Treasury or other funds of the State to an amount not exceeding the sum of one hundred thousand dollars, and the Auditor of Public Accounts shall, upon the written order of said Post-Master-General, approved by the Governor, issue his warrant on the Treasury in favor of said Post-Master-General, for such sum as may be named in such order; *Provided,* the aggregate amount of such warrants shall not exceed the said sum of one hundred thousand dollars.

Funds, how deposited. SEC. 4. *Be it further ordained,* That all moneys received and accruing from the Postal Department in this State, in the contingency aforesaid, for postage or otherwise, shall be collected by said Post-Master-General, and shall be deposited by him in the Treasury of this State and placed to the

credit of the Postal Department, and a separate account thereof shall be kept by the Treasurer.

Adopted, January 26th, 1861.

CHAPTER XI.

RESOLUTIONS to provide for the representation of the State of Mississippi in the Congress of a Southern Confederacy.

Resolved by the people of Mississippi in Convention assembled, as follows, to-wit:

SECTION 1. That Jefferson Davis and Albert G. Brown be, and they are hereby appointed Senators, to represent the State of Mississippi in the Senatorial branch of any Congress, or other Legislative body, of any Confederacy or Government to be formed between the State of Mississippi and other States, as contemplated by the action of this Convention; and that they hold their office until the end of the next regular or called session of the Legislature, when their successors shall be chosen in the manner now provided by law for the election of Senators in the Congress of the United States; and should any vacancy occur in the meantime, the Governor shall make an appointment to fill such vacancy.

SEC. 2. That Reuben Davis, Lucius Q. C. Lamar, William Barksdale, Otho R. Singleton and John J. McRae, be, and they are hereby appointed Representatives of the State of Mississippi, in the Representative branch of any Congress, or other Legislative body, of any Confederacy or Government to be formed between the State of Mississippi and other States, as contemplated by the action of this Convention; and that they hold their office until superseded by election to be held in the manner hereinafter provided, and if a vacancy shall happen, or if the State shall be entitled to more

than five Representatives, such vacancy, or deficiency shall be filled for the unexpired term, by a special election, to be ordered, conducted and returned, in the manner directed by law for filling vacancies in any State office.

Representatives,
how elected.

SEC. 3. That an election shall be held, at the time of holding the next regular State election, for the number of Representatives to which this State may be entitled in the Congress of any new Confederacy or Government of which the State may become a member, to hold for such term as the Constitution of such Confederacy may prescribe: if entitled to five Representatives, the election shall be by Districts as now established by law, but if the number of Representatives to which the State is entitled be increased above five, then one shall be chosen in each District as now organized, and the additional number shall be chosen by the election of the State at large, and if the number of Representatives be diminished, then the whole number shall be chosen by the electors of the State at large, but the Legislature may in the meantime reorganize the said Districts, and increase or diminish the same, if necessary, and the election shall be held accordingly.

SEC. 4. That all laws providing for the election of Senators and Representatives in the Congress of the United States, are hereby annulled so far as they authorize the election of Senators or Representatives in the said Congress, but such laws shall continue in force so far as to authorize and regulate the election of Senators and Representatives in the Congress of any new Confederacy or Government of which this State may become a member.

Adopted, January 26th, 1861.

CHAPTER XII.

AN ORDINANCE providing a permanent council of three for the Governor of this State.

The people of the State of Mississippi in Convention assembled, declare and ordain, and it is hereby declared and ordained, That there be, and is hereby established, a council of three persons, to be elected by this Convention, whose duty it shall be to advise the Governor upon important matters of state concern; who shall continue in office until the formation of a Confederacy between this State and other seceding States, and receive for compensation five dollars per day while actively engaged in their duty.

Adopted, January 26th, 1861.

CHAPTER XIII.

AN ORDINANCE to provide for Surveys and Fortification of Military sites within the State of Mississippi.

The people of the State of Mississippi in Convention assembled, do ordain and declare, and it is hereby ordained and declared as follows, to-wit:

SECTION 1. That the Military Board established under the provisions of an ordinance of this Convention, entitled, "an ordinance providing for the military defence of the State of Mississippi," shall cause all necessary surveys to be made of military sites within this State.

SEC. 2. That after the surveys shall have been made, as directed in the foregoing section hereof, the said Board shall report the same to the Legislature, designating the fortifications necessary to be erected, with estimates of the costs of the same, and thereupon the Legislature may make such order in reference thereto as they may deem advisable.

Adopted, January 26, 1861.

CHAPTER XIV.

AN ORDINANCE to regulate the right of citizenship in the State of Mississippi.

SECTION 1. *Be it ordained by the people of the State of Mississippi in Convention assembled,* That all citizens of the United States domiciled within this State on the adoption of the Ordinance of Secession, viz: January 9th, 1861, be regarded as citizens of Mississippi, entitled to all the rights and privileges, and subject to all liabilities incident thereto.

SEC. 2. *And be it further ordained,* That all free white persons born within the limits of the United States, or made citizens thereof by naturalization or treaty, coming into this State with intent to reside therein, shall become citizens of the State according to the constitution and laws of this State now in force, and as to all other persons coming into this State with the intent aforesaid, the present naturalization laws of the United States shall apply and be in force, except that their oath of allegiance shall be taken to the State of Mississippi instead of the United States, and that all such persons who have made their declaration of intention of becoming citizens of the United States in any of the Courts of this State, or any of the other States or Territories of the United States, may at the expiration of the time prescribed by the naturalization laws aforesaid, perfect their naturalization in any of the courts of record in this State.

SEC. 3. *And be it further ordained,* That this ordinance shall be subject to such laws on the subject of naturalization as may hereafter be adopted by the constitution and laws of such Confederacy as this State may hereafter become a member, and after the formation of such Confederacy, any citizen of such Confederacy may become a citizen of this State, according to the provisions of the present Constitution of this State.

Adopted, January 26th, 1861.

CHAPTER XV.

AN ORDINANCE to provide for the purchase of arms, munitions and military equipments, and for other purposes.

SECTION 1. *Be it ordained by the people of Mississippi, in Convention assembled,* That the Governor and Military Board of this State be, and they are hereby authorized and empowered to enter into any contracts, on behalf of this State, for the purchase of all arms, munitions and military equipments, which may be necessary for its defence, and to provide suitable arsenals and magazines for securing the same, and that they be also authorized in their discretion to purchase for this State separately or jointly with any other State or States all such machinery as may be necessary in the erection and completion of an armory for the manufacture of fire arms, and to appoint any agent or agents under them to carry into effect any of the foregoing provisions. Of contracts

SEC. 2. *And be it further ordained,* That all sums of money which may be expended by the said Governor and Military Board for any of the purposes mentioned in the foregoing section of this ordinance, shall be paid by the Treasurer of this State on the warrant of the Auditor to be issued on the requisition of the Governor, out of the fund to be collected by virtue of an ordinance entitled, "an ordinance to raise means for the defence of the State." Money,
how paid.

SEC. 3. *Be it further ordained,* That the Military Board is invested with full authority, in the execution of the powers herein conferred, to erect, or cause to be erected, if, in their opinion the safety of the public requires it, lines of telegraph communication upon the Eastern bank of the Mississippi river, or in such other portions of the State as the public safety, in the opinion of said Board, may require. Telegraph
may be
establis'ed

Adopted, January 26th, 1861.

CHAPTER XVI.

AN ORDINANCE to provide for publishing the Ordinances and Journal of the Convention.

Duty of Secretary. *Be it ordained by the people of Mississippi in Convention assembled.* That the Journal of this Convention shall be deposited by the Secretary, in the office of the Secretary of State; and the Ordinances passed, and the said Journals shall be printed by the State Printer, and the style and manner prescribed by law for the publication of the laws and Journals of the Legislature, except that the Ordinances and Journals shall be bound in one volume in the style prescribed for the binding of the laws. Two thousand copies of said Ordinances and Journals shall be published, and the Printer shall be allowed the same compensation as for printing the laws and journals of the Legislature. When printed the Secretary of State shall transmit by mail to each member of the Convention, one copy thereof, and shall distribute the residue *pro rata* to the several counties, as the laws and journals are distributed.

How distributed.

Adopted, January 26th, 1861.

CHAPTER XVII.

AN ORDINANCE concerning the jurisdiction and property of the United States of America in the State of Mississippi.

The people of the State of Mississippi in Convention assembled, declare and ordian, and it is hereby declared and ordained as follows, to-wit:

Jurisdiction resumed.

SECTION 1. The title to the waste and unappropriated lands, fortifications, light-houses, hospitals, custom-houses and all other property owned or held by the said United States, within the limits of the State of Mississippi, on the 9th day of January,

1861, and all jurisdiction over the same, are hereby resumed and vested in the State of Mississippi.

SEC. 2. The Legislature shall have power to pass all laws necessary for the preservation and disposition of said lands, fortifications, light-houses, hospitals, custom-houses and other property, and the records pertaining to the same, or pertaining to lands heretofore granted or sold by the said United States, and may provide for the adjustment of the claim of the said United States thereto. Powers of Legislature.

SEC. 3. The Legislature shall have power to provide by law for the custody and preservation of the records and judicial proceedings of the Circuit and District Courts of the United States in this State, and to prescribe the manner in which suits and proceedings, civil and criminal, now pending in said Courts, shall be tried and determined, as well as to prescribe the manner in which the judgments of said Courts, or of the Supreme Court of the United States in which a citizen of this State is a party, remaining unexecuted, and the judgments, mandates, and decrees of the Supreme Court of the United States, in cases now pending therein, in which a citizen of this State may be a party, shall be carried into effect. Of Judiciary.

SEC. 4. The Judicial power of this State shall extend to cases of admiralty and maritime jurisdiction, and the Legislature shall provide in what courts such jurisdiction shall be exercised.

SEC. 5. That the late Marshals of the United States for the Northern and Southern Districts of this State, and their assistants be, and they are hereby authorized and empowered to continue the exercise of their duties so far as it may be necessary to complete the census returns of the United States, but no further. Duty of Marshals.

WILLIAM S. BARRY,
President of the Convention.

Adopted, January 17th, 1861.

[CERTIFICATE.]

This is to certify that the foregoing printed Ordinances and Resolutions adopted at a Convention of the State of Mississippi, holden in Jackson, in the month of January, in the year of our Lord one thousand eight hundred and sixty-one, are just and true copies from the originals now on file in my office.

Given under my hand and the great seal of the State of Mississippi, at the city of Jackson, this 8th day of February, 1861.

C. A. BROUGHER,
Secretary of State.

APPENDIX.

[DOCUMENT A.]

JACKSON, MISSISSIPPI. January, 12th, 1861.

HIS EXCELLENCY J. J. PETTUS,

GOVERNOR, &c.

Sir.—I have the honor to inform your Excellency that in pursuance of my appointment as Commissioner to Tennessee, I arrived at the Capitol of that State on the 5th inst., and proceeded at once to lay before His Excellency, Governor Harris, the evidences of, and enter upon the duties assigned to me in my appointment. The Legislature assembled in extraordinary session on the 7th inst. On the following day Governor Harris sent in a special message, accompanied by my credentials, and informing the body that I was ready to communicate with them. Thereupon a resolution was passed by the two houses inviting me to meet and address them in joint convention. That duty I performed, and herewith present to your Excellency a copy of the Address I delivered on the occasion. I am gratified in being able to state that there is a growing patriotic sentiment in favor of the stand assumed by the seceding States in resistance to the domination of a sectional majority which is about to assume the reins of government over the States which may consent to remain in the Union.

I cannot doubt that the gallant and chivalrous State of Tennessee will consider that honor and duty alike require that she shall cast her lot with the States which have, and will renounce allegiance to a Government no longer willing,

if indeed able, to afford that protection to the interests and institutions of the South which of right belong to them.

I have the honor to be,

Very respectfully,

Your obedient servant,

T. J. WHARTON.

ADDRESS.

Mr. President and Gentlemen of the Senate and of the House of Representatives of Tennessee:—Returning to my native State, after many years residence abroad, I am profoundly grateful for the cordial reception extended to me by his Excellency, the Governor, and the assembled Representatives of the people.

I know, however, and am proud to acknowledge that the compliment is not intended for me personally, but for the State which I have the honor to represent on this occasion. In her name, and by her authority, I come to commune with you in reference to the fearful political crisis which has befallen our common country, in the hope that the co-operation of Tennessee may be secured in the effort to preserve the rights, the honor and independence of the slaveholding States of this Confederacy.

I am charged, in the language of my commission, to inform your honorable body, and the people of the State you represent, that the Legislature of Mississippi has passed an act calling a Convention of the people of the State to consider the present threatening relations of the Northern and Southern sections of the Confederacy, aggravated by the recent election of a President upon principles of hostility to the States of the South, and to express the earnest hope of Mississippi that Tennessee will co-operate with her in the adoption of efficient measures for the common defense and safety of the States thus threatened. That Convention assembled on the 7th inst., and is now in session deliberating upon the action contemplated by the Legislature in the act which called it into being.

I am charged also to present certain resolutions adopted, almost without a dissenting voice, enumerating the grievances of which they complain, and prescribing the remedy for the same. Each of the measures thus adopted has received the sanction of the people, in an election held on the 20th ult.

A popular majority of not less than 18,000, and a majority

in the Convention of from 60 to 70, have cordially endorsed the action of the Legislature in the premises.

Notwithstanding the differences of opinion that exist amongst us as to the character of the remedy proposed, there is but one sentiment as to the necessity of prompt and efficient action. That unanimity of sentiment prevailed even before the recent startling events which have occurred in South Carolina. Probably there is not in the State a man who does not feel that the argument is exhausted; that it is in vain longer to remind the dominant majority of the North of their repeated violations of the Constitutional rights of the South, of the consideration upon which the South acquiesced in the compromise measures of 1850-51, which at the time convulsed and so nearly dissolved the Union.

The most distinguished leaders of the party opposed to the immediate and separate secession of the State, unhesitatingly denounced the election of Mr. Lincoln as a declaration of war against the Southern States, and indignantly repelled the thought of submitting to it.

Indeed, they pointed to the necessity of a Southern Confederacy, and only sought the co-operation of Southern States, and to secure that recommended that a Convention of such States should be held.

Her sovereign voice can only be inferred from the known and declared sentiments of the delegates who have been elected. In a few days, if not ere this, the Convention will give expression to it in the most solemn and authoritative form. When that has been done it will be the command of the sovereign, which, like the fiat of the Omnipotent, challenges the obedience of every citizen.

That obedience will be rendered, not grudgingly, but with alacrity. Already the public mind is expecting it, and is prepared for it.

Forgetting all past political dissensions, her sons will gather round her standard, and vying with each other in demonstrations of loyalty and affection, there swear eternal fidelity to her sacred cause.

Without repeating the almost innumerable instances in which the anti-slavery sentiment of the North has invaded the constitutional rights of the people of the South, many of which are set forth in the preamble to the resolutions adopted by the Legislature of Mississippi, I may say its aggressive spirit has culminated in the recent Presidential election.

The election of a sectional candidate, by a dominant sectional majority, on a platform of hostility to the constitutional rights of the people of fifteen sovereign States, was an event which never entered the minds of the framers of the Constitution. Like parricide amongst the Grecians—there was no law to punish it, as they supposed no child could be so unnatural as to murder his parent. So, the sages who framed the Magna Charta of our liberties, never imagined that the time would come when it would be possible, in a Government of equal, confederated, sister sovereigns, that a majority organized upon principles of deadly hostility to the domestic institution of the minority, would obtain the ascendancy.

The cardinal principles upon which the theory of government rests which they inaugurated was the absolute equality of the States, in all political rights and privileges.

To establish that principle, the battles of the Revolution were fought. It was worth all the blood and treasure, privations and suffering it cost. When it has been surrendered, nothing accomplished by the Revolution worth preserving will remain. Mississippi has determined to cling to it, "as the mariner clings to the last plank, when night and the tempest have gathered around him."

It is not the mere election of Lincoln—insulting as that of itself would be, in view of the offensive sentiments he has uttered, and is known to entertain—which has awakened that tornado of popular indignation which is now sweeping over the South. It is not the mere platform, upon which he was nominated—infamous as that is to the Southern man—but it is the determined, aggressive spirit of Abolition, underlying and sustaining the party which has secured his triumph and the overthrow of the Constitution. It is the unappeasable hatred which that party cherishes, and has ever cherished, for slavery and the slaveholder, that proclaims to us that there is an "irrepressible conflict" between them and us. It is that the Chair of State, once occupied by Washington, is to be desecrated by the chief of a party which has risen upon the principle of denying to the citizens of fifteen sovereign States that equality of rights secured to them in the common property of all the States. It is that an institution existing at the formation of the Constitution, and now the foundation of the wealth, prosperity and happiness of twelve millions of people, is to be outlawed, and the moral sentiment of the world invoked to make it, and those who tolerate it, hateful. It is that the President elect owes his

triumph to such a party, that he has pandered to such a sentiment, and that the Government is to be administered for such a purpose, that the State of Mississippi has resolved—whatever may be the issue—fearlessly to appeal to the God of battles, the justice of her cause, and the arbitrament of mankind. Come what may, though it should cost every drop of blood and every cent of property, she will never submit to the domination of such a party and of such a chief.

In that appeal, she invokes no sympathy or compassion. She has fully counted the cost of resistance. She has not rashly taken her position. A necessity too stern and imperious to be disregarded, demands that she should assume the guardianship of her own rights and honor. She will never consent that either shall be under the control of a government hostile to her and hers. She ardently desires the co-operation of her sisters, having a common interest and destiny. She defies and despises the malice of her foes. She has sent commissioners to all the slaveholding States to invite their co-operation in defense of common rights against a common enemy. She bids me, as her representative, say to her chivalrous sister, Tennessee, that she has too often illustrated her heroism in arms, and her wisdom in council, to doubt that, as upon the deathless plains of Chalmette and at the storming of Monterey they stood shoulder to shoulder, they will be separated now when the holiest cause that ever inspired the human heart, summons them to the conflict.

Mississippi knows and appreciates the loyalty to the Union which has ever distinguished her sister. The sentiment has an abiding place in her own bosom. To it she is ready to sacrifice everything which a proud sovereign State may or dare sacrifice of ease, comfort or convenience. Her *honor and constitutional rights* she may not, dare not surrender. For the honor of the National Government, she has sacrificed hecatombs of her best sons. To vindicate her own honor she is ready to sacrifice her last son, and herself disappear from the map of nations. She bids me say that “she loves and cherishes the Union; that she remembers, with the kindest feelings, our common origin, with pride our common achievements, and has fondly anticipated the common greatness and glory which has seemed to await us; but that origin, achievements and anticipation of coming greatness, are to us as nothing compared to this question; that it is to us a vital question; that it involves not only our liberty, but what is greater (if to freemen anything can be) existence

itself." So, viewing it, and despairing of a returning sense of justice with her haughty and victorious foe, she has determined to welcome death rather than submission. She considers a dissolution of the Union a great though not the greatest calamity. In the language of her own warrior statesman, the fearless, the chivalrous Davis, "She would cling tenaciously to our constitutional Government, seeing as she does, in the fraternal union of equal States, the benefit to all, and the fulfillment of that high destiny which our fathers hoped for and left it for their sons to attain. She has seen the national flag surrounded by the flags of foreign countries and the pulsations of her heart have beat quicker with every breeze which displayed its honored stripes and brilliant constellation. She has looked with veneration on those stripes, as recording the original size of our political family, and with pride upon that constellation, as marking the family's growth. She glories in the position her own star holds in the group, but sooner than see its lustre dimmed; sooner than see it degraded from its present equality, she would tear it from its place, to be set even on the perilous ridge of battle, as a sign round which her bravest and best should gather to the harvest home of death."

What has transpired since the election to encourage the hope that the dangers apprehended from the triumph of the Black Republican party are disappearing or diminishing? Whilst prayers and supplications are going up from the hearts of patriots that He who stilleth the tempest and rules in the armies of men, would disperse the dark storm-cloud which overshadows the land; whilst the silent watches of the night have attested the zeal of venerated statesmen to concert measures to preserve alike the Union of the States and the rights of the South, what indication have our enemies given of a willingness on their part to recede from the position which has caused all the danger? Go to their organs—of the public press—and to their speakers on the floor of Congress, and catch the haughty contempt with which they treat a suggestion that their platform shall be modified, or the offensive State enactments of which we complain, repealed. They are themselves ready to denounce their chosen chief as a traitor, if in the policy upon which he shall administer the Government, he fail to carry out the platform on which he was nominated, or should, for a moment, yield to the "insolent demands of a hateful slave oligarchy." Catch the exultant note with which they hailed his election, as the final overthrow of slavery. Hear the swelling chorus

borne on every breeze to every land proclaiming the first triumph of the party which should, at no distant day, inaugurate the reign of equality of all races and colors, and the universality of the elective franchise. Look at their President elect, whose silence since his election, and during the canvass, has been as profound as it is ominous. Read his last *deliverances* to the public ear. As late as the 16th of April, 1859, he said: "This is a world of compensation, and he who would be no slave must consent to have no slave. Those who deny freedom to others deserve it not for themselves and under a just God cannot long retain it." But once during the canvass was his voice heard, which was when he spoke at his own door to his neighbors and friends. At Springfield the last of July, or early in August, he was put forward very unexpectedly, and spoke with less than his accustomed caution. He said: "My friends you will fight for this cause four years hence, as you now fight for it, though I may be dead and gone."

Commenting upon this speech a distinguished son of Pennsylvania, loyal to the constitution as a compact between the States, said: "There is, then, to be no repose, no settlement, no finality under his administration. The 'fight' is to go on—nay, it is to be stronger then than now. Not content with victory of the compact North over the stricken and insulted South, the arms are not to be laid aside—the array is not to be broken—peace and conciliation are not even hinted. Domestic slavery, driven by a triumphant Executive and Congressional majority from the Territories, is to be beleaguered in the States. It is to exist by sufferance—it is to be destroyed by compression, and the varnished, plausible and deceptive Republicanism of 1860 is to become the aggressive Abolition of 1864. So says Mr. Lincoln, if his language has any meaning:

In order that you may see what will be the policy of his administration, I state Mr. Lincoln's position in his own words. He says:

"It is my opinion, it (the slavery agitation) will not cease, until a crisis has been reached and passed. A house divided against itself cannot stand. I believe this government cannot endure permanently, half slave and half free. I do not expect the house to fall. But I do expect it will cease to be divided. It will become all one thing or the other. Either the opponents of slavery will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course to ultimate extinction; or its

advocates will push it forward until it shall become alike lawful in all the States old as well as new. North as well as South.

Again he says :

"I embrace with pleasure the opportunity of declaring *my disapprobation* of that clause of the Constitution which denies a portion of the colored people the right of suffrage."

"True Democracy makes no inquiry about the color of the skin, or place of nativity, or any other circumstance or condition. I regard, therefore, the *exclusion* of the colored people, as a body, from the elective franchise, as *incompatible* with true Democratic principles."

And yet again, with still greater emphasis, and explicitness:

"That no man is good enough to govern another man, *without the other's consent*. I say this is the leading principle—the SHEET ANCHOR of *American Republicanism*.

* * * * *

The *master* not only governs the *slave* without his consent, but he governs him by a set of rules altogether different from those which he prescribes for himself. Allow all the governed AN EQUAL FORCE IN THE GOVERNMENT, and that, and that only, is self-government.

I advert to these extracts to show how vain and delusive the hope that a remorseless fanaticism, which has fastened its fangs in the vitals of the Constitution, will, in the flush of triumphs, stay its hand from further and yet haughtier demands. Never, in the history of nations, has such a spirit paused or taken a step backward. It is unappeasable. It shows no quarter. It takes no prisoners. It wages a war of extermination, more relentless than a war of races or of castes. It must be met with brave hearts and stout arms, and crushed out, or its desolating sweep over organized Governments will be more fearful than the unchained winds which rend forests and scatter fleets. Nearly a quarter of a century ago, when this voracious demon was in its swaddling clothes, and the nurses in charge made their first requisition upon Congress in the shape of Abolition Petitions, Mr. Calhoun raised his prophetic voice in words of wisdom and warning, which, if heeded, would have arrested the terrible catastrophe now imminent and unavoidable. He then declared that aggression should not be met by concession; that those who acted upon the principle that it should, were prepared to become slaves; that if an inch was conceded, concession would follow concession, compromise would follow compromise, until our ranks would be so broken that

effectual resistance would be impossible. He counselled that the enemy should be met on the frontier with a fixed determination to maintain our position at every hazard. Tracing the subsequent history and career of that spirit of aggression which had seized the Northern mind, he undertook to predict that however sound the great body of the non-slaveholding States then were, that in the course of a few years they would be succeeded by those who will have been taught to hate the people and institutions of nearly one-half of this Union, with a hatred more deadly than one hostile nation ever entertained towards another. He said it was easy to see the end. By the necessary course of events, if left to themselves, we must become, finally, two people. It is impossible, under the deadly hatred which must spring up between the two great sections, if the present causes are permitted to operate unchecked, that we should continue under the same political system. The conflicting elements would burst the Union asunder, as powerful as are the links which hold it together. Abolition and the Union cannot co-exist. As the friend of the Union, I openly proclaim it, and the sooner it is known the better. The former may now be controlled, but in a short time, it will be beyond the power of man to arrest the course of events. We of the South will not, cannot surrender our institutions. The subversion of them will drench the country in blood, and extirpate one or other of the races. I quote his words, and as I repeat them who is not struck with the inspiration of his utterance, and the fulfillment of his prediction? What heart does not send up the prayer, "I would his counsels and warnings had been heeded." But they were regarded at the time as the sickly abstractions of a dreamer and metaphysician.

Men, in their impotence to reach the height of this great argument, not gifted with his far reaching sagacity, adopted the opposite policy. "Others, for a while, seemed struggling 'neath their arguments, he, from above, descending stooped to touch the loftiest thought."

I have purposely avoided a discussion of the remedy proposed in the resolutions adopted by the Legislature of Mississippi. I know full well the sentiment which has long prevailed in Tennessee on that subject. I could not hope to change it, and I would not be understood as presuming to dictate. Besides, practical results are more to be desired than discussions of abstract propositions. It will make no difference as to the form of the remedy, or the name by which

it is called, if we are animated by the same determined purpose, to maintain the rights of the South at whatever hazard or cost. We may find ourselves borne along by the current of events, and forced to defend what we might be unwilling to aid in producing.

My first and great concern, the chief object indeed of my mission, is to know that Tennessee, like Mississippi, will bear all, brave all, but never submit to be ruled over by a Black Republican Administration. Events are crowding upon each other with startling rapidity. The Rubicon is already passed. *Nulla retrorsum vestigia*, is inscribed upon every shield and every helmet. South Carolina—aptly denominated the Harry Percy of the Union—has flung to the wild winds free her banner of State independence, and back from the Spirit land comes the cheering war cry which nerved the arms and hearts of her Sumpters and Marions, her Pickens and Rutledges, now echoing in tones of thunder in the ears of their descendants—

“Strike, till the last armed foe expires,
Strike for your altars and your fires,
Strike for the green graves of your sires—
God and your native land.”

Georgia, Alabama, Mississippi, Louisiana, Florida, Texas, will catch the swelling refrain, and high above the croaking voice of submission, they will pledge hearts and hands to South Carolina—together march to victory and independence, or when the “last torch of liberty shall burn then sleep the night of death.” Aye, and Tennessee will enter the grand carnival—not with slow and measured tread, but with all her banners waving and ready to charge with all her chivalry. Before I could doubt it, I should have to obliterate the brightest pages of my country’s history—ignore the undying laurels with which fame decked the brow of the immortal Jackson, on the plains of Chalmette and the more recent, but undying harvest of glory which were gathered by her sons amidst the storming of Monterey. If such a doubt were forced upon my mind—as a native of the State—I would throw myself upon her bosom, and in the language of another, I would exclaim: Oh Earth, Earth, Earth! as did the Hebrew Prophet when wearied out with the perversity of his countrymen, he turned to his native soil and adjured that, to see if he could not arouse within it some answering spirit. If such an appeal was made to the soil of Tennessee in such a case, it seems to me that the very genius of the place would spring forth, and trumpet-tongued,

sound the call, which from the topmost height of her mountains to the depths of her valleys would summon her sons to the rescue.

That something must be done, and speedily done, aye, before the reins of Government shall pass into the hands of our haughty and insolent foes, the tamest submissionists admit. Yielding to the sentiment of resistance, which wells up from the great popular heart of the South, her statesmen and patriots—men of wisdom and prudence, who “hold the helm when passion blows the gale,” have exhausted every effort to restore peace to a distracted country.

Their very prayers and supplications on behalf of the Constitution, and the co-equal rights of the States have been insulted and derided by our enemies whether addressed to a throne of grace or to their own adamant hearts. If appeals are made to their sense of patriotism—if they are reminded of a common ancestry and a common revolutionary struggle, of the purer days of the Republic, when Washington and Adams, Jefferson and Hancock, and their illustrious compeers, met at the same shrine and presented their offerings on the same altar, with pharasaic piety they turn away disdaining fellowship with slavery, and slaveholders. When reminded of their breaches of faith in the observance of solemn covenants and violations of plain provisions of the Constitution, and exhorted not to drive us to extremities in the defence of our rights, our exhortations are denounced as threats. A paper wielding, perhaps, a wider influence over Northern sentiment than any other, and which, from the part taken by its editor in securing his nomination, may be presumed to express the feelings of Mr. Lincoln, and the party of which it is the accredited organ—(the New York Tribune) repels with ridicule all such appeals. The only answer made to the South is to justify all that has been said and done by the party. It protests that they have elected a President by honest legal votes, on the largest poll ever known, and after the most heated canvass ever had in the country—that they have done just exactly what they had a right to do, what they ought to have done, and what should have given peace and prosperity to the Union, and that all the distress and danger now existing spring from the fact that the factions they have fairly beaten, insist that they shall repudiate their principles and surrender the just fruits of their triumph, or that they will break up the Union. It hails with acclamations of rejoicing the failure of the committees of Congress to devise any plan of adjustment. It throws back upon the

South the responsibility for all the dangers which exist, and denounces it for treason and disunion.

Why talk to such people about new guarantees, amendments of the Constitution, &c.? In the first place, we know how they would be met; crimination and ridicule are the reply they make: denying that the evils complained of exist—but, if they do, that they are of our own creation. In the second place, what reason have we to suppose, if our demands were accepted, that the amendments and new guarantees would be more faithfully observed than the plain provisions of the Constitution and the Fugitive Slave Law have been?

They have been educated, for the last forty years, in the nurseries, in the Sunday schools, from the pulpit, at the bar, in the legislative halls, and from the hustings to loathe slavery and the defenders of it. This has all to be undone. It is impossible to eradicate the sentiment from the minds and hearts of the present generation. With the masses, the sentiment has been engendered by religious fanaticism, and by appeals to their prejudices. They have been taught that slaveholders disdain labor, and look with contempt upon the laboring classes, regarding them alike, whether white or black, as an inferior caste in society. With the leaders, it originates in a contest for political supremacy, and a jealousy of the influence which the South has exercised by her wisdom in council and her heroism in arms.

Of what avail would all the constitutional compacts in the world be when coming in contact with a sentiment such as that imbedded in the hearts of the people? All laws depend for their efficacy and enforcement upon the consent and loyalty of those who administer them, and those for whose government they were intended.

Such being, then, the sentiment and feelings of the party which will be charged with the administration of the Government after the 4th of March, what safety or protection will there be for Southern men and property, seeing that new guarantees cannot be obtained, and if they could be, would never be observed.

Slavery, of all property in the world, most needs the protection of a friendly government. As well commit the lamb to the protection of the wolf, as slavery to the protection of a Government hostile to it.

Besides, all these propositions involve delay, and delay now is fatal. It is not wonderful, indeed it is most natural, that up to this time we should have held back—that we

should have tried to keep others back until the wisest and most prudent counsels had calmly surveyed the whole field, and had failed to discover a remedy for the disorders prevailing. That much deliberation was due to the sacred trust committed to us, and to the cause of human liberty throughout the world. But events of the past few days admonish us that but little time remains for deliberation and decision. Some may deplore the course of South Carolina as precipitate and ill-advised—others may regard it as unjust to her sisters, having an equal interest and a common destiny with her—others again, may hail it as the magic wand which shall extract the forked lightning from the storm cloud and convey it harmless to the earth, or, as “a bright Iris o’er the boiling surge.” Whatever may be the view taken of it, whether approved or condemned, her lone star has been unfurled and proudly courts the breeze. Mississippi has sent her word of cheering. “On ye brave, who rush to glory or the grave. Wave, South Carolina, wave, all thy banners wave, and charge with all thy chivalry.” God grant that Tennessee, the synonym of patriotism and dauntless heroism, true to her own high instincts, her historic renown, and the fame of her illustrious chieftain, who has rendered her own and his name immortal, may also arm to the teeth and resolve to the death in defence of her gallant sister, the Queen of the Atlantic!

What said the illustrious ex-President Fillmore in his speech at Albany, in 1855, when contemplating the very event which has occurred—the election of a sectional President—and which, though not the cause, is the occasion of the wide-spread excitement at the South: “can they,” (referring to the people of the North,) “have the madness, or the folly, to believe that our Southern brethren would submit to be governed by such a Chief Magistrate? Suppose that the South, having a majority of the electoral votes, should declare that they would have only slaveholders for President and Vice-President, and should elect such by their suffrages to rule over us at the North, do you think you would submit? No, not for a moment. Do you believe that your Southern brethren are less sensitive on this subject than you are, or less jealous of their rights? If you do, let me tell you you are mistaken; and therefore you must see that if this sectional party succeeds, it leads inevitably to the destruction of this beautiful fabric reared by our forefathers.” Again, in his speech at Rochester, the same season, referring

to the same event, he said: "the success of such a party with such an object, must be a dissolution of the Union."

What said the Hon. Mr. Vallandigham, member of Congress from Ohio? "I tell you, as a Western man, and I tell the gentleman from Tennessee, (Mr. Nelson,) that when you of the South shall have attained the numerical power and strength in this Union, and shall organize a Southern party on a Southern basis, and, under the forms of the Constitution, shall elect a Southern President, for the purpose of controlling the vast power and patronage and influence of the Government by action or non-action, for the advancement of Southern interests; and above all, for the purpose of extending slavery into States now free, I will meet you as the Irish patriot would have met the invaders of Ireland—with a sword in one hand and a torch in the other; dispute every inch of ground—burn every blade of grass, till the last intrenchment of independence shall be my grave. I will not wait for an overt act. What! Do I not know that fire will burn; that frost will congeal; that steel and poison will do their work of destruction to the human system: and shall I await the slow process of experiment to ascertain their rational and inevitable effects?" This was spoken in answer to the question whether the South would be justified in resisting the election of a Northern sectional candidate on a sectional platform.

I quote a passage from a single other Northern statesman, (Hon. Caleb Cushing,) on the same point. After arguing to them the practical result of the election of such a candidate, he says: "I repeat, confidently, if Mr. Lincoln is elected, the Republicans will have to break up at once, or attack the domestic rights of the South. What, then, will the people of the Southern States, attacked in their constitutional rights, their domestic peace, their property, and their persons do? What will they do? Will they passively submit to be conquered subjects of New England? No. I do not hope, believe or doubt what they will do. I know they will defend themselves to the uttermost—first with constitutional means, in fine, with all the means of defence which God and nature have committed to them; and if they were not to do it, they would be recreant to the blood of Washington, of Henry, of Carroll, of Rutledge; they would be unworthy of the name of American."

The issue is made. We could not avoid it if we would. We fearlessly appeal to God, to our consciences, and to the enlightened opinion of mankind to vindicate our course. If

war result, the responsibility will not be upon us, but upon those who are intent upon the overthrow of our constitutional rights. If we must pass the dread ordeal—if the tocsin of civil war is sounded, and the land is drenched with the blood of brothers, “I trust in God that there is a redeeming spirit in the Constitution which will be seen to walk with the South through the flames, and preserve her unhurt by the conflagration.”

[DOCUMENT B.]

JACKSON MISSISSIPPI. January 12th, 1861.

TO HIS EXCELLENCY, JOHN J. PETTUS,
GOVERNOR OF MISSISSIPPI.

Dear Sir: I have the honor to report to you that acting under the commission, which you conferred upon me as Commissioner from the State of Mississippi to the State of South Carolina, under a resolution adopted at the Extraordinary session of the Legislature of Mississippi of 1860.

I proceeded to the Capitol of South Carolina, where I arrived on the 15th day of December, A. D., 1860, and immediately laid before His Excellency, William Gist, Governor of the State of South Carolina, my credentials as such Commissioner, together with the act passed at the Extraordinary session convoking the sovereignty of Mississippi, and the resolutions on Federal Relations, and the resolutions authorizing the Executive of Mississippi to appoint Commissioners for the State of Mississippi to the slaveholding States.

Governor Gist reported my arrival to the Legislature of South Carolina, then in session, and a committee of the two houses was appointed to wait upon me, and signify to me that the Legislature was prepared to receive any communication I might desire to make to them, and to extend to me as such Commissioner the hospitalities of the State. I replied to the committee, returning my thanks, for the courtesies and civilities extended through me to the State, I had the honor to represent; and said to them that as I was ac-

credited by the terms of my commission "to the authorities of the State of South Carolina, and as the highest authority of the State was to assemble in Convention on the following Monday, I would make my communications to the Convention. The Sovereign Convention of South Carolina met on Monday, the 17th day of December, A. D., 1860, and was organized by the election of Gen. Jamison as permanent President, and Mr. Arthur as Clerk. My credentials having been transferred by His Excellency, Gov. Pickens, the recently elected Governor of South Carolina, to the President of the Convention. A committee was appointed to wait upon the Hon. Mr. Elmore, the Commissioner from Alabama, and myself as Commissioner of Mississippi to South Carolina, and signify to us that the Convention was prepared to receive any communications we might have to make to the authorities of South Carolina, for the respective States we represented.

I endeavored to express in plain and simple terms the attitude of the people of Mississippi, and have the honor to submit herewith my remarks to the Convention of South Carolina, made under and by virtue of the Commission which you did me the honor to confer upon me.

In consequence of a prevailing epidemic at the Capital of the State, the Convention and Legislature adjourned the respective bodies to Charleston. Having been invited to attend the deliberations of the Convention, at the point to which the Convention had adjourned its sittings, I proceeded to Charleston, where on the 20th of December, A. D. 1860, the Ordinance of Secession was reported by Chancellor English, the chairman of the committee of seven, appointed to draft the ordinance, and in an assembly composed of one hundred and seventy members, embracing the highest talent of the State, upon the call of the yeas and nays there was not a single absentee, nor a single no, and the unanimity which so happily characterized the proceedings of the Convention, was but a reflex of the unanimity which exists among the people of South Carolina.

I have the honor to be sir,

Very respectfully,

Your ob't serv't,

CHARLES EDWARD HOOKER.

[*Reported for the Charleston Papers.*]

ADDRESS.

Gentlemen of the Convention of South Carolina:—Coming to you as the representative of a sister sovereign State, at this most important and critical period of our history, I feel it, gentlemen of the Convention, to be my duty to speak to you what I know to be the sentiment of the people whom I represent. I feel it my duty to possess this body with the exact condition of things which exist in Mississippi at this important crisis of our history. I have been profoundly gratified at the cordial welcome and the kindly hospitality which has met me in the home of my nativity, and I have been more profoundly gratified when I reflected that it has been visited upon me not so much as a matter of personal compliment, but an indication of that homogeneous disposition of the people, to the strong ties of affinity which bind men of Mississippi to men of Carolina. (Applause.) I am deputed, gentlemen of the Convention, to speak the sentiments of the State which I have the honor to represent, by virtue of a resolution which passed both branches of our Legislature without a single dissenting voice. I have also the honor to announce to you that the bill convoking the sovereign people of the State of Mississippi, in Convention, was also passed by both branches of our Legislature without a single dissenting voice. (Applause.) Coming, therefore, thus authorized by the Legislature of the State, and speaking what I know to be the sentiments of the people of Mississippi, I feel authorized to say to you it gives me profound gratification to be able to say that, coming back to the home of my nativity, I listened to-day with a proud pleasure and gratification to the words of wisdom and patriotism that fell from the lips of the Governor elect, and I propose to say to you that there was not one sentiment in his memorable address to the Legislature which would not have received the sound, hearty plaudits in Mississippi that it met from the men of Carolina. (Applause.) And yet I have felt that I would have been untrue to my mother and false to the instincts of the soil upon which I was reared, did I not give a hearty response to every sentiment. I have also felt and known that I would be equally untrue to the home of my adoption and the sentiment that reigns, that rules the hearts of the people, did I not give, on her part, a cordial approbation to every sentiment that fell from his lips. (Ap-

plause.) I do not know, Mr. President and gentlemen of the Convention, that the occasion requires or demands that I should go into a general discussion of the political ethics of the country. I would deem it somewhat inappropriate to the occasion—inappropriate, alone, however, because I come simply to speak to you the sentiments of the people of Mississippi, and convey to you what was the authoritative action in our Legislature, and when I have done this I shall have felt my mission ended. But there is a question presented by your very convocation here, and one which, perhaps, has not been understood in most of the Southern and Southwestern States of the confederacy to the extent and depth in which you understand it in South Carolina. I mean the question of how the features of the federal government, or the ties of its existence, are to be changed. There is, however, a great principle underlying all constitutions and governments—I mean the great principle which is enumerated in the very second article of the bill of rights attached to the Constitution of Mississippi and most of the States of the confederacy—to claim that it is the right of the people to alter, to change, to amend, aye, to abolish the form of government whenever to them it shall seem proper. (Applause.) That, gentlemen of the Convention, is the great principle which underlies not only your federal constitution, but which lies at the basis of all your State constitutions—the right of the people, the power of the people, aye, and the duty of the people, to resume the powers of government with which they have entrusted their agents whenever those agents have proven and manifested themselves to be unfaithful in the discharge of the trust. (Loud applause.) I say that it is a great principle, which underlies alike the powers granted to the federal government and the powers granted by the people to State governments, and when it shall fail to be recognized, when it shall fail to be admitted, then the existence of the government is a mere question of the power of the government to perpetuate itself. (Applause.) And, in reference to the federal government, while it exists somewhat under different forms from State governments, it still exists, dependent upon this great general principle, which we of Mississippi have always contended to belong alike to the federal and state governments. We seem to be almost oblivious to the fact, and this great question of the right of the sovereign states of the confederacy, each acting for herself and by herself, and bound only by her own act. We seem almost to have been forgetful of the origin of the gov-

ernment itself? This great right of the sovereign parties to the compact, whenever the federal government has departed from the orbit in which the constitution bids it move, in the language of your great statesman, it is not a simple right, but it is the duty of the sovereign creators to speak to it in the language of master, and bid it move back again in the orbit in which the constitution has directed it to move. (Applause.) I say that it is the great principle which underlies the federative government alike, as the other great principle which I have enunciated underlies the state constitutions. As under the state constitutions the power of the people at all times exists to resume the authority entrusted to its agents, and to resume its government of the Convention in the mode and manner in which they invested them with it—so the right and the power and the duty exists on the part of the states to resume the authority they have granted to the federal government, whenever that federal government shall seek to pervert it. The two great principles are alike in their application; and what I had occasion to say at home I will repeat here, that if the pen of the historian shall ever record their downfall, not merely in the government, not merely in the Union, but their downfall in the hearts of the people, that that act recorded by him will be as much owing to the truculency of the minority in the government as it will be to the aggressive acts of the majority. We have been taught to think and believe in Mississippi that all governments are but agencies established by the people to effect certain great purposes and ends, and, therefore, being but agencies, and especially your federal government being an agent, acting under the strict letter of the constitution, whenever that agent exceeds its authority, and assumes a power never granted, the states must be untrue to themselves if they fail to speak to that government in the language of master. This is our idea in Mississippi of the character of the government. We have been taught to believe, gentlemen of the Convention, that it originated precisely as your State government originated—by the consent of the people. Your State government, having its origin by the consent of the people, your federal government owes its existence to the consent of the sovereign States that made it, and I say the same grand principle underlies them both, only in different degrees. In reference to a State government, the consent of the governed gives power to the Governor. The Governor does not become the people, but their agent; and so in the federal govern-

ment this power exists by the consent of the sovereign States who framed it. Aye, I may say, in the language of the noted Mr. Randolph, of Virginia, that "the States are the breath of its nostrils, and have the power to put an end to it to-morrow by a bare refusal to elect Senators and Representatives." (Applause.) I have thus stated these two propositions—one of which pertains to State governments, and the other to the federal government—in order to show that when we adopted the existing constitution—when the States met in solemn convocation in Philadelphia, in 1787, and framed the constitution, they acted by States, they voted by States, and they voted clause by clause that constitution into power; but when that Convention had met, acted and adjourned, the Constitution of the United States was an idle piece of parchment, devoid of life and vitality. It required the sovereign masters of that Convention—the separate States—to breathe into it its vitality and power of existence. (Applause.) Hence it was that the ninth article of the Constitution is known as the Ratification article. It required nine of the eleven States of the Union to adopt that Constitution. I mean to say, that with all the wisdom and all the patriotism that reigned and ruled in that Convention, when Washington and Madison, and the Rutledges, and all the great men of power in the days of the Revolution, lived—I mean to say, that even after they had performed their duties, and favored the existence of the present constitutional government, it was referred back to the sovereign States, each to act for herself and to be bound alone by her own act. (Applause.) I mean to say that when it was referred to the people of South Carolina they had a right, if in their judgment they thought proper, so far as they were concerned, to have defeated its adoption, because, by the article of ratification, that constitution was a compact only between the States ratifying the same. (Applause.) Thus you see it was in the power of four of the smallest States of the confederacy, with a population of something less than three hundred thousand, absolutely to have defeated the object of the constitution itself. And then, too, by this article of ratification, no State that did ratify it possessed the power to ratify it for any other State, but only to ratify it as to herself; and hence it was that Virginia, New York, Rhode Island, and various other States of the confederacy, in their articles of ratification, declared that whenever the power of the government should be perverted to the destruction of the liberties of the people of the State,

they had the right and authority, and the duty devolved upon them, to resume these bonds. (Applause.) This being then the character of the government, the question arises whether or not the exigency has arisen which requires that the sovereign States of the confederacy who made the federal government by their sovereign act, ought to resume to themselves the power, and authority, and duty, with which they have invested the federal Union. And while I refer to the existing state of things in speaking to you, gentlemen of the Convention of South Carolina. I may speak somewhat in advisory terms, but not intentionally upon my part; and should I do so, it is only because I believe, aye, I may say I know, that the interest and welfare, and destiny and fate of South Carolina, is the interest, welfare, destiny and fate of Mississippi. (Loud applause.) The question arises simply as to whether or not the exigency has arisen which makes it the duty of the sovereign States of this confederacy to resume the powers with which they entrusted the federal government. I hope that it is unnecessary in speaking to Carolina to say, if she has the right to form the government, she has also the right to change it, and then your government exists alone to the extent and capacity and power which it possesses to make itself perpetual. In other words, I mean to say that if the authority with which you have invested the federal government is not subject to resumption, and if that federal government, whether acting through its legislative, executive or judicial departments, possesses the power to determine your existence in it, then you have no other authority to reverse that government, or annul it, than have the serfs of Russia to change the form of government under which they live. I say, if the authority and right does exist under the rights of the States to resume the powers with which they entrusted the federal government, whether acting as one, two or three States, then they have the ability to resist the act by all the means in their power. We have thought, in Mississippi, that in all probability the great principle that all government is based upon the consent of the people, would be recognized by the federal authority; it would not be questioned that it would not be doubted, that no body of men, in any State, would be found who would question it. On that we may be mistaken. It is barely possible that the federal government as now constituted, or as it will be constituted on the 4th of March next, will forget the great fact that it is based upon the sovereign States who made it, that it owes its origin

and daily existence to the voluntary act of those States remaining in the Union. I say they may object, but as was so well alluded to by the distinguished Governor elect to-day, which I had the honor to hear: "We must remember that this government was created principally for the conduct of our foreign relations—principally to give strength to us abroad, and in order to constitute us a power on the earth." Now, what has been the history of the federal government for the last three years? Has it been an effort to give to the people of the United States, as a people homogeneous, a like political interest, and social welfare and elevated position on the page of history? No, my countrymen; it has been a disgraceful squabble on the floors of the national Legislature to make one portion of this people of despotic power a controlling element in the government, in order to oppress the other portion. (Applause.) I have been told that the history of the Union was a national history, around which, in spite of the opposition to it, clung the warmest affections of our people; and I have begged leave to remind the friends who made the suggestion to me, that, in the Declaration of Independence, our fathers saw fit to declare, not that the people of the United States, but that these colonies are and ought to be free and independent States. The history of the Revolution shows nothing more than that they established the great doctrine of mutual independence. (Applause.) They never intended that State lines should be obliterated; and when the mind of New England, with a great constitutional lawyer, a man of lofty and proud intellect and enormous power, stood in the Congress of the United States contending for this as a government operating upon the people of a State—we say it with respect—he stood there as a partizan warrior advocating the interest of his client; and a great statesman of the West, he whose name indeed has become national, and whose fame belongs to the country at large, when he stood in the Congress of the United States claiming the authority of the Constitution of the United States, and arguing the powers of the government to inaugurate and force it, he stood there as a great popular orator, but also as a partizan lawyer, defending the case of his client—(applause)—but when your own immortal statesman, who spoke not for the glory, aye no, and not for the generation, but who spoke for all time to come, who spoke *ex cathedra*, because he spoke the truth, the simple truth—when your own great Calhoun was heard, he established, at least in the hearts of the people of Caro-

lina and her sister States the great principle that this was a government based upon the consent of the people, and that the federal government is but the agent of the States, and could not exist a day without them. (Applause.) I have thus, Mr. President and gentlemen of the Convention, approached the view which we of Mississippi take of this question, and I beg to say while it is true in Mississippi we have not the good fortune you have in South Carolina, yet, since the election of Lincoln, all party lines in Mississippi have been obliterated—(applause)—and the people stand as a mass, without reference to the distinctions which have hitherto divided them. Men, for instance, known as opposition, now stand side by side by the candidates for the Convention who are known to be for States rights. That is owing in a large measure to the fact that our population is infused in a greater or less degree with men of the old State of South Carolina. (Applause.) I am happy, however, to announce now that we have no parties in Mississippi. (Applause.) And that in the town in which I live, the Capitol of the State, when we heard of your action, and when the day before I left home I attended a Convention in my own county, I announced to them the fact that there was entire unanimity throughout your State, a solid phalanx demanding the right and the authority to resume the powers entrusted to the federal government—when I made that announcement to the people of the county in which I live, not one, not two, not a dozen, but every man in the vast audience to which I spoke, arose as one man and proclaimed that he would stand by South Carolina, by her vote, for weal or for woe.

I have alluded, gentlemen of the Convention, somewhat incidentally, but perhaps it is my duty to refer more particularly, to the action of the Legislature of the State of Mississippi. I have the pleasure of announcing to you that when the Convention bill was proposed in the House of Representatives, it was referred to a special committee for consideration, reported to the House, and adopted without debate, quietly and silently, and with that resolute determination and fixed duty of purpose which indicate that men have passed the period of discussion and debate. (Applause.) I have the pleasure of announcing to you that the other branch of the Legislature—the Sénate—also adopted the measure without a dissenting voice. When it was proposed that the Legislature should authorize the executive of the State to send Commissioners to other States, soliciting

their co-operation in the position which Mississippi has taken, that resolution was also passed without a single dissenting voice. The resolutions on federal relations, as we admirably term them in Mississippi, which I had the honor to present to the Executive, were introduced not by an old States rights man, but one regarded as with the opposition, and without whom we were not certain, even in Mississippi, of success. I will not weary you by reading the long preamble to these resolutions, for we struck it out and let the simple resolutions stand by themselves. I do not mean to state that every man in the State is pledged to it, because there are some who have said, "we are with you, we are Minute Men with you, and stand by you ready when summoned to aid the Southern States. Take the advance movement and we will be there as readily as you States rights or secession men, but we believe it will be a war of revolution instead of a peaceful resumption by a sovereign State of the powers invested in the general government." We have told them, "we have no quarrel with your motives; we will not ask you to assign a reason. We know you to be wrong in regard to the reasons which animate you, but still we know that in the final hour, in the day of trial, you will stand heart to heart, shoulder to shoulder, hand to hand with us." The resolutions were passed by the Legislature by an overwhelming majority, but not with the entire unanimity of the Convention bill, or the resolution authorizing the Executive to appoint commissioners to the various States, but still with a majority so overwhelming that, although division was called for, but a few feeble voices, here and there, dissented to it. I will read the resolution to which I refer :

Resolved by the Legislature of the State of Mississippi,
That in the opinion of those who now constitute the State Legislature, the secession of each aggrieved State is the proper remedy for these injuries. (Loud applause.)

I have the pleasure to announce to you, gentlemen, that this was not an idle resolution—it was not one adopted without calmness and forethought, and reflection and deliberation—for I beg to assure you that the people I have the honor to represent are not in a passion upon this question, but have acted considerately, resolutely and in a determined form. There is no excitement upon this question amongst my people. The principle of that resolution, declaring that the appropriate and proper remedy is the separate secession of each aggrieved State, is the principle which will be found

the ruling and the controlling element in the Convention which will meet on the 7th of January next. (Applause.) And while there may be—while there doubtless will be, some few dissenting voices—for, as I have said heretofore, we have not the pleasure of having that unanimity you have—even the opposition party of Mississippi, the frankest man of that party, the man of the most formidable intellect and most tremendous power—a man I know and respect as a citizen, but differ from in politics—has not hesitated to declare, and in print as well as by speech, that the election of Mr. Lincoln even he regarded as an open declaration of war on the part of the Northern people. (Applause.) I present this to you, gentlemen of the Convention, in order to properly explain the attitude of even the opposition men in Mississippi. Even they feel that the emergency or exigency has arisen which imperiously requires of her, in her sovereign capacity, to resume the authority entrusted to the federal government. We have been anxious, Mr. President and gentlemen of the Convention, to secure co-operation in every Southern slaveholding State. It was recommended by our Governor, in a message sent to our Legislature, that a bill be revived which formerly stood on the statute books of Mississippi, interdicting the introduction of slaves from border slave States. We felt that the true policy at this time, and in this emergency, and under the circumstances in which we are placed, that we should do aught which indicated the slightest distrust of any slave State of the confederacy, and therefore, that portion of the message was not favorably acted upon by the Legislature. I have said that we earnestly desired co-operation; and while I say this, as I feel it my duty to say to you, we have not thought of obtaining it. I beg to say again, that even the opposition party have said that while they demanded that this co-operation should be invited, it did not follow that we should refuse to act. The argument advanced is simple, and is intended to give out that we do not intend to attach ourselves to anybody but who are assimilated to ourselves. (Applause.) And therefore I say, gentlemen of the Convention, as a simple act of courtesy to the other slave States, the Executive has appointed, or will appoint, delegates to all these States, simply soliciting action, but not to feel that Mississippi is bound by any refusal to act. (Applause.) Allow me to say that, acting upon a principle which has been inaugurated in Mississippi years ago, that, profound as is our respect, deep and abiding as is our love for that State

which has ever stood in the first rank in defending the liberties of the country, even South Carolina could not control Mississippi. (Applause.) In other words, she claims for herself the right to act upon this matter as you claim for yourselves the right to act. We learned the lesson from you, gentlemen, that it is not only the right, but the solemn duty of each State, now that a Northern sectional majority has, or will have control of the government, to declare for secession. Why longer continue in this government? May I not say, in the language of an eloquent Virginian, "Why stand you here idle?" We stand here to-day on the face of the earth, with all the financial embarrassments which surround us, the sole and single people who have, by their social system, explained the relation between capital and labor. Why, at the North and in England there is a constant warfare. The simple question, then, as I said before, gentlemen of the Convention, is as to whether or not you will resume the powers with which you have invested the federal government. We had hoped, in Mississippi, that we would be able to take action with you simultaneously. We had hoped that we should hear a voice coming from the land of flowers, and the prairies of Texas, and from the banks of the great Father of Waters where it washes the shores of Louisiana and Mississippi, and from Georgia and Alabama, all at the same time; but circumstances having convoked your Convention at a period somewhat prior to that at which the Conventions of Alabama, Georgia and Mississippi were to act, the question is presented whether or not South Carolina should declare her own separate independence.— Upon this subject, gentlemen, I have modestly made my suggestions to some gentlemen of the Convention. At one time I thought it might be politic and proper that the States should all act together, but since my arrival I doubt whether the postponement of the question would not have a tendency to throw a damper upon the South and the Southwest. (Applause.) I believe that the people of South Carolina will snatch her star from the galaxy in which it has hitherto mingled and plant her flag earliest in the breach of the battle, sustaining revolution by the bold hearts and willing arms of her people. Should the government forget its origin, forget that it is based upon the consent of the sovereign States, and appeal to force, the first federal gun fired at the bosom of the mother will boom across the continent and bring back to her defence the willing hearts and ready arms of a thousand true sons—(applause)—and side by side along

with them will come hundreds whose footsteps never pressed your soil, but whose hearts are deeply imbued with the great living principle of government which owes its origin to the soil of South Carolina. (Loud applause.)

[DOCUMENT C.]

NEW ORLEANS, LA., December 13, 1860.

HIS EXCELLENCY J. J. PETTUS,
JACKSON, MISS.

Sir :—In discharge of the duties imposed by my appointment as Commissioner to the State of Louisiana, I beg to report to your Excellency, that I repaired without delay to Baton Rouge, the Capital of the State, where the Legislature had convened in extraordinary session on the 10th inst.

On my arrival I promptly notified the Governor of Louisiana of my presence and the objects of my mission by addressing him the inclosed communication. Governor Moore immediately responded to my note by requesting a personal interview in the Executive Chamber, to which I repaired, and was most cordially and courteously received by himself and the Hon. T. J. Semmes, Attorney General of the State.

In an unwavered interview of an hour with them, I explained, to the best of my ability, the views of your Excellency regarding the present grave crisis in our political affairs, and the action of the Legislature of Mississippi in reference thereto at their late extra session. I dwelt upon the unanimity which characterized their proceedings, the overwhelming public sentiment by which they were sustained in the State, and the certain prospect of the prompt secession of Mississippi from a Federal Union, which must become, under the Black Republican regime soon to be inaugurated, the engine of the degradation and destruction of the South. I solicited the co-operation of Louisiana in the action Mississippi proposed to take as the only means left for the protection of Southern Rights and honor. I was gratified to learn from these distinguished patriots and statesmen that

the action and predominant sentiment of Mississippi met with their cordial sanction and sympathy, and that they had every confidence the people of Louisiana would vindicate the constitutional rights of the South by the action of their State Convention.

During my interview with Gov. Moore I was waited upon by a committee of both branches of the Legislature and invited to a seat within the bar of their respective chambers.

On the day following at 10 o'clock, I was formally received by the Legislature in joint session, when in reply to the remarks I had the honor to submit, Lieutenant-Governor Hyams, President of the Senate, made an able and eloquent address, a copy of which I herewith furnish as indicative of the sentiment of Louisiana.

After further conference with the Governor, Lieutenant-Governor, Attorney General, and the members of the Legislature, I took my leave of them, and shall ever cherish the most grateful recollection of the courtesy, kindness and cordial hospitality I received at their hands.

The Legislature, by a unanimous vote has called a Convention, to assemble on the 23d of January proximo, and I think I may with entire confidence, predict that within a few days thereafter she will assume her place in the great Southern column, freed of Federal shackles, and resolve to submit only to such a Government as brave and honorable men can approve.

I have the honor, sir, to remain,

Your obedient servant,

WIRT ADAMS, Commissioner.

HARNEY HOUSE, BATON ROUGE, LA., December 11, 1860.

TO HIS EXCELLENCY T. O. MOORE,
GOVERNOR OF LA.

Sir: I have the honor to place herewith in the hands of your Excellency my credentials as Commissioner from the State of Mississippi to the State of Louisiana, and accompanying the same a copy of the Resolutions passed by the Legislature of my State, under the sanction of which His Excellency the Governor of Mississippi has made this and other appointments.

In discharge of the trust thus confided to me, it will afford

me the highest pleasure to communicate with your Excellency in writing, or by a personal interview, at such time as may be most consistant with your convenience and pleasure.

I have the honor, sir, to subscribe myself,

Your most obedient servant,

WIRT ADAMS, Commissioner.

ADDRESS.

Mr. President and Gentlemen of the Senate and House of Representatives of the State of Louisiana:—In behalf of the State of Mississippi, I tender to your Executive, to your Honorable bodies, and to the people of Louisiana, my profound acknowledgments for the distinguished courtesy and kindness which have been extended to her representative.

I have been commissioned by the Governor of my State to communicate formally and officially to the authorities and people of Louisiana, "that the Legislature of Mississippi has passed an act calling a Convention of the State to consider the present threatening relations of the Northern and Southern sections of the Confederacy, aggravated by the recent election of a President upon principles of hostility to the States of the South; and to express the earnest hope of Mississippi that Louisiana will co-operate with her in the adoption of efficient measures for their common defense and safety."

In addition to the act calling a Convention, which passed both branches of the Legislature of Mississippi by a unanimous vote, a series of resolutions were adopted by a vote approaching the like unanimity, which after reciting the grievances of the Southern States, declared secession to be the only remedy.

The discharge of this important trust, sir, has been rendered no less simple than grateful. The recommendations of your enlightened and patriotic Executive, contained in his message, followed as they have been by the prompt and wise action of this Legislature, in calling a Convention of the people of Louisiana, and making a munificent appropriation for arming the State; the manifestations of an almost unanimous public sentiment, which I witness around me, render any words of argument or exhortation from me, more than superfluous. As well, sir, might I attempt to swell the volume of the majestic stream which pours its resistless tide

past your beautiful capitol, by adding one drop to its waters, as essay to deepen the convictions or confirm the unalterable resolves of your noble and gallant State. She has well exemplified the maxim that the time for argument in this contest with the North has gone by forever, and the time for action has come. It is but doing her justice to say, that everywhere in this broad land, has she been distinguished for the moderation, conservatism and patriotism of her people. And could she give more signal proof of this well-deserved character, than in her present determination to preserve the rights, the honor, and the interests of her citizens intact, in the gravest and most perilous juncture that was ever presented to a free people?

I rejoice, Mr. President, at these unmistakable indications of her purpose, and shall bear back the intelligence of your action to the Governor and people of my State with no ordinary gratification. And amongst the popular manifestations which I have witnessed, I shall not forget that your imperial city of New Orleans, which reposes by the river side and the sea, has recently emblazoned aloft her sentiments, and elevated above the Crescent of her commercial grandeur the radiant Cross of the true Southern faith.

• It is peculiarly proper, sir, that the States of Louisiana and Mississippi, contiguous in territory, and bound together by the closest commercial and social ties, should stand and act together in this contest with a malignant and ruthless foe. Upon the plains of Chalmette and the fields of Mexico, their gallant sons, in the past, have locked their shields; and now, in the midst of perils far greater, involving life, honor and property, I fervently hope they will be found in the future, in opinion and action, united in bonds fraternal and indissoluble.

At the close of this address, the Assembly, and the large crowds in the lobbies and galleries, greeted the Mississippi Commissioner and his sentiments with loud applause.

Lieutenant-Governor Hyams then invited the Commissioner from Mississippi to ascend the Speaker's stand, and with great earnestness addressed him in the following speech:

SIR:—I welcome you, as the Commissioner from the State of Mississippi, to the Halls of the Legislature of Louisiana, assembled in joint session for the occasion—to take counsel together this day, when a ruthless majority of the people of the Northern States, regardless of the rights of the Southern States, are about to inaugurate a policy which utterly subverts their equality in the Union, and will at no distant day

culminate in reducing them to a condition far worse than colonial vassalage: After a long train of injuries, abuses and usurpations, our sturdy ancestry broke the yoke of British domination, and established with their blood the independence of the States, and subsequently adopted the Constitution of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, "promote the general welfare and secure the blessings of liberty to themselves and their posterity." How have the majority of the people of the Northern States kept the *bonds*? We have under the forms of the Constitution elevated to the Presidency of the United States, (united only for the great purposes expressed in the Constitution,) a citizen of the North, as the representative of principles so destructive to the rights, liberties, property and lives of the people of fifteen of the sovereign States of the confederacy, that if promulgated in person to their slave population, in the spirit of the party to which he owes his elevation, would subject him to condign punishment—and in Louisiana, by her statutes, to imprisonment for life, or death, at the discretion of her courts.

Can any citizen of the South, or any true American, contemplate the humiliating spectacle and not hide his head with shame, if he does not resist and throw off such disgraceful yoke at all hazards, and at every cost?

Sir, this revolution is determined upon by all true Southern men, and the best means of its accomplishment is the UNION OF THE SOUTH for the sake of the South, and to further that great end, we understand to be the object of your mission. Louisiana, therefore, welcomes the Commissioner from Mississippi to her councils, to prepare for and maintain Southern independence, and like our fathers of old, we will pledge in the cause, "our lives, our fortunes, and our sacred honors."

[DOCUMENT D.]

JACKSON, January 10, 1861.

HIS EXCELLENCY JOHN J. PETTUS,
GOVERNOR OF THE STATE OF MISSISSIPPI.

Sir:—I have the honor to report to you, that in execution of the trust reposed in me by your Excellency, as Commissioner to the State of Maryland under the act of the Legislature of this State at its recent session, I visited the State of Maryland without delay after receiving my commission at your hands.

I visited the Executive of that State, who had before my appointment, come to the determination not to convoke the Legislature of his State; and I also addressed him in writing desiring to be informed whether in the present emergency of public affairs, he would call together the Legislature. In my personal interview with him, I respectfully, but earnestly urged many considerations which appeared to demand an assemblage of the Legislature; but he replied insisting that the emergency did not demand or justify such action; and in reply to my written communication, he addressed me the letter which I herewith transmit, stating his views upon the subject and his determination not to call together the Legislature, under the circumstances then existing.

I was not surprised at this, as I was aware at the time the commission was tendered to me by your Excellency, that the Executive of Maryland, had taken his position not to convoke the Legislature; and, therefore, in accepting the commission, I stated to your Excellency that I was not hopeful of doing any good to the cause of Southern rights through the direct action of the Executive of that State; but that I hoped to make known to the people there, the views entertained by this State in relation to our rights and duties in common with all the Southern States; and in order to do so, that I should address the people upon the subject. Accordingly after visiting the Executive, I visited several parts of the State, and made addresses to the people, setting forth, in my feeble manner, the views and position of this State, and inviting the co-operation of the people of that State.

I am very happy to believe and to be able to say, that the people of Maryland are in heart and in interest with the

State of Mississippi, and that they will ultimately be with us in political union. A large number of the most eminent men of the State agree with us in principle; and the true course of the South, as we regard it here, is gaining strength and force every day. The peculiar local situation of the State—having a long line of a non-slaveholding State to which she is exposed, and having the Federal Capital within her limits—now operates to restrain speedy action in support of the course which we, of this State, deem the proper one in the emergency; and to this may be added the persistent refusal of the Executive, against all petitions, remonstrances and protestations, to allow the people to express their will, by the only mode in which it can be formally done—a course which suppresses for the time the sentiment of the people and paralyzes their action. But from the cordial reception that sound doctrine met at the hands of that gallant and patriotic old State in the address I made them, and in my personal communications with them, I doubt not that, as soon as she shall be relieved of, or is aroused to bid defiance to, the Executive contumacy which now paralyzes their efforts and their will, she will wheel into the line of the Southern Confederacy, and add the old “Maryland line” to the fortunes and destiny where her rights, her principles and her interest find a congenial home. The Revolutionary spark has touched their hearts and will never be extinguished until it accomplishes now what it achieved in the day of its original glory, the establishment of her rights and her honor, by a re-union with the Southern States whose feelings and interests are identical with her own.

I have the honor to remain with high respect,

Your Excellency's obedient servant,

A. H. HANDY.

STATE OF MARYLAND, EXECUTIVE CHAMBER.)
ANNAPOLIS, December 19, 1860. }

Sir:—Your letter of the 18th instant, informs me that you have been appointed by the Governor of Mississippi, in pursuance of a resolution of the Legislature, a Commissioner to the State of Maryland: and that the occasion of your mission is “the present crisis in the national affairs of this country, and the danger which impends the safety and rights of the Southern States, by reason of the election of a

sectional candidate to the office of President of the United States, and upon a platform of principles destructive of our Constitutional rights; and which, in the opinion of the State of Mississippi calls for prompt and decisive action for the purpose of our protection and future security."

You also inform me that Mississippi desires the co-operation of her sister States of the South, in measures necessary to defend our rights; and to this end, you desire to know whether I will convene the Legislature of Maryland, for the purpose of counselling with the constituted authorities of the State of Mississippi; and at what time it may be expected our General Assembly will be called for that purpose.

In the conversation I had with you this morning, you were good enough to explain, more fully, the views and intentions of Mississippi in this matter: her desire that our Legislature should also appoint Commissioners to meet those of other Southern States: and that action at once be had, by all the Southern States, for the formation of a new government among themselves.

The position of Maryland, as a small, Southern Border State, renders the exercise of any power I may possess, for the purposes indicated by you, a matter of very grave importance.

Our State is, unquestionably, identified with the Southern States, in feeling and by the institutions and habits which prevail among us. But she is also conservative, and above all things, devoted to the Union of these States under the Constitution. Her people will use all honorable means to preserve and perpetuate these. I think I know the sentiments of her citizens in this matter: and that I am not mistaken when I say, that, almost unanimously, they intend to uphold that Union and to maintain their rights under it: that they believe these last will yet be admitted and secured: and that not until it is certain they will be respected no longer: not until every honorable, Constitutional and lawful effort to secure them is exhausted, — will they consent to any effort for its dissolution.

The people of Maryland are anxious that time, be given, and an opportunity afforded, for a fair and honorable adjustment of those difficulties and grievances of which they, more than the people of any other Southern State, have a right to complain. And, in my opinion, if the people of this Union really desire its continuance and perpetuity, such adjustment may be effected. I hope, and believe, it will be effected: and promptly; and until the effort is proved to be vain, I

cannot consent, by any precipitate or revolutionary action to aid in the dismemberment of this Union.

When I shall see clearly that there is no hope of such adjustment, and am convinced that the power of the Federal Government is to be perverted to the destruction, instead of being used for the protection of our rights: then, and not till then, can I consent so to exercise any power with which I am invested, as to afford even the opportunity of such a proceeding.

Whatever powers I may have, I shall use only after full consultation, and in fraternal concert, with the other Border States, since we, and they, in the event of any dismemberment of the Union will suffer more than all the others combined.

I am now in correspondence with the Governors of those States; and I await with solicitude for the indication of the course to be pursued by them. When this is made known to me I shall be ready to take such steps as our duty and interests shall demand; and I do not doubt the people of Maryland are ready to stand with the people of those States for weal or woe.

I fully agree with all that you have said as to the necessity for protection to the rights of the South; and my sympathies are entirely with the gallant people of Mississippi who stand ready to meet any infringement of those rights. But I earnestly hope they will act with prudence as well as with courage. Let us show moderation as well as firmness; and be unwilling to resort to extreme measures, until necessity shall leave us no choice.

I am unable to inform you when the Legislature of this State will be called together; for until I can perceive the necessity for such a step, I am not willing to awaken the apprehensions, and excite the alarm, which such a call, at the present time, could not fail to excite.

I have the honor to be,

Very respectfully,

Your obedient servant,

THOS. H. HICKS.

Hon. A. H. HANDY.

Commissioner of Mississippi.

[DOCUMENT E.]

WASHINGTON, D. C., Dec. 26. 1860.

HIS EXCELLENCY JOHN J. PETTUS,
GOVERNOR OF MISSISSIPPI.

Sir:—The package you were pleased to forward to me containing my appointment of Commissioner of Mississippi to the State of North Carolina, I had the honor to receive on the 13th instant. In obedience to your instructions, I set out for Raleigh, the Capital of the State, on the 17th., and arrived there on the 18th. Immediately on my arrival, His Excellency John W. Ellis, complimented me with a personal visit, and in our first interview I made known the object of my mission. He welcomed me to the State in the kindest terms, and during the same evening I addressed him a communication in which, in dispassionate but decisive language, I attempted to set forth the apprehended evils of which Mississippi complains, and invited the co-operation of North Carolina in devising a remedy.

This communication was laid before the Legislature with a short message, on the 20th, a copy of which is herewith enclosed.

Your Commissioner was received with great cordiality, courtesy and consideration by the Legislature of the State, and sympathy and respect for our State and her people were manifested on all sides.

On the 20th, however, the Legislature adjourned over for the holidays until the 7th of January proximo. After my arrival, a bill appropriating \$300,000 for the purchase of arms for the State passed the Senate with only three dissenting votes, and when it was sent to the House of Commons several test votes were taken upon the bill which demonstrated that an overwhelming majority of that body favored the appropriation. This bill will be the first business in order on the re-assembling of the Legislature. There was a strong feeling, however, with many members to increase the sum from \$300,000 to one million dollars.

The bill providing for a call of the Convention of the State had been deferred when I arrived until the 7th of January. I feel confident that both these measures will be passed.

The prevailing sentiment of the Legislature and the people is that all the distracting questions arising out of our con-

stitutional rights to property in slaves must be now settled for all time to come. An anxiety is felt to maintain the Union of these States, if that can be done without a forfeiture of honor and endangering our property. But to keep North Carolina in the Union something decisive must be done, and that at an early day, to effectually arrest the carrying into effect the policy of the Black Republicans. As soon as all hope of a satisfactory adjustment of the slavery issues is abandoned, the voice of North Carolina will be well nigh unanimous for a Southern Confederacy. There is already a very large, spirited and talented proportion of the people of the State in favor of separate State action and immediate secession. This feeling is growing daily; the mountain districts are zealous and enthusiastic; the low country, where the large slave population is found is slower and more cautious. But the spirit of the patriots of Mecklenburg in 1775 is entering the hearts of the people everywhere, and it will carry them to its legitimate conclusions of resistance to wrong and the maintenance of our Constitution in its purity against the revolution threatened by an irresponsible majority. Should the election ever be presented whether North Carolina shall continue her connection with the non-slaveholding States of the North or join her Southern sister States on the Gulf of Mexico, she will follow the promptings of her heart and unite her destiny with us.

In Congress, no disposition for accommodation is shown, and if there be no change, and I cannot believe there will be, North Carolina will be ready to act decisively by the 4th of March next.

As far as I could ascertain the feelings and wishes of North Carolina, it was that Mississippi, were she inclined to adopt the line of separate secession, should postpone the day on which her ordinance of separation should take effect till the 3d of March, at which time, by reason of the failure of all efforts at accommodation, she will be ready to become her ally and confederate—and it is further my opinion, that as goes North Carolina, so will go all the border slave States.

Thanking you for the confidence you have reposed in me, and ready now and at all times, to sacrifice life, fortune and all I hold most dear for our beloved sovereign Mississippi.

I have the honor to be,

Your friend and obedient servant,

J. THOMPSON.

RALEIGH, N. C., Thursday, December 20, 1860.

TO THE HONORABLE THE GENERAL ASSEMBLY
OF THE STATE OF NORTH CAROLINA.

Gentlemen :—Herewith I transmit a communication from the Hon. Jacob Thompson, a distinguished citizen of the State of Mississippi, now present in this city as a Commissioner from that State to the State of North Carolina.

The communication discloses in firm yet dispassionate language, the sentiments of Mississippi upon the subject of our national troubles, and will, I doubt not, meet with a cordial response upon the part of the people of North Carolina, believing as I do, that it is a settled conviction with them that all controverted questions touching the institution of African slavery in the United States, should and must now be definitively adjusted, and the agitating subject forever removed from the minds of men.

Apart from the grave character of the mission, it is a pleasing circumstance that Mississippi should select, as her messenger to us a native of North Carolina, upon whom she has heretofore conferred the choicest honors in the gift of her people, and it is with high satisfaction that I now make a public recognition of this courtesy.

JOHN W. ELLIS.

Executive Department, Dec. 20, 1860.

ADDRESS.

RALEIGH, N. C., Dec. 1860.

HIS EXCELLENCY JOHN W. ELLIS,
GOVERNOR OF THE STATE OF NORTH CAROLINA.

Sir :—I have the honor to inform you that I have been duly appointed a Commissioner from the State of Mississippi to the State of North Carolina. I have been instructed by the Governor of Mississippi, to report myself, in person, to your Excellency and through your kind offices, to inform the people of this Commonwealth "that the Legislature of Mississippi has passed an act calling a Convention of the people of the State, to consider the threatening relations of the Northern and Southern sections of the United States ;

aggravated by the recent election of a President upon principles of hostility to the States of the South, and to express the earnest hope of Mississippi that North Carolina will co-operate with her, in the adoption of efficient measures for the common defence and safety of the South."

It affords me great pleasure to accept this appointment, and to obey these instructions; yet I most sincerely regret the public necessity which impels my adopted State to ask for the counsel and co-operation of my native State. Common dangers threaten the peace, honor and safety of both; and it is certain that an unresisting submission to the aggressive and hostile policy of the Northern States will inevitably involve both in a common humiliation and ruin. The crisis demands action. It is unbecoming a free people to close their eyes to the issue forced upon them, and to cry peace, peace, when there is no peace. The antagonism of opinion, upon the questions growing out of the recognition by the Constitution of the right of property in slaves, so long and angrily discussed, has at last culminated, in the adoption, by a majority of the Northern people of the doctrine of the "irrepressible conflict." The leading idea of this creed is that the Union of these States cannot endure, half of them slaveholding, and the other half non-slaveholding. This conflict is to be inaugurated under the forms of the Constitution on the 4th of March next, and if adhered to and carried out, the assertions of its most violent advocates that "freedom is triumphant" and "that slavery is overthrown," are self-evident propositions.

It is admitted that each State must decide for herself, both the mode and measure of redress for present and prospective evils and grievances. One destiny, however, awaits all the slaveholding States of this Union, and fate has indissolubly linked their fortunes together: Therefore, it is meet, and wise, and proper and expedient, that they should consult and advise together, for their common defense and general welfare. Thus the hasty and precipitate will be checked, the laggard and spiritless aroused to action, and a universal confidence will be felt, that our rights will be secure, and our government placed on the safest and surest foundation.

Mississippi is content with the compact which our fathers framed. The Constitution of the United States already affords guarantees which are ample for our security. But they are found on parchment only. The people of the Northern States have not kept faith with us. Not only have a majority of the non-slaveholding States rendered all legislation for our protection nugatory and inoperative by State

enactments, but on the 6th of November last, a majority of the people of all the free States endorsed a platform of principles in direct conflict with the Constitution and the decisions of the Supreme Court, and thus the will of a numerical majority—a majority trained from infancy to hate our people and their institutions, are to be substituted in their stead.

//The Executive and Judicial departments of the government, and the Senate of the United States have always held that property in slaves was recognized by the Constitution, and therefore, under a common flag was entitled to protection. The dominant party deny this proposition, and thus by their construction, the Constitution will be changed, this common Government will be revolutionized, and instead of throwing its broad shield over all the citizens of all the States, protecting each and all equally in the possession and enjoyment of their rights of property, it will be perverted into an engine for the destruction of our domestic institutions, and the subjugation of our people.

The question which is now submitted both to Mississippi and North Carolina, is this, shall we sit quietly down without a murmur, and allow all our constitutional rights of property to be taken away by a construction of the Constitution which originates in hostility and hatred, or shall we, as men who know our rights, bestir ourselves, and by a firm, united and cordial "co-operation," fortify and strengthen them, that they may be transmitted unimpaired to our children, and our children's children, throughout all generations. Wisdom dictates that all the questions arising out of the institution of slavery, should be settled now and settled forever.

A people jealous of their liberty will detect danger while it is yet afar off and provide the remedy. If ever there was a people answering this description the past glorious history of North Carolina will point out your fellow-citizens as that people.

I bear this message of Mississippi to you, and through you, to the people of North Carolina; and I hope that you will allow me to inform Mississippi that North Carolina is fully alive to the importance of the present crisis, and "will co-operate with her in the adoption of efficient measures for the common defense and safety of the South."

I have the honor be, with great respect,

Your obedient servant,

J. THOMPSON,

Commissioner from Mississippi,

[DOCUMENT F.]

LITTLE ROCK, ARKANSAS, December 22, 1860.

HIS EXCELLENCY J. J. PETTUS,

Sir:—I have only time to day to transmit to you the action of the authorities of Arkansas concerning the objects of the mission with which I have been entrusted.

A bill calling a Convention of the people has just passed the House of Representatives by a nearly unanimous vote and it is believed will pass the Senate on to-morrow or at an early day.

Reserving the privilege of making a report and detail of the events connected with my visit to the Capital of our sister of Arkansas.

I am, with sentiments of high respect and consideration,

Your obedient servant,

G. R. FALL, Commissioner.

Special Message from the Governor relative to Commissioner from Mississippi.

MR. SPEAKER:—I am instructed by the governor, to deliver to the House of Representatives the following message and accompanying documents.

W. M. MATHENY, Private Secretary.

December 18, 1860.

MR. SPEAKER AND GENTLEMEN OF THE HOUSE OF REPRESENTATIVES:—For the information of your honorable body, I beg leave to communicate to you, the following letter, addressed to me by the Hon. George R. Fall, a commissioner deputed by the authorities of the State of Mississippi, to the State of Arkansas, to inform the people of this commonwealth of the action taken by the legislature of said State, touching the present threatening relations existing between the Northern and Southern States of the Union.

Also the letter of appointment or commission, given by his excellency, John J. Pettus, Governor of the State of Mississippi, to said commissioner.

Also, the convention bill, and federal resolutions, passed by the legislature of that State, and delivered in person by the said Hon. Geo. R. Fall, commissioner, to me this morning.

HENRY M. RECTOR.

LITTLE ROCK, ARKANSAS, December 17, 1860.

HIS EXCELLENCY, H. M. RECTOR.

Sir:—It has been made my duty to inform your excellency, that the legislature of the State of Mississippi, "has passed an act calling a convention of the people of the State to consider the present threatening relations of the Northern and Southern sections of the confederacy, aggravated by the election of a president upon principles of hostility to the States of the South, and to express the earnest hope of Mississippi, that those States will co-operate with her in the adoption of efficient measures for their common defence and safety." I herewith present that act, and also a preamble and resolution, passed by the same body, upon a subject of vital interest, not only to the people of Mississippi and the slaveholding States, but to the people of all the States of the Union.

I take the occasion to remark, that the action of the Mississippi legislature was marked, I believe, by entire unanimity. On the eve of great events, that body resolved to bury old partizan feuds, and as members of the same family to make a united and concentrated efforts to receive southern co-operation and southern resistance in defence of southern honor and institutions. Doing nothing rashly—making no issue for her sister States, she seeks their earnest and cordial co-operation, with a view of obtaining a full and final settlement of this great question of the century; but if, after a reasonable delay, her propositions are rejected, she will resume her sovereignty, and meet the strife alone; let the consequences be what they may.

Trusting, sir, that in the approaching conflict, the great State of which you are the honored executive, will be found co-operating with Mississippi, I am with high respect,

Your excellency's obedient servant,

G. R. FALL, Commissioner from Mississippi.

STATE OF ARKANSAS.

WEDNESDAY, December 19. 1860.

In the Senate the following proceedings, among others, were had, to-wit :

The following message was received from the House of Representatives, by the clerk :

MR. PRESIDENT :—I am instructed to inform your honorable body that the House of Representatives have adopted the following joint resolutions, to-wit :

“Be it resolved by the General Assembly of the State of Arkansas, That we have received, with the highest sentiments of respect, the communications which have been made to us by the State of Mississippi through her distinguished commissioner, George R. Fall, Esq., and we hail with the highest pleasure, this assurance on the part of Mississippi, that the fraternal regard and warm relations which have characterized, heretofore, the intercourse of our States will continue and that our citizens have a common interest, deep, lasting and abiding.

Resolved, That we discharge a just and pleasing duty in testifying to the State of Mississippi the able and dignified manner in which her commissioner has discharged the offices entrusted to him by his State.

Resolved, That the State of Arkansas deeply appreciates the motive of Mississippi in proposing to counsel with those who have a common interest and a common destiny with herself, fully recognizing, with her, the necessity for prompt and early action in view of the present disturbed relations between the two sections of our confederacy ; that we feel this government has been prostituted by the fanaticism of a large political party from the high and pure objects for which it was formed, and rendered an engine of oppression to those whom our forefathers recognized as co-equals in this government.

Resolved, That the Governor of this State be requested to communicate the foregoing resolutions to the Governor of Mississippi.

Resolved, That the President of the Senate and Speaker of the House of Representatives, transmit to the Hon. Geo. R. Fall a copy of the foregoing resolutions.”

Said resolutions are herewith transmitted for the concurrence of your honorable body, which is respectfully asked.

S. M. SCOTT,

Clerk of the House of Representatives.

FRIDAY, December 21, 1860.

On motion of Mr. McColloch, the House joint resolutions complimentary to Hon. Geo. R. Fall, were taken up, read and concurred in.

In testimony that the foregoing proceedings were had as appears from the journals of the two houses of the General Assembly, the President of the Senate and Speaker of the House of Representatives hereto set their hands, the same being attested by their Secretary and Clerk, on this twenty-first day of December, A. D. 1860.

THOMAS FLETCHER;
President of the Senate.

BRADLEY BUNCH,
Speaker of the House of Representatives.

Attest :

JOHN D. KIMBALL,
Secretary of the Senate.

S. M. SCOTT,
Clerk of the House of Representatives.

LITTLE ROCK, ARKANSAS, December 20, 1860.

HIS EXCELLENCY HENRY M. RECTOR,

Sir :—Having discharged the duties assigned me, by the Executive of Mississippi, my official intercourse with your excellency will terminate on to-morrow.

You will permit me to remark, that my sojourn in your Capital will always be remembered with pleasure, in consequence of the numerous evidences of respect shown to my State and the courtesy which has been personally extended to myself not only by your Excellency but by the Legislative authorities and citizens of Arkansas.

I beg that your Excellency will accept for yourself and convey to the Legislature of your State this simple acknowledgement of my high consideration and respect.

Your Excellency's obedient servant,
G. R. FALL, Commissioner from Mississippi.

EXECUTIVE OFFICE,
LITTLE ROCK, Dec. 20, 1860. }

HON. GEO. R. FALL,

COMMISSIONER EXTRAORDINARY FROM THE STATE OF
MISSISSIPPI TO THE STATE OF ARKANSAS.

Sir :—I am in receipt of your communication of this morning, announcing that the duties assigned to you by the Executive of Mississippi have been discharged, and that your official intercourse with the authorities of Arkansas will cease on to-morrow.

You are also pleased to allude in terms highly gratifying to the numerous evidences of respect shown to your State and the courtesy personally extended to yourself by the Executive and Legislative authorities of Arkansas.

Be pleased to accept in return my acknowledgements for the consideration shown by the authorities of Mississippi to those of Arkansas, evidenced by your mission here.

With an assurance that the warmest sympathies are felt, by myself at least, and I am confident by a large majority of our people in common with Mississippi, and other sister States of the South which have been goaded by persistent, and relentless persecution, to seek their future safety, and protect their honor, inside of a separate nationality.

With sentiments of great respect for yourself, and the authorities of your State,

I am respectfully,

Your obedient servant,

HENRY M. RECTOR,

Governor of the State of Arkansas.

LITTLE ROCK, ARK., December 25th, 1860.

TO HIS EXCELLENCY, JOHN J. PETTUS,
GOVERNOR OF MISSISSIPPI.

Sir : I have already enclosed to your Excellency, the official action of the authorities of Arkansas, relating to the objects of the mission with which I have been recently entrusted to that State.

Immediately upon receipt of my credentials, I repaired to

Little Rock and presented to His Excellency, Henry M. Rector, the Bill calling a Convention of the people of Mississippi, together with the resolutions passed by our Legislature at its late session. These documents were promptly laid before the Legislature of Arkansas, then in session by the Executive, and three thousand copies ordered to be printed for distribution. Accompanying them was a note from your Commissioner, which, with other proceedings have been forwarded to the Executive Department, to which your Excellency is referred.

When your Commissioner left the Capitol of Arkansas, a bill calling a Convention of the people of that State had passed the House of Representatives by an almost unanimous vote, and no doubt is now the law of the land.

The question of secession is a new one in Arkansas. It has never yet been debated or considered there; and it is not therefore surprising that the people of that great State, should not be as familiar with it, and as ready to act upon it, as are the people of Mississippi, where it has been discussed for many years, and where her most eminent statesmen, cheerfully embracing this issue, have on more than one contest before the people been beaten down and driven to private life. Nevertheless, the evidences of a determination on the part of Arkansas to co-operate with the Southern States on the formation of a Southern Confederacy are of the most cheering and substantial character. The people are moving in their primary assemblies in all sections of the State, and the Executive and Legislative branches of the government, recognize the necessity of prompt and early action in view of the threatening relations which exist between the Northern and Southern sections of the confederacy.

In my intercourse with the authorities of Arkansas, I have kept constantly in view the chief object of my mission, and have not failed, on all proper occasions, to respectfully urge the views and policy of Mississippi; and it will be gratifying to your Excellency to be informed, that your Commissioner, officially as well as individually, was always received with the greatest kindness and the highest consideration.

I have the honor to be,

Your Excellency's

Obedient servant,

G. R. FALL,

Commissioner from Mississippi.

[DOCUMENT H.]

FRANKFORT, KY., Dec. 19th, 1860.

HIS EXCELLENCY B. MAGOFFIN.

Sir:—I herewith transmit to your Excellency a series of resolutions passed by the Legislature of Mississippi, at a called session thereof, on the 30th day of November, 1860. By these resolutions the Governor of Mississippi is authorized and requested to appoint as many commissioners as in his judgment may be necessary to visit each of the slaveholding States and inform them, that the Legislature of Mississippi had passed an act calling a Convention of the people said State to consider the present threatening relations of the Northern and Southern sections of the Confederacy, aggravated by the recent election of a President on principles of hostility to the States of the South, and to express the earnest hope of Mississippi, that those States will co-operate with her, in the adoption of efficient measures for their common defense and safety.

The resolutions further provide, "that should any Southern State not have convened its Legislature, the Commissioner to such State, shall appeal to the Governor thereof to call the Legislature together, in order that its co-operation may be immediately secured."

In discharging the duty which devolved on the Executive of Mississippi by the resolutions referred to, His Excellency John J. Pettus, has conferred on me the appointment of Commissioner to the Commonwealth of Kentucky, I am now ready to lay before your Excellency my credentials, and to enter into the conference contemplated by the Legislature of Mississippi in creating and filling the mission, I have the honor to await your Excellency's reply.

Very respectfully,

W. S. FEATHERSTON.

 HOLLY SPRINGS, Jan. 2d, 1861.

HIS EXCELLENCY JOHN J. PETTUS,

Sir:—Immediately on the receipt of my credentials as Commissioner to the State of Kentucky, I visited the Capitol

of that Commonwealth. I learned in conference with His Excellency Governor Magoffin, that the Legislature of that State, had not been convened, as well as the reasons which had restrained him from issuing his proclamation for that purpose. I now have the pleasure, however, of announcing, that his proclamation has since that time been issued, and that the Legislature of Kentucky will convene in extra session on the 17th of this month.

I was assured by Governor Magoffin, that Kentucky was as emphatically pro-slavery as any one of her Southern sisters. And, in the event of a dissolution of the Union, and of Kentucky's being forced to make her election between the two sections of the Confederacy, she would unquestionably go with the South. He also assured me, that a very large majority of the people of that State, would not favor the secession of Kentucky until in their judgment all honorable means of securing their rights, and saving their honor within the Union, had been exhausted. That, they desired a Convention of the Southern States, in order to agree upon such additional guarantees or amendments to the Constitution of the United States as would settle finally and forever this sectional controversy, upon a basis satisfactory to the South. If these rights thus asserted by a Southern Convention, should not be promptly conceded by the North, Kentucky would then be ready for secession. Such is the present state of public opinion there, as I learned from every reliable source of information. I was proud to witness there, however, the same indications of a rapid change in public opinion that are now seen in all of the Southern States. Kentucky is evidently moving in the right direction. Her people are a proud-spirited, chivalric race who are disposed to submit no longer to Northern aggression. The prompt secession of the Cotton States, would, in my judgment, speedily unite the entire South in one Confederacy.

I have the honor to be, very truly,

Your obedient servant,

W. S. FEATHERSTON.

P. S.—I transmit to your Excellency herewith, copies of the only correspondence which ensued between Governor Magoffin and myself.

Very truly,

W. S. F.

[DOCUMENT I.]

JACKSON, Dec. 31st, 1860.

HIS EXCELLENCY J. J. PETTUS.

GOVERNOR OF THE STATE OF MISSISSIPPI.

Dear Sir:—I have the honor to report herewith the proceedings of the Legislature of the State of Georgia, on my reception as commissioner, by your appointment, from the State of Mississippi. Also a copy of my Address delivered before that body.

I should do injustice to my own feelings—to the people of Mississippi—and more than all, to the authorities and people of the State of Georgia—if I failed to make known here, the distinguished kindness, and prompt attention, with which your Commissioner was greeted, at the Capitol of Georgia. As a native son of Georgia, I felt proud of the dignity, generosity and fraternity, of her honored sons, in their reception of your agent, and their cordial response to the message of Mississippi, which I had the honor to communicate; and as an adopted son of Mississippi and her accredited agent, I was equally proud, to be the recipient, for her, of the friendly greeting and assurance, manimously extended—and herewith communicated to your Excellency.

It affords me pleasure to add, that while there may be differences among her distinguished sons and their respective supporters, as to some minor matters, there is but *one voice* in Georgia as to *her secession, in the event that Mississippi, Alabama and Florida, shall have taken that step, before the meeting of her Convention, on the 16th January.* I have the fullest confidence, that Georgia will never separate herself from her sisters and her children, *of the Gulf States.* Nothing but hesitation, indecision, or delay, upon their part, will impede her onward march *with them,* to vindicate our common rights and redress our common wrongs.

Very respectfully,

Your obedient servant.

WILLIAM L. HARRIS,

Commissioner from the State of Mississippi

to the State of Georgia,

EXECUTIVE DEPARTMENT,
MILLEDGEVILLE, GA., Dec. 15, 1860.

To the General Assembly:—I have the pleasure to inform you, that the Hon. William L. Harris, who has been appointed by the Governor of the State of Mississippi, by authority of the Legislature of that State, a Commissioner to this State, to inform the people of Georgia, through their Executive and Legislature, that the State of Mississippi has called a Convention of the people of that State: for the purpose of considering our present grievances, &c., and asking our co-operation in the adoption of efficient measures for the common defense and safety of the South; has been received at this Department, and is now ready to confer with the General Assembly, upon the subject of his important mission.

Herewith enclose a copy of the commission of Judge Harris, and ask for him the courtesy and consideration due his high position as a gentleman, and as the representative of a sovereign sister State with whom we have a common interest, and a common destiny.

JOSEPH E. BROWN.

HOUSE OF REPRESENTATIVES.

MILLEDGEVILLE, GA., December 15, 1860.

WHEREAS, A message from His Excellency the Governor has informed us that the Hon. William L. Harris, a Commissioner from the State of Mississippi, to the State Georgia has arrived at the Capitol:

Resolved, That a committee be appointed by the Speaker, to wait upon the Hon. William L. Harris of Mississippi, and tender him a seat upon the floor of this House, and also to act in concert with a committee to be appointed by the Senate, to inform him that the General Assembly of the State of Georgia, will be ready to receive and hear him in the Representative Hall on Monday next at 12 o'clock M.

Resolved, That the Senate be requested to concur in this action of the House of Representatives.

The committee appointed under the foregoing resolutions, consist of Messrs. Hartridge, Smith of Towns, Fannin, Ely and Tatum.

SENATE CHAMBER.

MILLEDGEVILLE, GA., December 15, 1860.

On motion of Mr. Billups, the Senate concurred in the resolution of the House, and appointed Messrs. Billups, McGhee and Tracy, a committee on the part of the Senate, to act in concert with the committee of the House under said resolutions.

On further motion, Hon. William L. Harris was invited to a seat on the floor of the Senate.

After the committee had discharged their duty; the two Houses met in convention, when the Hon. William L. Harris, Commissioner of the State of Mississippi, was introduced and delivered his Address. When on motion, the Senate returned to their Chamber.

The following resolutions were then offered in the Senate by the Hon. Thomas Butler King.

Resolved, That a Joint Select Committee be appointed, of six on the part of the Senate and seven on the part of the House of Representatives, to consider and report the proper form and terms in which to express the opinion of this General Assembly in response to the friendly and important communication from the State of Mississippi, through her Commissioner the Hon. W. L. Harris.

The committee appointed under said resolution are Messrs. King, Moore, Briscoe, Holt, Lawton and Printup.

On motion of Mr. Hartridge, the House concurred in the resolution of the Senate, and appointed Messrs. Hartridge, Lester, Fannin, Lewis, Anderson, Barnes and Harris, a committee to act in concert with the committee of the Senate under said resolution.

Mr. King from the Joint Select Committee, to whom was referred the communication of the Governor of Mississippi to the Governor of this State, asks leave to submit the following report:

WHEREAS, A large portion of the people of the non-slaveholding States, have for many years past, shown in many ways a fanatical spirit bitterly hostile to the Southern States, and have through the instrumentality of incendiary publications, the pulpit and the newspaper press, finally organized a political party for the avowed purpose of destroying the institution of slavery, and consequently spreading ruin and desolation among the people in every portion of the States where it exists:

And whereas, This spirit of fanaticism has allied itself with a design long entertained by leading politicians of the North, to wield the taxing power of the Government, for the purpose of protecting and fostering the interest of that section of the Union, and also, to appropriate the common territories of the United States to the exclusive use of northern emigration, for the purpose of extending, consolidating, and rendering that power irreversible :

And whereas, These designs and movements have attained ascendancy, such as to combine a large majority of the Northern people in this sectional party, which has elected to the Presidency and Vice Presidency of the United States, candidates who are pledged in the most solemn form and the plainest, repeated declarations to wield all the influence and power of the Federal Government to accomplish the objects and purposes of the party, by which they have been elected :

And whereas, Many of the slaveholding States are about to assemble in Convention for the purpose of adopting measures for the protection of their rights, and the security of their institutions :

And whereas, The State of Mississippi has, in a noble spirit of fraternity sent a Commissioner to communicate to this General Assembly, her desire in the emergency in our Federal relations ; Therefore be it,

Resolved, 1st. That the General Assembly of Georgia, has listened with sentiments of profound sympathy and respect to the message of Mississippi, on the subject of the present threatening relations of the Northern and Southern sections of the United States, communicated by her distinguished Commissiorder, the Hon. William L. Harris.

Resolved, 2d. That believing as we do, that the present crisis in our national affairs, demands resistance, this General Assembly, at its present session, has, with great unanimity, passed " An act providing for the call of a Convention of the people of Georgia, to assemble on the 16th day of January, 1861, for the purpose of determining on the *mode, measure* and time of that resistance.

Resolved, 3d. That we cordially respond to the patriotic hopes of Mississippi, so earnestly expressed by her Legislature, and so ably communicated by her Commissioner, and we do hereby give our sister State, the confident assurance, that in our judgment, Georgia will promptly co-operate with her, in the adoption of efficient measures, for the common defense, safety, and honor of the South.

Resolved, 4th. That should any, or all of the Southern States determine, in the present emergency, to withdraw from the Union, and resume their sovereignty, it is the sense of this General Assembly, that such seceding States should form a Confederacy under a Republican form of Government, and to that end, they should adopt the Constitution of the United States, so altered and amended as to suit the new State of affairs.

Resolved, 5th. That we do hereby express our cordial appreciation of the dignified and gentlemanly bearing of the Honorable William L. Harris, towards the General Assembly, as well as the satisfactory manner in which he has discharged the responsible duties of his high commission.

Resolved further, That His Excellency the Governor be, and he hereby is requested to cause all the proceedings in the reception of the Commissioner from the State of Mississippi to be enrolled on parchment, signed by the officers of both Houses of the General Assembly, and by the Governor, with the seal of State attached thereto, and that the same be presented by him to the Hon. William L. Harris, as the response of Georgia to the friendly greeting of Mississippi.

CHARLES J. WILLIAMS,

Speaker of the House of Representatives.

T. L. GUERRY,

President of the Senate.

GEO. HILLYER,

Clerk of the House of Representatives.

FRED. H. WEST,

Secretary of the Senate.

JOSEPH E. BROWN, *Governor.*

Assented to December 19, 1861.

MILLEDGEVILLE, GA., Dec. 17th, 1860.

TO HON. W. L. HARRIS,

COMMISSIONER OF THE STATE OF MISSISSIPPI:

Dear Sir:—The undersigned Committee, appointed by the House of Representatives of the State of Georgia, to solicit of you a copy of your patriotic Address, delivered before the General Assembly, have the pleasure to communicate the same to you, with the hope that you will comply

with our reasonable request. We have the honor to be yours, with considerations of respect.

W. H. PILCHER, }
 J. W. BRINSON, } *Committee.*
 WM. GIBSON, }

MILLEDGEVILLE, GA., Dec, 17th, 1860.

Gentlemen:—Yours of this date, requesting, on behalf of the House of Representatives of the State of Georgia, a copy the Address, I had the honor to deliver this day before the General Assembly, is before me.

I will place the desired copy at your disposal, at the earliest moment in my power.

With grateful feelings to the distinguished body you represent, for the compliment implied in their resolution,

I am, gentlemen,

Very respectfully, your obedient servant,

WILLIAM L. HARRIS.

Messrs. W. H. Pilcher. J. W. Brinson, Wm. Gibson. Com.

ADDRESS.

Mr. President, and gentlemen of Senate and House of Representatives of the State of Georgia:—I am profoundly sensible of the delicate and important duty imposed upon me, by the courtesy of this public reception.

Under different circumstances, it would have afforded me great pleasure, as a native Georgian—reared and educated on her soil—to express to you fully, the views which prevail in my State, in relation to the great measures of deliverance and relief from the principles and policy of the new Administration, which are there in progress.

I cannot consent, however, upon the very heel of your arduous and exciting session, to avail myself of your respectful courtesy to the State I have the honor to represent, as well as your personal kindness to her humble representative, to prolong the discussion of a subject which, however important and absorbing, has, doubtless, been already exhausted in your hearing, by some of the first intellects of your State, if not of the nation.

I beg, therefore, to refer you to the action of Mississippi—already submitted to your Executive—to ask for her the sympathy and co-operation she seeks for the common good, and briefly to suggest to you some of the motives which influence her conduct.

I am instructed by the resolution from which I derive my mission, to inform the State of Georgia, that Mississippi has passed an act calling a Convention of the people, “to consider the present threatening relations of the Northern and Southern sections of the Confederacy—*aggravated* by the recent election of a President, upon principles of hostility to the States of the South; and to express the *earnest* hope of Mississippi, that this State will co-operate with her in the adoption of *official measures* for their common defense and safety.”

It will be remembered, that the violation of our constitutional rights, which has caused such universal dissatisfaction in the South, is not of recent date. Ten years since, this Union was rocked from centre to circumference, by the very same outrages, of which we now complain, only now “*aggravated*” by the recent election. Nothing but her devotion to the Union our Fathers made, induced the South, *then*, to yield to a compromise, in which Mr. Clay rightly said, we had yielded everything but our honor. We had then in Mississippi a warm contest, which finally ended in reluctant acquiescence in the Compromise measures. The North pledged anew her faith to yield to us our constitutional rights in relation to slave property. They are now, and have been ever since that act, denied to us, until her broken faith and impudent threats, had become almost insufferable *before* the late election.

There were three candidates presented to the North by Southern men, all of whom represented the last degree of conservatism and concession, which their respective parties were willing to yield, to appease the fanaticism of the North. Some of them were scarcely deemed sound, in the South, on the slavery question and none of them suited our ultra men. And yet the North rejected them all; and their *united* voice, both before and since their overwhelming triumph in this election, has been more defiant and more intolerant than ever before. They have demanded, and now demand, equality between the white and negro races, under our Constitution; equality in representation, equality in the right of suffrage, equality in the honors and emoluments of office, equality in the social circle, equality in the

rights of matrimony. The cry has been, and now is, "that slavery must cease, or American liberty must perish," that "the success of Black Republicanism is the triumph of anti-slavery," "a revolution in the tendencies of the government that must be carried out."

To-day our government stands *totally revolutionized*, in its main features, and our Constitution broken and overturned. The new administration, which has effected this revolution, only awaits the 4th of March for the inauguration of the new government, the new principles, and the new policy, upon the success of which they have proclaimed freedom to the slave, but eternal degradation for you and for us.

No revolution was ever more complete, though bloodless, if you will tamely submit to the destruction of that Constitution and that Union our fathers made.

Our fathers made this a government for the white man, rejecting the negro, as an ignorant, inferior, barbarian race, incapable of self-government, and not, therefore, entitled to be associated with the white man upon terms of civil, political, or social equality.

The new administration comes into power, under the solemn pledge to overturn and strike down this great feature of our Union, without which it would never have been formed, and to substitute in its stead their new theory of the universal equality of the black and white races.

Our fathers secured to us, by our Constitutional Union, now being overturned by this Black Republican rule, protection to life, liberty and property, *all over the Union*, and wherever its flag was unfurled, whether on land or sea.

Under this wretched, lawless spirit and policy, now usurping the control of that government, citizens of the South have been deprived of their property, and for attempting to seek the redress promised by the compromise laws, have lost their liberty and their lives.

Equality of rights secured to white men, in equal sovereign States, is among the most prominent features of the Constitution under which we have so long lived.

This equality has been denied us in the South for years in the common territories, while the North has virtually distributed them as bounties to abolition fanatics and foreigners, for their brigand service in aiding in our exclusion.

Our Constitution, in unmistakable language guarantees the return of our fugitive slaves. Congress has recognized her duty in this respect, by enacting proper laws for the enforcement of this right.

And yet these laws have been continually violated, and the solemn pledge of the Compromise of 1850, by which the North came under renewed obligations to enforce them, has been faithlessly disregarded, and the government and its officers set at defiance.

Who now expects these rebels against the laws passed by their own consent and procurement—rebels against justice and common honesty—to become pious patriots by the acquisition of power? Who now expects Mr. Lincoln to become conservative, when the only secret of his success, and the only foundation of his authority, is the will and command of that robber clan, whose mere instrument he is, who have achieved this revolution in our government by treading under their unhallowed feet our Constitution and laws and the Union of our fathers, and by openly defying high heaven by wilful and corrupt perjury?

And, above all, who is it in the South, born or descended of Revolutionary sires, *who so loves such company*, as that he will long hesitate before he can obtain the consent of a virtuous and patriotic heart and conscience to separate from them *forever*?

Mississippi is firmly convinced that there is but one alternative:

This *new union* with Lincoln Black Republicans and free negroes, *without slavery*; or, slavery under our old constitutional bond of union, *without* Lincoln Black Republicans, of free negroes either, to molest us.

If we take the former, then submission to negro equality is our fate. If the latter, then *secession* is inevitable—each State for itself and by itself, but with a view to the immediate formation of a Southern Confederacy, under our present Constitution, by such of the slaveholding States as shall agree in their Conventions to unite with us.

Mississippi seeks no delay—the issue is not new to her people. They have long and anxiously watched its approach—they think it too late, now, to negotiate more compromises with bankrupts in political integrity whose recreancy to justice, good faith and constitutional obligations is the most cherished feature of their political organization.

She has exhausted her rights in sacrificial offerings to save the Union, until nearly all is lost but her honor and the courage to defend it. She has tried conventions until they have become the ridicule of both our friends and our enemies—mere instruments of fraudulent evasion and delay, to wear out the spirit of our people and encourage the

hopes of our common enemy. In short, she is sick and tired of the North, and pants for some respite from eternal disturbance and disquiet.

She comes now to you,—our glorious old mother,—the land of Baldwin, who first defiantly asserted and preserved your rights as to slavery, in the Federal Convention, in opposition to Messrs. Madison, Mason, and Randolph, and the whole Union except the two Carolinas,—the land of Jackson, who immortalized himself by his bold exposure and successful overthrow of a legislative fraud and usurpation upon the rights of the people,—the land of Troup, the sternest Roman of them all, who, single-handed and alone, without co-operation, without consultation, but with truth and justice, and the courage of freemen at home on his side, defied this National Government in its usurpation on the rights of Georgia, and executed your laws in spite of the threats of Federal coercion. It is to you we come,—the brightest exemplar among the advocates and defenders of States rights and State remedies,—to take counsel and solicit sympathy in this hour of our common trial.

I ask you, shall Mississippi follow in the footsteps of Georgia, when led by her gallant Troup? Or, is it reserved for this generation to repudiate and expunge the brightest page in the history of my native State? Impossible! God forbid it! Forbid it, ye people of all Northern and Western Georgia, who, to-day, owe your existence and unparalleled prosperity to the maintenance of your rights at the risk of civil war.

I see around me some gallant spirits who bore their share in the dangers, and now wear with honor, here to-day in this Hall the laurels won on the side of their State, under the banner, inscribed "Troup and the treaty" in that memorable struggle. Need I appeal to them in behalf of my adopted State, to know on what side they will range themselves in this struggle of right, against usurpation, of brute force, against the Constitutional rights of a sister of this confederacy of equal States? I make no such appeal; I *know* where you stand. To doubt it would be to offer you the grossest insult.

In this school of old republican orthodoxy, I drew my first breath. It was here, I first studied, then embraced, and next feebly advocated the principles of State Rights and State remedies of resistance to tyranny—of the supremacy and sovereignty of the people of a State, and the subserviency of governments to their peace and happiness and safe-

ty. These principles will descend with me to the grave, where this frail tenement of dust must perish, but *they* will live on with time, and only perish when tyranny shall be no more.

I need not remind your great State, that thousands and thousands of her sons and daughters, who have sought and found happy homes and prosperous fortunes in the distant forests of her old colonial domain, though now adopted children of Mississippi, still cling with the fond embrace of filial love to this old mother of States and of statesmen, from whom both they and their adopted State derive their origin. It will be difficult for such to *conceive*, that they are not still the objects of your kind solicitude and maternal sympathy.

Mississippi indulges the *most confident expectation and belief*, founded on sources of information she cannot doubt, as well as on the existence of causes, operating upon them, alike as upon her, that every other Gulf State will stand by her side in defense of the position she is about to assume; and she would reproach herself, and every Georgia son within her limits, would swell with indignation, if she hesitated to believe that Georgia too, would blend *her* fate with her natural friends; her sons and daughters—her neighboring sisters in the impending struggle.

Whatever may be the result of your deliberations, I beg to assure her from my intimate knowledge of the spirit and affections of our people, that no enemy to *her* constitutional rights, may consider his victory won, while a Mississippian lives to prolong the contest. Sink or swim, live or die, survive or perish, the part of Mississippi is chosen, *she will never submit* to the principles and policy of this Black Republican Administration.

She had rather see the last of her race, men, women and children, immolated in one common funeral pile, than see them subjected to the degradation of civil, political and social equality with the negro race.

[DOCUMENT J.]

ADDRESS OF

FULTON ANDERSON, ESQ.,

Commissioner of Mississippi,

Before the Convention of Virginia, in the City of Richmond, February 18. 1861.

Gentlemen of the Convention:—Honored by the Government of Mississippi with her commission to invite your cooperation in the measures she has been compelled to adopt for the vindication of her rights and her honor in the present perilous crisis of the country, I desire to express to you, in the name and behalf of her people, the sentiments of esteem and admiration which they in common with the whole Southern people entertain for the character and fame of this ancient and renowned Commonwealth.

Born under the same confederated government with yourselves, and participating in the common inheritance of Constitutional liberty in the achievement of which your ancestors played so distinguished a part, we take as much of pride and pleasure as you, her native sons, in the great achievements and still greater sacrifices which you have made in the cause of the common government, which has in the past united them to you; and nothing which concerns your honor and dignity in the future can fail to enlist our deepest sympathies. In recurring to our past history we recognize the State of Virginia in the first great struggle for independence; foremost not only in the vindication of her own rights, but in the assertion and defence of the endangered liberties of her sister colonies; and by the eloquence of her orators and statesmen, as well as by the courage of her people, arousing the whole American people in resistance to British aggression. And when the common cause had been crowned with victory under her great warrior-statesman, we recognize her also as the leader in that great work by which the emancipated colonies were united under a written Constitution, which for the greater part of a century has been the source of unexampled progress in all that constitutes the greatness and the happiness of nations; nor do we forget that that progress has been due in a pre-eminent degree to the munificent generosity of Virginia, in

donating as a free gift to her country, that vast territory north-west of the Ohio river, which her arms alone had conquered, and which now constitutes the seat of empire, and, alas, too, the seat of that irresistible power, which now erects its haughty crest in defiance and hostility, and threatens the destruction of the honor and the prosperity of this great State.

I desire also to say to you, gentlemen, that in being compelled to sever our connexion with the government which has hitherto united us, the hope which lies nearest to our hearts is that, at no distant day, we may be again joined with you in another Union, which shall spring into life under more favorable omens and with happier auspices than accompanied that which has passed away; and if, in the uncertain future which lies before us, that hope shall be destined to disappointment, it will be the source of enduring sorrow and regret to us that we can no more hail the glorious soil of Virginia as a part of our common country, nor her brave and generous people as our fellow-citizens.

Fully participating in these sentiments myself, it is with pride and pleasure that I accepted the commission of my State for the purposes I have indicated. Though, when I consider the gravity of the occasion, the high interests which are involved, and the influence which your deliberations are to have upon the destinies of present and future generations, I confess my regret that the cause on which I am come has not been entrusted to abler and worthier hands.

In setting forth to you, gentlemen, the action of my State and the causes which induced it, I shall be compelled to speak in terms of condemnation of a large portion of what has hitherto been our common country; but in doing so, I wish to be understood as excepting from whatever terms of censure I may employ, that large body of patriotic and conservative men of the Northern section, who have, in all our struggles, manfully defended the constitutional rights of our section. For them, the people of my State, have no cause of complaint, and whatever the future may bring forth, we shall ever remember their efforts in behalf of the Constitution and Union, as we received them from their ancestors and ours, with admiration and gratitude. Our grievances are not from them, but from the dominant faction of the North which has trampled them under foot and now strikes at us from the elevation it has obtained upon the prostrate bodies of our friends.

I propose, gentlemen, in discharge of my mission to you,

briefly to invite your attention to a review of the events which have transpired in Mississippi since the fatal day when that sectional Northern party triumphed over the Constitution and Union at the recent election, and afterwards to the causes which have induced the action of my State.

On the 29th of November last, the Legislature of Mississippi, by an unanimous vote, called a convention of her people, to take into consideration the existing relations between the Federal Government and herself, and to take such measures for the vindication, of her sovereignty and the protection of her institutions as should appear to be demanded. At the same time, a preamble, setting forth the grievances of the Southern people on the slavery question, and a resolution, declaring that the secession of every aggrieved State, was the proper remedy, was adopted by a vote almost amounting to unanimity. The last clause of the preamble and resolution, are as follows :

“Whereas, they (the people of the non-slaveholding States) have elected a majority of electors for President and Vice-President, on the ground that there exists an irreconcilable conflict between the two sections of the Confederacy, in reference to their respective systems of labor, and in pursuance of their hostility to us, and our institutions, have thus declared to the civilized world that the powers of the government are to be used for the dishonor and overthrow of the Southern section of this great Confederacy. Therefore, be it

“*Resolved*, by the Legislature of the State of Mississippi, That in the opinion of those who constitute said Legislature, the secession of each aggrieved State is the proper remedy for these injuries.”

On the day fixed for the meeting of the Convention, that body convened in Jackson, and on the 9th of January, 1861, proceeded to the adoption of an ordinance of secession from the Federal Union, by which the State of Mississippi withdrew from the Federal Government the powers theretofore confided to it, and assumed an independent position among the powers of the earth ; determined thenceforth to hold the people of the non-slaveholding section of the late confederacy as she holds the balance of mankind : enemies in war, and in peace friends. But at the same time, and by the same ordinance, it was provided “that the State of Mississippi hereby gives her consent to form a Federal Union with such of the States as may have seceded, or may secede, from the Union of the United States of America, upon the basis of the present Constitution of the United States.”

This action of the Convention of Mississippi, gentlemen of the Convention, was the inevitable result of the position which she, with other slaveholding States, had already taken, in view of the anticipated result of the recent Presidential election, and must have been foreseen by every intelligent observer of the progress of events.

As early as the 10th of February, 1860, her Legislature had, with the general approbation of her people, adopted the following resolution :

Resolved, That the election of a President of the United States by the votes of one section of the Union only, on the ground that there exists an irrepressible conflict between the two sections in reference to their respective systems of labor and with an avowed purpose of hostility to the institution of slavery, as it exists in the Southern States, and as recognized in the compact of Union, would so threaten a destruction of the ends for which the Constitution was formed as justify the slaveholding States in taking counsel together for their separate protection and safety."

Thus was the ground taken, not only by Mississippi, but by other slaveholding States, in view of the then threatened purpose, of a party founded upon the idea of unrelenting and eternal hostility to the institution of slavery, to take possession of the Government and use it to our destruction. It cannot, therefore, be pretended that the Northern people did not have ample warning of the disastrous and fatal consequences that would follow the success of that party in the election, and impartial history will emblazon it to future generations, that it was their folly, their recklessness and their ambition, not ours, which shattered into pieces this great confederated government, and destroyed this great temple of constitutional liberty which their ancestors and ours erected, in the hope that their descendants might together worship beneath its roof as long as time would last.

But, in defiance of the warning thus given and of the evidences accumulated from a thousand other sources, that the Southern people would never submit to the degradation implied in the result of such an election, that sectional party, bounded by a geographical line which excluded it from the possibility of obtaining a single electoral vote in the Southern States, avowing for its sentiment implacable hatred to us, and for its policy the destruction of our institutions, appealing to Northern prejudice, Northern passions, Northern ambition and Northern hatred of us, for success, and

thus practically disfranchising the whole body of the Southern people, proceeded to the nomination of a candidate for the Presidency who, though not the most conspicuous personage in its ranks, was yet the truest representative of its destructive principles.

The steps by which it proposed to effect its purposes, the ultimate extinction of slavery, and the degradation of the Southern people, are too familiar to require more than a passing allusion from me.

Under the false pretence of restoring the government to the original principles of its founders, but in defiance and contempt of those principles, it avowed its purpose to take possession of every department of power, executive, legislative and judicial, to employ them in hostility to our institutions. By a corrupt exercise of the power of appointment to office, it proposed to pervert the judicial power from its true end and purpose, that of defending and preserving the Constitution, to be the willing instrument of its purposes of wrong and oppression. In the meantime it proposed to disregard the decisions of that august tribunal, and by the exertion of barefaced power, to exclude slavery from the public Territory, the common property of all the States, and to abolish the internal slave trade between the States acknowledging the legality of that institution.

It proposed further to abolish slavery in the District of Columbia, and in all places within the Territory of the several States, subject under the Constitution to the jurisdiction of Congress, and to refuse hereafter under all circumstances, admission into the Union of any State with a Constitution recognizing the institution of slavery.

Having thus placed the institution of slavery, upon which rests not only the whole wealth of the Southern people, but their very social and political existence, under the condemnation of a government established for the common benefit, it proposed in the future, to encourage immigration into the public Territory, by giving the public land to immigrant settlers, so as, within a brief time, to bring into the Union free States enough to enable it to abolish slavery within the States themselves.

I have but stated generally the outline and the general programme of the party to which I allude without entering into particular details or endeavoring to specify the various forms of attack, which have been devised and suggested by the leaders of that party upon our institutions.

That this general statement of its purposes is a truthful

1848, no intelligent observer of events will for a moment deny, but the general view and purpose of the party has been sufficiently developed by the President elect.

"It is my opinion," says Mr. Lincoln, "that the slavery agitation will not cease until a crisis shall have been reached and passed. A house divided against itself cannot stand. I believe this government cannot endure permanently, half slave and half free. I do not expect the house to fall, but I expect it to cease to be divided. It will become all one thing or all another. Either the opponents of slavery will arrest its further spread and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction, or its advocates will push it forward until it shall become alike lawful in all the States—old as well as new, North as well as South."

The party thus organized on the principle of hostility to our fundamental institutions, and upon the avowed policy of their destruction, with a candidate thus representing that principle and policy, has succeeded in the Presidential election, by obtaining a large majority of the votes of the people of the non-slaveholding States, and on the 4th of March next, would, unless prevented, have taken possession of the power and patronage of our common government to wield them to our destruction. In contemptuous disregard of the principle on which that government was founded, and received our assent, to insure domestic tranquility, promote the general welfare, and, within the limit of its constitutional power, to exercise a fostering and paternal care over every interest of every section, it was to become our foe and our oppressor, and never to pause in its career of hostility and oppression until our dearest rights, as well as our honor, were crushed beneath its iron heel.

We, the decendants of the leaders of that illustrious race of men who achieved our independence and established our institutions, were to become a degraded and a subject class under that government which our fathers created to secure the equality of all the States—to bend our necks to the yoke which a false fanaticism had prepared for them, to hold our rights and our property at the sufferance of our foes, and to accept whatever they might choose to leave as a free gift at the hands of an irrepressible power, and not as the measure of our constitutional rights.

All this, gentlemen, we were expected to submit to, under the fond illusion that at some future day, when our enemies had us in their power, they would relent in their hostility ;

that fanaticism would pause in its career without having accomplished its purpose ; that the spirit of oppression would be exercised, and, in the hour of its triumph, would drop its weapons from its hands, and cease to wound its victim. We were expected, in the language of your own inspired orator, to "indulge in the fond illusions of hope ; to shut our eyes to the painful truth, and listen to the song of that syren until it transformed us into beasts."

But we in the State of Mississippi are no longer under that illusion. Hope has died in our hearts. It received its death-blow at the fatal ballot-box in November last, and the song of the syren no longer sounds in our ears. We have thought long and maturely upon this subject, and we have made up our minds as to the course we should adopt. We ask no compromise and we want none. We know that we should not get it if we were base enough to desire it, and we have made the irrevocable resolve to take our interests into our own keeping.

I have already said that twelve months since the State of Mississippi, in connexion with other slaveholding States, had taken a position, in anticipation of the result of the recent Presidential election, from which they could not recede if they were base enough to desire it. I shall be pardoned by you, I trust, for adding that an event, of then recent occurrence, which deeply concerned the honor and the dignity of Virginia, exercised a controlling influence in consolidating the Southern mind on this subject. When the exasperation was at the highest, which had been caused by the long and weary struggle which the Southern people had been compelled to make in defence of their institutions, the daring outrage on your soil, to which I allude, was perpetrated.

This State, relying on the faith of constitutional obligations and of those friendly relations which they were created to uphold and maintain, unconsciously herself of any sentiment less noble than that of unwavering loyalty to her constitutional obligations, and, therefore, wholly unsuspecting of any treasonable design against her own peace and welfare, was, in a moment of fancied repose, in a time of profound peace, to her own amazement and that of the whole Southern people, made the scene of a foray by a band of conspirators and traitors from the Northern States, whose purpose was to light up the fires of a servile insurrection, and to give your dwellings to the torch of the incendiary and your wives and children to the knives of assassins. The disgraceful attempt, it is true, ended in ignominious failure.

True that your slaves proved loyal, and by a prompt execution of your laws you vindicated your dignity and exacted from the wretched criminals the just forfeiture of their lives. But the event had, nevertheless, a terrible significance in the minds of the Southern people. It was justly considered as the necessary and logical result of the principles, boldly and recklessly avowed by the sectional party which was then grasping at the reins of government and which is now about to be inaugurated into power.

Let it not be supposed that I refer to this disgraceful event with a desire to stir up a spirit of hostility or revenge, or to re-awaken those sentiments of just indignation which the fact is so well calculated to excite. I refer to it as a necessary and legitimate result of the irrepressible conflict which has been proclaimed, of which the President elect gave a true exposition when he said "There is a judgment and a conscience at the North against slavery, which must find an outlet either through the peaceful channel of the ballot-box or in the multiplication of John Brown raids." I refer to it as a warning to the people of the Southern States, and to you the people of Virginia, of what they and you are to expect in the future when that party, whose principles thus give encouragement, aid and comfort to felons and traitors, shall have firmly established its dominion over you.

These are some of the causes, gentlemen, which have at last convinced the people of Mississippi that the hour has arrived when if the South would maintain her honor, she must take her own destiny into her own hands; but let it not be supposed that they have not always felt a strong attachment to the Union of the Constitution, provided, that instrument could be administered in the spirit in which it was created. That form of Government, on the contrary, is dear to their hearts, and its necessity to them and their posterity has received the sanction of their judgment. Loving it not wisely, but too well, they have clung to it long after its obligations were abandoned by those who were the chief recipients of its benefits, under the fond illusion that a returning sense of justice and a restoration of fraternal relations formerly existing, would secure to them their rights. They long and vainly hoped that the time would again return, when each and every section of the Confederacy would recognize the rights and interests of all, and that we might in harmony with each other have continued to rejoice over what had been achieved of glory and prosperity in the past, and to look forward with united hope to the bright

and glorious prospect which an observance of the principles of the Constitution promised in the future.

Alas, how has that hope been disappointed ; how has that illusion been dispelled !

Could we think that the crisis which is now upon us was but a temporary ebullition of temper in one section of the country, which would in a brief time subside, we might even yet believe that all was not lost, and that we might yet rest securely under the shadow of the Constitution. But the stern truth of history, if we accept its teachings, forbids us such reflections. It is not to be denied that the sentiment of hatred to our institutions in the Northern section of the Confederacy is the slow and mature growth of many years of false teaching, and that as we have receded further and further from the earlier and purer days of the Republic, and from the memory of associated toils and perils in the common cause which once united us, that sentiment of hatred has been fanned from a small spark into a mighty conflagration, whose unextinguishable and devouring flames are reducing our empire into ashes.

Ere yet that generation which achieved our liberty had passed entirely from the scene of action, it manifested itself in the Missouri controversy. Then were heard the first sounds of that fatal strife which has raged, with occasional intermissions, down to this hour. And so ominous was it of future disaster, even in its origin, that it filled even the sedate soul of Mr. Jefferson with alarm ; he did not hesitate to pronounce it, even then, as the death knell of the Union, and in mournful and memorable words to congratulate himself that he should not survive to witness the calamities he predicted. Said he :

“ This momentous question, like a fire-bell in the night, awakened and filled me with terror. I considered it at once as the knell of the Union. It is hushed, indeed, for the present, but that is only a reprieve, not a final sentence. A geographical line, coinciding with a marked principle, moral and political, once concurred in and held up to the passions of men, will never be obliterated, and every new irritation will mark it deeper, until it will kindle such mutual and mortal hatred as to render separation preferable to eternal discord.

I regret that I am now to die in the belief that the useless sacrifice of themselves by the generation of 1776, to acquire self-government and happiness for their country, is to be thrown away by the unwise and unworthy passions of

their sons, and that my only consolation is to be that I live not to weep over it."

But, so far were the northern people from being warned by these sad prophetic words, that at each renewal of the struggle the sentiment of hostility has acquired additional strength and intensity. The passions enlisted in it have become more bitter, the disregard of constitutional obligations more marked, and the purpose to destroy our institutions more fixed and definite.

An infidel fanaticism, crying out for a higher law than that of the Constitution and a holier Bible than that of the Christian, has been enlisted in the strife, and in every form in which the opinions of a people can be fixed and their sentiments perverted, in the school room, the pulpit, on the rostrum, in the lecture-room and in the halls of legislation, hatred and contempt of us and our institutions, and of the Constitution which protects them, have been inculcated upon the present generation of Northern people. Above all, they have been taught to believe that we are a race inferior to them in morality and civilization, and that they are engaged in a holy crusade for our benefit in seeking the destruction of that institution which they consider the chief impediment to our advance, but which we, relying on sacred and profane history for our belief in its morality, believe lies at the very foundation of our social and political fabric and constitutes their surest support.

This, gentlemen, is indeed an irrepressible conflict which we cannot shrink from if we would; and though the President elect may congratulate himself that the crisis is at hand which he predicted, we, if we are true to ourselves, will make it fruitful of good by ending forever the fatal struggle and placing our institutions beyond the reach of further hostility.

I know not what may be your views of the subject, nor what your purpose in this crisis; but I have already told you what the people of Mississippi have resolved on, and to that determination, you may rely upon it, they will adhere through every extremity of prosperous or adverse fortune. They, like you, are the descendants of a revolutionary race, which for far less cause raised the banner of resistance against a far mightier power, and never lowered it until that victory which the god of battle gives to brave men in a just cause, had crowned their efforts and established their independence; and they have, like them, decided that the time has arrived to trust for the safety of their honor and

rights only to their own strong arms and stout hearts rather than submit to placing those priceless blessings in the keeping of their inveterate foes.

I shall enter into no discussion of the right of secession, whether it be peaceful and constitutional or violent and revolutionary. If decided at all that question must, in the nature of things, be decided first by those who would force us back into a Union with them, which we have repudiated, and when they shall have made up their minds on that subject, it will remain for us to join the issue and accept the consequences, be they peaceful or bloody. We shall do all in our power to avoid a hostile collision with those who were once our brothers, though now divided from us by an impassable gulf; we wish them no harm and could our prayers avail them we would freely offer them, that in their future destiny they may have that prosperity, liberty and peace which we intend to seek for ourselves under a new organization. All good men too will pray that that Providence which presides over the destinies of nations and shapes their ends, rough-hew them as they will, will so ordain that the friends of liberty throughout the world may not have cause to mourn over the folly and madness and wickedness of an effort by arms on this continent, to subject a whole people, mited in the vindication of their rights, and resolved to die in their defense.

But if it must be so, and we are compelled to take up arms, we trust we shall know how to bear ourselves as freemen engaged in a struggle for their dearest rights. We have learned the lesson how to do so from the history of your own noble Commonwealth, and we shall attempt, at least, to profit by the glorious example.

The conviction of the justice of their cause will be a tower of strength in the hour of battle, and inspire the hearts of the Southern people like the sounds of that divine music, which in the words of the great poet,

“Cheered the hearts of heroes old,
Arming to battle; and instead of rage
Deliberate valor breathed firm and unmoved
By dread of death to fight or foul retreat.”

And when that hour comes, we know, too, where Virginia, will stand. Her banner will float proudly “over the perilous edge of battle” wherever it rages, and the blood of her sons will enrich every field where Southern men strike for their rights and their honors.

Having thus stated the action of my State, and the causes which induced it, I should probably best consult the proprieties of the occasion, by adding nothing to what I have said. I trust, however, I shall be pardoned for offering one or two suggestions for your consideration. The fundamental idea which has influenced the action of the seceding States, is the demonstrated necessity that the Southern people should take their interest and their honor into their own keeping, and thus rescue them from the power of an avowedly hostile government. It is not that they are opposed to a union of the Confederate States. Such a form of government is not only dear to their hearts, but its value and necessity to them, and their posterity receives the recognition and approval of their judgment. It is no fault of theirs that the Union, as it recently existed, has ceased to be practicable or desirable. The Southern people may well recur with pride to the history of their connexion with that government. Well may they ask when have they, as States or individuals, proved faithless to the obligations it imposed? In what point have they fallen short of the full measure of duty and comity to their sister States? What indulgence have they not shown to the insulting prejudices and unreasoning fanaticism of the other section? What sacrifices of blood and treasure have they not made in the common cause, and what efforts to bring back the harmony which in the language of one of her most eloquent sons, reigned in those days when Massachusetts summoned Washington to lead the armies of New England, and when Virginia and Carolina sent supplies of corn and rice to their famishing brethren in Boston?

But such a form of government being demonstrated to be impracticable with the Northern people, all that is left us is the creation of a great and powerful Southern Union, composed of States inhabited by homogenous populations, and having a common interest, common sympathies, common hopes, and a common destiny.

This is the inevitable destiny of the Southern people, and this destiny Virginia holds in her hands. By uniting herself to her sisters of the South who are already in the field, she will make that a peaceful revolution which may otherwise be violent and bloody. At the sound of her trumpet in the ranks of the Southern States, "grim visaged war will smooth his wrinkled front," peace and prosperity will again smile upon the country, and we shall hear no more threats of coercion against sovereign States asserting their indepen-

dence. The Southern people, under your lead, will again be united, and liberty, prosperity and power, in happy union, will take up their abode in the great Southern Republic, to which we may safely entrust our destinies. These are the noble gifts which Virginia can again confer on the country, by prompt and decided action at the present.

In conclusion gentlemen, let me renew to you the invitation of my State and people, to unite and co-operate with your Southern sisters who are already in the field, in defense of their rights. We invite you to come out from the house of our enemies, and take a proud position in that of your friends and kindred. Come and be received as an older brother whose counsels will guide our action and whose leadership we will willingly follow. Come and give us the aid of your advice in counsel and your arm in battle, and be assured that when you do come, as we know you will do at no distant day, the signal of your move will send a thrill of joy vibrating through every Southern heart, from the Rio Grande to the Atlantic, and a shout of joyous congratulation will go up which will shake the continent from its centre to its circumference.

STATISTICS

1880

1881

1882

1883

1884

1885

1886

1887

1888

1889

1890

1891

ANNUAL REPORT

OF THE ADJUTANT-GENERAL OF THE STATE
OF MISSISSIPPI.

GENERAL HEAD-QUARTERS, STATE OF MISSISSIPPI;

ADJUTANT-GENERAL'S OFFICE, }
JACKSON, January the 18th, 1861. }

HIS EXCELLENCY JOHN J. PETTUS—

Governor and Commander-in-Chief Mississippi Militia.

Sir:—Pursuant to an act of the Legislature, prescribing the duties of the Adjutant General, I have the honor to submit the following report for the year ending December, 1860, and from January the 1st, 1861 to January the 17th inclusive.

The past year was as remarkable for the military organizations effected in the State, as for the great political changes which took place throughout the country.

The precarious condition of political affairs in this country, occasioned by Northern aggression upon the institutions of the South, aroused the people of the Southern States to a sense of their imperfect security; and their Legislatures by wise council, made ample provision for the purchase of arms and munitions of war for the defense of the States.

The Mississippi Legislature being duly impressed with a sense of her insecurity, and aroused by the action of John Brown, and his confederates at Harper's Ferry, in their

attempt to stain and drench the soil of Virginia in innocent blood, made an appropriation in December, 1859, of \$150,000, for the purchase of arms, in order to prepare her to resist effectually such a fanatical raid, should an attempt be made to perpetrate such an act within her borders.

So soon as the passage of the act appropriating the sum of \$150,000 for arms was known throught the State, military organizations commenced springing up from her Northern borders to the Sea-Coast. These organizations of Volunteer Companies progressed steadily; though slowly during the spring and summer months; organizing at the rate of some two companies per month; the military ardor aroused by the John Brown raid abating to some extent.

Within the past two months the political excitement awakened by the election of a Black Republican to the Presidency, being unprecedented, and without parallel in the history of this country, these expiring military fires are being rekindled, and companies are organized and have been organizing, at the rate of from seven to eight per week; numbering from fifty to sixty men, ready to march to the field of battle to defend the soil of their birth or adoption from the ignominious taunts of the Black Republican horde—and anxious to place her among the nations of the earth as a free, independent and sovereign people, discarding and disregarding the Union of the States upon the present inequality of rights. While appreciating their love for independence and State pride, I regret that the existing military law does not empower the Governor to call them into service, except within the limits of the State; the law is adapted to home service, or more particularly, to parade, and inapplicable to actual service on the field. A few suggestions and recommendations on this point will be detailed in a subsequent paragraph of this report, to which special attention is requested.

The military fires enkindled within the chivalric sons of Mississippi within the past year are unprecedented in her military annals. The number of companies organized up to the 16th January, 1861, dating from January 1st, 1860, amounts to sixty-five; of this number, fifty-five organized as rifles, but some three or more have been furnished the altered percussion musket, and others will be compelled to resort to the same arm. Of this number only one company organized as Infantry, and one as Light Infantry (Monroe Light Infantry and "Enterprise Guards as Infantry," with rifled muskets). The number of Cavalry Companies formed amounts to eight. The number of Artillery three.

As to the exact number of men composing these companies, it is impossible to state definitely, for the reason that the law upon which these organizations were effected has been waived, for the past few months, owing to the exigencies of the times, and again in petitioning for organization, the companies frequently carry out the law to the extent only, to entitle them to organization, that is only getting thirty-two signatures to the petition, when the company numbers, probably, fifty men or more. I therefore state the number of regular uniformed Volunteers will be based upon the arm distribution, (and by approximation for companies not holding arms) which is the surest method of arriving at an estimate of the number of men.

The impossibility of procuring the Mississippi Rifle, with sabre bayonet, has produced much dissatisfaction among the companies, and while it has caused the disbandment of some, prevented the organization of others, and has, therefore, been prejudicial in two distinct ways. Relative to the Mississippi Rifle, it is but justice to state that every effort has been made to procure them within the power of this Department.

This arm being renowned for the brilliant victories achieved upon the battle fields of Mexico, in the hands of the First Regiment of Mississippi Riflemen, has derived the appellation of "Mississippi Rifle," and is the principal arm called for by the Volunteer corps.

In consequence of the numerous applications for this rifle, the Adjutant-General in compliance with verbal instructions, proceeded North in May last for the purpose of making contracts for this rifle, to supply the demand existing up to the time of departure. This was effected after much difficulty, in finding a suitable armory for its manufacture. On the 6th of June a contract was closed with Eli Whitney, of Connecticut, for fifteen hundred of these rifles, with bayonets, one thousand of which were to be delivered by the 1st of December, 1860. At the time of the first delivery of arms (Oct. 15th,) said Whitney raised a point relative to the inspection, fearing an inspection by an officer of the Army, and refused to have them examined, and, therefore, shipped out 60 of said arms, as samples he said of what he could furnish.

The arms were received and examined, and proved to be old guns fixed up. Such an act being a violation of the letter and spirit of the contract, none of the arms were taken as a part of the contract, though the 60 were taken

as an experiment. The affair is now being adjusted between a U. S. Senator and said Whitney, but owing to the bad faith of Whitney the arms will probably never be received, and the companies will have to resort to whatever can be furnished.

The number of commissions issued to officers of Volunteer Companies approximates two hundred and fifty-five, of this number sixty-five were issued to Captains, and one hundred and ninety to Lieutenants.

Several companies were organized and commissions were issued early in the spring, but owing to causes but partially reported, they disbanded within a few months after their organization—among them “Sharon Rifles,” of Madison county; “University Rifle Company,” Lafayette; “Chickasaw Dragoons, Chickasaw; “Home Guards,” Lowndes; and a few others. The commissions to the officers are not included in the aggregate of commissions. The number of men regularly organized into uniformed companies of Volunteers amounts to two thousand and twenty-seven, armed. Of the thirty-eight companies unarmed, allowing fifty men for an average of each, we have nineteen hundred unarmed Volunteers—which number added to the number of armed men, gives an aggregate of three thousand nine hundred and twenty-seven men belonging to the Volunteer companies, which approximation will vary but little from the correct number. This force, armed and properly officered, would, on the field, be formidable to an advancing foe.

The number of arms in the hands of the troops amounts to 2,127 stand; of rifles 1,256; of percussion muskets 391; of flint about 60; of pistols 462; of sabres 360; and will be classified in the schedule marked A in the appendix.

The States *quota* of arms from the U. S. Government for the year 1860, amounting to 315 muskets, or their equivalent in other arms, was drawn in field artillery, amounting in all to 6 six pounder bronze guns, and two 12 pounder howitzers, all of which were dismantled, save one 6 pounder, with carriage limber and implements and equipments complete, and 1 set of harness for four horses. These guns have all been mounted at the State Penitentiary, and are ready for the field with the exception of harness, caissons, battery wagon and forge. Special attention is called to the caissons, battery wagons and forge. There is not a caisson, battery wagon or forge in the State; (at least no record of such in the office) and a field battery is incomplete, and but partially effectual without them. The harness is being

made, and the caissons, &c., can be made at about the same expense as a gun carriage. Fortunately for the State, the quota for 1861, amounting to 319 muskets, was advanced by the Secretary of War in May, 1860; and was taken in U. S. long range rifles with Maynard primer and sabre bayonets, and amounted to 212. In consequence of the inability to make various irons necessary in the construction of the 6 pounder gun carriages, the Secretary of War advanced the requisite irons on account of the quota for 1861, which irons amounted to thirty-four (34) muskets, or \$442 00; thereby reducing the number of rifles.

The Legislature at the session of 1859 and '60, passed an act entitled "an act further to regulate the Militia and Volunteer systems," one section of said act established a "Volunteer Military Board," to be composed of the Captains of Volunteer Companies of all arms throughout the State.

In compliance with the provisions of said act, the Board assembled in Jackson, in May, and proceeded to effect an organization of the Volunteer forces. By the action of said Board the State comprises one Division, which is subdivided into two Brigades, each Brigade subdivided into two Regiments and each Regiment into two Battalions.

This is the existing Volunteer Military organization of the State, and will suffice unless there are numerous accessions to the volunteer corps, when an additional number of general officers will be required. By the existing law, the officers commanding the Division, brigades, etc., who are elected by said Board, while exercising the command of General and Field Officers, are only commissioned as Captains. Such is unprecedented in military history; and I therefore suggest in order to obviate a constitutional point which was raised on the passage of the bill, that said Board act as a Convention, and be allowed only to make the nominations for these offices; and that the members of the Division, brigades, regiments, &c., (the qualified electors) be required to elect the several officers, and that the nominations be not confined to the Captains of Companies as at present, but extend through the whole of the different corps, thereby allowing privates who possess military qualifications, an equal chance with officers. I further suggest that the elections for these offices be ordered from General Head-quarters, and to take place annually, or biennially, or otherwise, upon the same day throughout each command. By this method, the constitutional point will be obviated,

and a general or field officer can be commissioned according to the rank he holds.

The Board provides that the "Staff of the Commandant of Division shall consist of twelve," and the "Staff of Commandant of Brigade shall consist of twice the number prescribed by the Army regulations," without specifying the rank of either member of each staff. I suggest that each staff be reduced, and that the rank of each officer be specified. No reports of the practical operations of the Division, brigades, &c., have been received at this department. I recommend that at the next meeting of the Board, a committee be appointed to draft a system of regulations for the Volunteer organization. The law requiring the Captains of Volunteer Companies to make annual reports to the Adjutant-General of the condition of their arms, has been but partially complied with. The reports that have been received, will be found in the Appendix.

The number of men subject to military duty as far as reported, amounts to thirty-nine thousand two hundred and sixty-three, and are distributed in the different counties, as follows, viz :

Greene County, -	- 216 men.	Coahoma County, -	- 296 men.
Covington " -	- 438 "	Bolivar " -	- 326 "
Adams " -	- 753 "	Madison " -	- 863 "
Neshoba " -	- 714 "	Hinds " -	- 1223 "
Oktibbeha " -	- 760 "	Yazoo " -	- 1156 "
Tunica " -	- 187 "	Jasper " -	- 680 "
Monroe " -	- 1155 "	Itawamba " "	- 2082 "
Marshall " -	- 1516 "	Holmes " -	- 480 "
Rankin " -	- 1032 "	Winston " -	- 544 "
Kemper " -	- 664 "	Amite " -	- 690 "
Issaquena " -	- 151 "	Wilkinson " -	- 592 "
Lawrence " -	- 736 "	Panola " -	- 1063 "
Copiah " -	- 1393 "	Yalobusha " -	- 1241 "
Wayne " -	- 278 "	Newton " -	- 445 "
Jones " -	- 394 "	Hancock " -	- 443 "
Jackson " -	- 541 "	Simpson " -	- 369 "
Noxubee " -	- 762 "	Clarke " -	- 954 "
Pontotoc " -	- 2089 "	Pike " -	- 1201 "
Tishomingo " -	- 3480 "	Franklin " -	- 576 "
Tippah " -	- 2400 "	Attala " -	- 1179 "
DeSoto " -	- 1962 "	Smith " -	- 632 "
Warren " -	- 940 "	Claiborne " -	- 568 "

From the following Counties no Military rolls have been returned, viz :

Calhoun, Carroll, Chickasaw, Choctaw, Harrison, Jefferson, Lafayette, Lauderdale, Leake, Lowndes, Marion, Perry, Scott, Sunflower, Tallahatchie, Washington.

Relative to the Militia, will state that the law requiring parades, is in existence, but no orders have been issued by the Commander-in-Chief, instructing general and field officers to enforce the law. The law requiring these parades was revived some eleven months ago, and not one report has been received from any company, regimental or battalion parade. The law, as it exists, is impracticable, and requires to be remodelled before it can be effectual. The little interest taken in the Militia, is conclusive evidence that a regular organized Militia is contrary to the spirit of the people, and an organization can never be effected when the people agree by common consent to disregard the law, and laws being of no purpose when they are unobserved, I recommend the repeal of the law. Proof sufficiently conclusive to show that but little interest is taken in the Militia, has been furnished this office by the recent returns of election—as some counties which have eight or nine hundred men subject to military duty, polled at the election for field officers only, from two to fifteen votes. Further proof is that during last Spring, an election was ordered by the Colonel of the ninth regiment of the first Division for an election of Company officers,—which he reports to this office as follows: “the qualified electors were present, the polls opened, and the men refused to vote.” He desired to know what was to be done? The only reply was that the framers of the bill anticipated no such gross disrespect to military authority, and made no provisions relative thereto. Legislative action is recommended on this point.

To show the impracticability of the law, it is necessary to state that a Regiment is composed of ten Companies, or one thousand (1000) men. By the law each county constitutes a Regiment. In numerous counties the number of men subject to duty does not exceed five hundred, (500) and in some the number exceeds twenty-five hundred (2500) Still further the Companies are limited to sixty-four men, and by the law not more than eight Companies in a Regiment. Therefore it is impossible to effect an organization under this law. I recommend its repeal, and suggest that a per capita tax be collected in lieu of this Militia duty, and be deposited in the State Treasury for general military purposes.

On first Monday in October last, the regular biennial election for Militia officers was holden, and from the returns not more than two-thirds of the requisite officers were

elected. The number of commissions issued amounts to 299, of General officers 12; of Field 104; of Staff 28; of Line 155.

The issuing and distribution of commissions to the officers entails expense upon the State, and infinite unnecessary labor in this office, and produces no good whatever. Should it be deemed unadvisable to repeal this law, I recommend a Convention of the General Officers and their Staffs, for the purpose of adopting a system of regulations, and a uniform, &c. The amount of the Expenditures of the Department for Arms, and Military purposes, is about \$26,90 42.

The apportionment of the expenditures will be found in the Appendix. The receipts have been small. A sale of old and worthless muskets was effected with a house in New York. The amount received was \$292, which has been deposited to the credit of the Department. The Volunteer Companies are recommended in their elections of officers to select always men of military qualifications, as it is impossible for an officer to impart to his subalterns knowledge which he does not possess. The creation of the office of Inspector-General of Volunteers, and the consolidation of the duties of said office, and those of Quarter-Master-General also, with the duties of Adjutant-General, renders the total duties too onerous for a single officer to perform, were he able to perform them, which is impossible from their variety.

The duties of Quarter-Master at this time being sufficient for one officer to perform, renders it impossible for the duties of Adjutant-General to be discharged properly, which are equally as important, and the duty of Inspector-General of Volunteers. while this duty is being performed renders it impossible to transact the business of either of the other offices. I therefore recommend that a clerk be allowed this office, and that the duties of Quarter-Master devolve upon the proper officer, for such compensation as the Legislature may see fit to allow.

The law requiring the Adjutant-General to inspect the various Volunteer Companies throughout the State, once in two years, has been but partially complied with, owing to protracted illness, occasioned in the prosecution of these duties. Only four Companies were inspected, to wit: Port Gibson Riflemen, Adams' Light Guard Battalion, (Natchez) Volunteer Southrons, and Vicksburg Sharpshooters, (Warren.) Orders were issued for the inspection of the Quit-

man Guards at Holmesville, Pike County, Gainesville Volunteers, Hancock County, Biloxi Rifle Guards, in Harrison County, Quitman Light Infantry, in Noxubee County, Noxubee Riflemen, at Macon, and Columbus Riflemen, Columbus: and other orders would have been issued but for the cause above mentioned.

In regard to the Companies inspected will remark that each manifested much zeal and military proficiency, the Captains being officers of military bearing, &c. I would recommend to the Captains of Volunteer Companies a regular system of instruction.—for Infantry, commencing with the school of the soldier, and continuing through the school of the Company to the school of the Battalion:—for Cavalry, the school of the Troop, &c.:—for the Artillery, Light Artillery tactics. Owing to the probability of a war between the two sections of the country, I would recommend to the Companies who expect to engage in it, a thorough system of drilling, and practice in the advance in line of battle, “for the history of the application of modern tactics in battle gives the lesson that courage is dependant upon instruction.” The existing military law, with some alterations—while it would meet the exigencies of the Volunteer corps in time of peace, is wholly unadapted to the field in time of war; for while it allows the Captain commanding the Division, to order parades, encampments, &c., it does not authorize the Commander-in-Chief to call them into service except in the State, and there being no probability of any necessity for their services in the State, they cannot be called to assist another State. Such being the case, I suggest the propriety of making no further distribution of arms, until some other arrangements better adapted can be made, and will recommend that in the event a Southern Confederacy is formed, and active hostilities are commenced between the South and the North, that the Military organizations that are formed for the service, be organized, irrespective of the existing law, and with strict conformity to Military law,—the Company, composed of 100 men, being the basis of organization.

The Legislature of 1858 passed an act appropriating the sum of \$125,00 to Volunteer Companies of Infantry, and \$150,00 to Cavalry, after the performance of certain duties. Under this appropriation has been drawn the following amounts, viz:

Quitman Light Infantry,.....	\$125,00	
" Guards,.....	125,00	
Covington Guards,.....	125,00	
Col. B. Adams' Light Guard,.....	125,00	
		500,00

This act has been repealed, and another substituted in lieu thereof, appropriating the sum of \$9 to each member of a Volunteer Company that performs within twelve months nine days military duty.

Under this act of appropriation, the following sums have been drawn, to wit :

Biloxi Rifle Guards,.....	\$370,00
Quitman Guards,.....	234,00
Home Guards,.....	324,00
Gainsville Volunteers,.....	342,00
O'Connor Rifles,	567,00
Irrepressibles,	567,00
	\$2,404,00

I would recommend that a sufficient sum to supply the officers of Volunteer Companies with tactics be appropriated, and would suggest the purchase for this purpose, of "Gilham's Manual for Volunteers and Militia," a work recently published by authority of the State of Virginia, comprising the tactics for each arm of the service, as compiled by officers of the infantry, artillery and cavalry of the regular service.

The duties of Quarter-Master General devolving upon this department, a passing notice relative to the business of the department is necessary.

In the month of March last, the old arms and accoutrements (a pile of rubbish) in the arsenal, were overhauled and examined, cleaned and stored away for an emergency ; but it is hoped that an emergency that would bring them into requisition may never arise. Should, however, such take place, then we might truly exclaim with the Latin poet, that "man is never conscious of the danger he has every moment to avoid." A list of these arms and accoutrements is on file in this office, but is unnecessary to be made in this report.

The following is a list of the arms, &c., examined at the general overhauling, that are in tolerable order and fit for use, viz :

Bayonet scabbards 229, 70 of which were issued to the "Enterprise Guards."

Cartridge boxes, pistol and musket,	315
Rifle, pouch, and flask belts,	214
Waist belts,	56
Sabre belts,	106
" knots,	107
Gun slings,	119
Dragoon shoulder belts,	276
Holsters,	60
Rifle pouches,	116
Powder flasks,	88
Flint lock muskets, browned barrel,	160
" " " bright " 	72
Sabres,	106

Most of the cartridge boxes, sabres, belts, holsters, pouches, flasks, &c. &c., have been distributed.

The arsenal is in bad condition, the floor being worthless from dry rot, and the building totally insecure.

On the 6th of June, closed a contract with the "Ames Manufacturing Company," of Massachusetts, for seventeen hundred sets of accoutrements—five hundred of which have been received.

On the 15th of December, in compliance with verbal instructions, proceeded to the Baton Rouge Arsenal, to examine a lot of the U. S. altered percussion muskets, with a view to the purchase of five thousand stand. The arms were examined, and proved satisfactory, and on the 31st of December, the final arrangements were closed in New Orleans, between the U. S. Government and the State of Mississippi.

These arms have all been received, and are now stored, awaiting orders relative to their distribution.

The Secretary of War, in November last, addressed a communication to His Excellency, relative to the distribution of a lot of books, ("Revised Instruction for Field Artillery,") which were stored by the U. S. Quarter-Master at Philadelphia, awaiting orders. The quota amounting to 43 volumes, was ordered to be forwarded to this department, and has been received.

There are about one hundred and fifty stand of percussion rifles in the State, that are not included in the Abstract of Arms, &c., belonging to the State. These arms have been ordered to be returned to this department, but none have been received. They were drawn by the "Lauderdale Rifles," "Attala Guards," and "Monroe Riflemen," each of which has disbanded.

In concluding these remarks, will again call the atten-

tion of the Volunteer Companies to the necessity of a regular system of instruction, and to the importance of frequent instruction on the field.

All of these suggestions, recommendations, &c., are

Respectfully submitted,

W. L. SYKES,

Adjutant-General.

*ATTENTION IS CALLED TO THE SUBJOINED REPORTS
OF THE INSPECTION OF VOLUNTEER COMPANIES
BY THE ADJUTANT GENERAL :*

PORT GIBSON, Saturday, Sept. 8th, 1860.

To-day inspected the "Port Gibson Riflemen," Captain Wm. McKeever commanding. The Company numbers forty men, and turned out at inspection twenty-three all told. The arms in possession of this Company are the U. S. percussion rifles, model of 1842, and manufactured by Eli Whitney, of Connecticut.

These arms were drawn in the year 1854, from the State Arsenal, and are now in good order. The appendages are nearly all complete, a few wormers and screw-drivers are missing. The belts are all in good order. The pouches are in tolerable order, but the style out of date. The springs attaching the powder flasks are nearly all broken. This Company drew 60 stand of these arms, but report only (39). The others are scattered through Copiah, and other counties adjoining—so the Captain reports.

He has been trying to collect the scattered arms, but has met with but little success. In the afternoon the Company was paraded for drill. They were exercised in various company movements, the manual of arms and the firings, and acquitted themselves very well. Of these rifles a few are defaced by names, being cut and marked about on them, and all show age incident upon use. A few of the locks have been altered for target firing, the others are as when drawn from the State. The interior of the barrels have been allowed to rust to some extent.

W. L. SYKES,

Inspector-General of Volunteers.

NATCHEZ, Sept 11th, 1860.

To-day, inspected and reviewed the "Adams' Light Guard Battalion," Captain Rob't Clark commanding. The battalion paraded only 37 men. The officers and men presented a neat and soldierly appearance. The arms in possession of the battalion amounting to seventy, are the bright barrel altered percussion musket. Of this number thirty-seven were inspected on the field—the others were seen in the armory. Of these guns but few are out of order, and these are in ordinary condition, the stocks have been abused, to some extent, and a few locks have been altered to hair triggers. Most of the accoutrements are good; some eight or ten cartridge boxes are without the tin case; the belts, &c. are good. After the inspection and review, the senior Captain exercised the battalion in a few battalion and light infantry manouvers, and concluded with a dress parade. The Light Infantry drill has just been adopted by the "Guards." The dress parade passed off well, the officers understanding thoroughly the ceremony of that form of parade.

W. L. SYKES,
Inspector-General of Volunteers.

VICKSBURG, Sept. 15th, 1860.

To-day, inspected the "Vicksburg Sharpshooters," commanded by Capt. H. H. Miller, and the "Volunteer Southrons," commanded by Capt. L. C. Moore. The two companies were inspected as a battalion, Capt. Miller commanding. The battalion paraded seventy-seven men, the "Sharpshooters" turned out (39) and "Southrons" (38). The weather being inclement, the inspection was only superficial.

The arms of both companies are in good order. The arms in possession of the Southrons are bright barrel altered percussion muskets, and like those of the "Adams' Light Guard," a few stocks are abused, and a few altered to hair trigger; every gun, however, is in good condition for service.

The accoutrements belonging to these companies are

private property, all in good order. The arms of the "Sharpshooters" are percussion rifles, model of 1842. Some of them are defaced, the browning being rubbed off, the barrels and the stocks marked, and some altered for target firing; they are all however in good condition for service.

The inspection ended, the battalion was exercised by the Inspector in a few battalion manoeuvres, and the firing, and acquitted themselves handsomely. The Captain commanding, evinced much knowledge of the ceremonies of "Passing in Review," "Inspection," and of the battalion manoeuvres.

W. L. SYKES,
Adjutant and Inspector-General of Volunteers.

NOTE.—In making up the aggregate of arms, etc., belonging to the State, no mention was made of one hundred and seventy-five Cadet's Muskets," and accoutrements.

These muskets were drawn from the U. S. Government some years ago, and turned over to Mr. Ashbal Green, President of the "Mississippi Military Institute," located at Pass Christian. Of these muskets seventy-five are in use at the Institute,—the others have been ordered to be forwarded to this Department, and should they be received, will be turned over to the "Brandon State Military Institute."

LIST OF VOLUNTEER COMPANIES IN THE STATE.

No.	NAME OF COMPANY.	NAME CAPTAIN.	COUNTY.
1	Red Bank Volunteers.....	A. C. Ingraham.....	Marshall.
2	Pontotoc Rifles.....	Nehemiah Taylor...	Pontotoc.
3	Summit Rifles.....	J. D. Blincoe.....	Pike.
4	Salem Dragoons.....	J. G. Haimer.....	Tippah.
5	Brandon Artillery.....	D. G. Miller.....	Rankin.
6	Coahoma Riflemen....	F. M. Suddoth.....	Coahoma.
7	Home Rifles.....	A. J. Maxwell.....	Oktibbeha.
8	Home Guards.....	T. W. Harris.....	Marshall.
9	Madison Rifles.....	J. R. Davis.....	Madison.
10	Invincibles.....	A. R. Bowdre.....	DeSoto.
11	Vicksburg Sharp Shooters..	H. H. Miller.....	Warren.
12	Natchez Fencibles.....	E. M. Blackburn....	Adams.
13	Long Creek Cavalry.....	L. S. Terry.....	Attala.
14	Mississippi Star Company..	J. J. Peel.....	Marshall.
15	Port Gibson Rifles.....	W. McKeever.....	Claiborne.
16	West Point Greys.....	Edw. Burnet.....	Lowndes.
17	Neshoba Riflemen.....	Isaac Enloe.....	Neshoba.
18	Yazoo Rifles.....	S. M. Phillips.....	Yazoo.
19	Lafayette Southern Guards	E. S. Wallace.....	Lafayette.
20	Chickasaw Guards.....	W. F. Tucker.....	Chickasaw.
21	Lafayette Guards.....	Wm. Delay.....	Lafayette.
22	Mississippi Capitol Dragoons	E. R. Burt.....	Hinds.
23	Quitman Rifle Guards.....	S. B. Brown.....	Marshall.
24	Enterprise Guards.....	R. S. Weir.....	Clarke.
25	Pelchatchie Cavalry.....	Ed. Jack.....	Rankin.
26	Tishomingo Riflemen.....	B. B. Boone.....	Tishomingo.
27	Irrepressibles.....	J. R. Chalmers.....	DeSoto.
28	Lexington Guards.....	D. J. Red.....	Holmes.
29	Volunteer Southrons.....	D. N. Moody.....	Warren.
30	Downing Rifles.....	A. B. Atkinson.....	Hinds.
31	Mississippi Rangers.....	W. C. Falkner.....	Tippah.
32	Union Guards.....	J. J. McLain.....	Jefferson.
33	Monroe Light Infantry....	Wm. H. Moore.....	Monroe.
34	Lamar Rifles.....	F. M. Green.....	Lafayette.
35	Grenada Rifles.....	J. L. Milton.....	Yalobusha.
36	Tombigbee Rangers.....	S. F. Butler.....	Lowndes.
37	Marshall Cavalry.....	W. S. Featherston..	Marshall.
38	Pontotoc Minute Men.....	H. R. Miller.....	Pontotoc.
39	Utica Riflemen.....	J. C. Davis.....	Hinds.
40	Jeff. Davis Rifles.....	C. H. Mott.....	Marshall.
41	Shuboota Rifle Company..	J. P. Lawrence.....	Clarke.
42	DeSoto Light Dragoons....	Wm. Lewers.....	DeSoto.
43	Marshall Artillery.....	L. Johnson.....	Marshall.
44	Carroll Volunteers.....	P. F. Liddell.....	Carroll.
45	Burnsville Light Horse....	J. C. Walters.....	Tippah.
46	Warren Guards.....	J. P. Brown.....	Warren.

VOLUNTEER COMPANIES---Continued.

No.	NAME OF COMPANY.	NAME CAPTAIN.	COUNTY.
47	Southern Guards Cavalry..	R. O. Perrin.....	Kemper.
48	Shieldsboro' Riflemen....	R. Eager.....	Hancock.
49	Quitman Guards.....	P. Brent.....	Pike.
50	Goodman Rifles.....	O. P. Anderson....	Holmes.
51	Winston Guards.....	J. M. Bradley.....	Winston.
52	Copiah Cavalry.....	T. A. Graves.....	Copiah.
53	Bradford Rifles.....	James F. Smith....	Lafayette.
54	Carroll Guards.....	D. J. Moore.....	Carroll.
55	Quitman Light Artillery....	J. F. Kerr.....	Hinds.
56	Claiborne Rifles.	R. Shoemaker.....	Claiborne.
57	Westville Guards.....	G. D. J. Funchess...	Simpson.
58	Prairie Guards.....	J. T. W. Hairston..	Lowndes.
59	Pettus Guards.....	Wm. M. Estelle....	Hinds.
60	Bolivar Troop.....	Chas. Clarke.....	Bolivar.
61	Chewappa Dragoons.....	A. B. Cole.....	Pontotoc.
62	Mississippi Rifles.....	R. Griffith.....	Hinds.
63	Covington Guards.....	T. R. White.....	Covington.
64	Wilkinson Rifles.....	C. Posey.....	Wilkinson.
65	Quitman Light Infantry....	J. L. Duck.....	Noxubee.
66	Noxubee Rifles.....	G. T. Weir.....	"
67	Columbus Riflemen.....	C. H. Abert.....	Lowndes.
68	Adams' Light Guard Battal- ion Company. A.....	S. E. Barker.....	Adams.
	Company B.....	Robert Clarke.....	Adams.
69	Warren Dragoons.....	W. H. Johnson....	Warren.
70	Garlandville Rangers.....	S. G. Loughridge....	Jasper.
71	Linden Legion.....	Robert Davis.....	Copiah.
62	Biloxi Rifle Guards.....	J. D. Howard.....	Harrison.
73	Gainsville Volunteers.....	J. B. Deason.....	Hancock.
74	Copiah Volunteer Rifles....	John W. Ward.....	Copiah.
75	Conflict Pettus Lt. Drago'ns	T. J. Downs.....	DeSoto.
76	Coriuth Rifles.....	Wm. Kilpatrick....	Tishomingo.
77	O'Connor Rifles.....	J. H. Buchanan....	Tippah.
78	Raymond Rifles.....	J. L. McManus....	Hinds.
79	Pine Hill Fire Eaters.....	W. L. Davis.....	Tippah.
80	Kemper Legion.....	J. W. Carter.....	Kemper.
81	Southern Rifle Guards.....	John E. Keegan....	Lawrence.

Staff of the Commander-in-Chief.

JOHN J. PETTUS, Commander-in-Chief.

W. L. SYKES, Adjutant-General—Rank of Brigade-General.
N. F. BARKSDALE, Quarter-Master General—Rank of Colonel.
C. G. ARMSTEAD, Aid-DeCamp—Rank of Lieutenant-Colonel.
H. L. MULDROW, “ “ “ “ “
G. M. FOWLER, “ “ “ “ “
V. L. TERRELL, “ “ “ “ “
F. LABOUVRE, Assistant-Quarter-Master-General—Rank of Major.
WM. A. BARBER, “ “ “ “ “ “
JOHN C. RUSSELL, “ “ “ “ “ “
S. H. TERRAL, “ “ “ “ “ “

General and Field Officers

*OF THE VOLUNTEER MILITIA OF THE STATE OF
MISSISSIPPI, ELECTED BY THE MILITARY BOARD,
WHICH CONVENED ON THE 29TH OF MAY, A. D.
1860, AT JACKSON.*

Commandant of Division,

Capt. THOS. W. HARRIS, of the Home Guards.

Commandant of 1st Brigade,

Capt. J. R. CHALMERS, of the Irrepressibles.

Commandant of 2d Brigade,

Capt. H. H. MILLER, of the Vicksburg Sharp-Shooters.

Commandant of 1st Regiment, 1st Brigade,

Capt. J. G. HAMER, of the Salem Dragoons.

Commandant of 2d Regiment, 1st Brigade,

Capt. A. R. BOWDRE, of the Invincibles.

Commandant of 1st Regiment, 2d Brigade,

Capt. C. H. ABERT, of the Columbus Riflemen.

- Commandant of 2d Regiment of 2d Brigade,
 Capt. L. JULIENNE, of the Mississippi Rifles.
- Commandant of 1st Battalion, 1st Regiment, 1st Brigade,
 Capt. J. H. BUCHANAN, of the O'Conner Rifles.
- Commandant of 2d Battalion, 2d Regiment, 1st Brigade.
 (Vacant.)
- Commandant of 1st Battalion, 2d Regiment, 1st Brigade
 Capt. W. DELAY, of the Lafayette Guards.
- Commandant of 2d Battalion, 2d Regiment, 1st Brigade.
 Capt. M. S. WARD, of Panola. Guards.
- Commandant of 1st Battalion, 1st Regiment, 2d Brigade,
 Capt. G. T. WEIR, of the Noxubee Rifles.
- Commandant of 2d Battalion, 1st Regiment, 2d Brigade,
 Capt. R. S. WEIR, of Enterprise Guards.
- Commandant of 1st Battalion, of 2d Regiment, of 2d Brigade,
 Capt. J. J. THORNTON, of the Rankin Guards.
- Commandant of 2d Battalion, 2d Regiment, 2d Brigade,
 Capt. WM. MCKEEVER, of the Port Gibson Rifles.

THE FOLLOWING REPORTS OF CAPTAINS OF VOLUNTEER COMPANIES HAVE BEEN RECEIVED AND FILED IN THIS OFFICE, TO-WIT:

I do hereby certify that I have this day, in accordance with section 12 "of an act" further to regulate "the Militia and Volunteer System," critically inspected the arms in charge of my Company, belonging to the State, and report them (60 Rifles) in good order, with the exception of wear occasioned by use, in practice of target and blank cartridge firing, screw-drivers, and gun nipers, complete, comprising all the property the said company have in possession belonging to the State.

CHAS. H. ABERT,
 Capt. Columbus Riflemen.

Columbus, Miss., August 1st., 1860.

To Adjutant-General W. L. SYKES, Jackson, Miss.

NATCHEZ, August 27th, 1860.

W. L. SYKES, Adjutant-General—

DEAR SIR: In compliance with orders received, we beg leave to offer the following report of the arms, accoutrements in possession of the "Adams Light Guard Battalion":

75 percussion muskets,
70 sets belts and boxes.
40 cap boxes.
40 old flint cock muskets,
30 sets accoutrements.

With last twenty muskets we did not receive either cap boxes or gun slings.

SAM'L E. BAKER,
Captain Company A.
ROBERT CLARK,
Captain Company B.

GAINESVILLE, MISS., Aug. 27th, 1860.

GEN. W. L. SYKES—

Dear Sir: In accordance with the 12th section of an act of the Legislature, of the State of Mississippi, approved February 12th, 1860, I have the honor to report, that the arms and accoutrements of the Gainesville Volunteers, under my charge, are all in good order, which I have inspected as the law directs—that there are forty Mississippi rifles, cartridge boxes, &c., complete with each rifle—all of which is respectfully submitted.

J. B. DEASON,
Capt. commanding, Gainesville Volunteers.

THE STATE OF MISSISSIPPI, }
 County of Hancock. }

Personally appeared before me, D. W. JOHNSON, a Justice of the Peace for said county, J. B. Deason, who after being duly sworn upon his oath says the foregoing report is just and true.

J. B. DEASON.

Sworn to and subscribed before me this 27th day of August, 1860.

D. W. JOHNSON, J. P.

*GENERAL AND FIELD OFFICERS OF THE MISSISSIPPI
 MILITIA.*

- Major-General 1st Division M. M.,
 W. W. W. WOOD.
- Major-General 2d Division M. M.,
 I. M. PATRIDGE.
- Major-General 3d Division M. M.,
 E. O. HUNTLEY.
- Major-General 4th Division M. M.,
 T. L. ROGERS.
- Major-General 5th Division M. M.,
 W. D. BECK.
- Brigadier General 1st Brigade, 1st Division,
 WM. F. CAIN.
- Brigadier-General 2d Brigade, 1st Division,
 A. M. DOZIER.
- Brigadier-General 1st Brigade 2d Division;
 R. H. DAVIS.
- Brigadier-General 2d Brigade, 2d Division,
 J. C. HIGGINS.
- Brigadier-General 1st Brigade, 3d Division,
 Vacant.
- Brigadier-General 2d Brigade, 3d Division,
 Vacant.
- Brigadier-General 1st Brigade, 4th Division,
 R. O. REYNOLDS.
- Brigadier-General 2d Brigade, 4th Division,
 Vacant.
- Brigadier-General 1st Brigade, 5th Division,
 W. C. FALKNER.
- Brigadier-General 2d Brigade, 5th Division,
 JAS. D. RUFFIN.

VICKSBURG, August 30th, 1860.

GEN. W. L. SYKES, Jackson, Miss.,

Dear Sir :—In compliance with section 12, of the new military law, I beg to report now in the possession of the 'Volunteer Southrons,' fifty-four percussion muskets, belonging to the State and in good order. The Company originally drew from the State sixty muskets, six of which, however, were taken, and worthless when received.

Very Respectfully,

L. C. MOORE, JR.,
Commanding Volunteer Southrons.

Statement of expenditures for arms, accoutrements, &c.:

State of Mississippi in account with Ames' Manufacturing
Company, DR.

1860.	To	500	Setts	Accoutrements,	
"	"	200	Cavalry,	Sabers and Accoutrements,	
"	"	100	Sergeant's	Swords and Belts,	
"	"	200	Thousand	Percussion Caps,	
"	"	200	Sabre-Bayonets,	&c.	
"	"		Packing	Boxes, &c.	
					\$5,952 90
"	"	200	Colt's	Pistols, Holstes, Packing	
				Boxes, &c.	4110 00
"	"	200	Whitney	Pistols Packing Boxes,	
				&c.	2425 00
"	"	60	Percussion	Muskets,	285 00
"	"	50	Artillery	Swords, &c.	137 50
"	"		Traveling	Expenses of Adjutant-	
				General on Official Business,	301 85
"	"		Freight, drayage, &c. on arms and	accoutrements,	
				- - -	162 50
"	"		Adams' Express Co. for freight on	pistols,	
				- - -	118 00
"	"		Freight on 5000 muskets	- -	486 75
"	"		N. O., J. & G. N. R. R. Co.	-	210 36
"	"		Southern Rail Road Co.	-	307 80
"	"		U. S. Gov. for 5000 muskets	-	12,500 00
					\$26,900 42

SCHEDULE A.—ABSTRACT OF ORDNANCE, ARMS, &c., IN HANDS OF COMPANIES.

NAME OF COMPANIES.	CAVALRY.			INFANTRY AND RIFLES.								ARTILLERY.								REMARKS.																	
	Whitney Pistols.....	Holsters.....	Sabre Belts.....	Whitney Pistols.....	Holsters.....	Sabre Belts.....	Pistols.....	Sabres.....	Altered Percus. Rifl's	Percussion Rifles....	U. S. Longrange Rifl's	Percussion Muskets...	Powder Flasks.....	Cartridge Box Belts...	Cartridge Box's & Pl.	Sabre Bayonets.....	Cap Pouches..	Non-C-Offl. Sw. & B.	Bayonet Scabbards....		Waist Belts and Plate	6 Pdr. Bronze Gun.	Timber.....	Harness..	12 pdr. Howitzers.. .	Limber...	Artillery Swords....	Artil'ry Sword Belts..	Carriage.....	Caisson.....	Musketoon...						
1 Columbus Riflemen.....										60					51	51																					
2 Covington Guards.....									40																												
3 Noxubee Riflemen.....									40																												
4 Quitman Light Infantry									60																												
5 " Rifle Guards..									40																												
6 Vicksburg Sharpshoot's									40				40																								
7 Port Gibson Riflemen..									40																												
8 Volunteer Southrons..												39																									
9 Adams' Light Guard....												70																									
10 Irrepressibles.....													49																								
11 Mississippi Rifles....										63																											
12 Biloxi Rifle Guards....										58																											
13 Gainsville Volunteers....										50																											
14 Home Guards.....										40																											
15 Chickasaw Guards.....										50																											

At inspection.

*Pouches.

Whitney Rifles, Minnie ball.

39 Brandon Artillery
 40 Quitraan Light Artillery
 41 Warren Guards
 42 City of Natchez

1	1	1	0	50
2	2	0	0	0
2		1		

INDEX TO JOURNAL.

[A.]

ABSENCE—leave of granted Messrs. Johnston and Parker.....	35
leave of granted W. S. Barry.....	39
leave of granted Messrs. Witty, Gwin, Myers, Catching and Nelson.....	39
leave of granted Messrs. Chalmers, Deason, Ramsey, Myers and Tison.....	73
ADJOURNMENT—resolution in relation to.....	79, 90

[C.]

COMMITTEES—to report ordinance of secession 9, 11, 13	
to wait on the Governor, &c.....	9, 11
on elections.....	10
to amend constitution.....	10, 35
standing—appointed—on citizenship, federal jurisdiction, postal affairs. State constitution, military and naval, and Southern Confederacy, 11, 17, 35, 63.	
to notify commissioners, &c.....	12
engrossing and enrolling.....	19
on ways and means.....	20
to provide room for Convention..	20, 21
on occupancy of Hall.....	26, 31

INDEX.

COMMITTEES—appointed on Indian Affairs..... 27
 appointment on coat of arms and
 flag.....51, 89
 appointment in relation to planting.. 51
 in relation to Delegates to Mont-
 gomery Convention..... 51 to 58
 referring to committee Address
 setting forth the immediate causes
 of secession.....83, 86

COMMISSIONERS—from other States, 10, 13, 17, 18, 21, 37
 resolution to appoint..... 12

CONSTITUTION—to amend in relation to borrow-
 ing money..... 10

[D.]

DOOR-KEEPER—election of S. Pool..... 8

[E.]

ELECTIONS—of delegates to Montgomery Conven-
 tion.....51 to 58
 of Major General..... 59
 of four Brigadier Generals.....59 to 63
 of permanent council for Governor... 88

[J.]

JOHNSTON, J. S.—took his seat..... 12

JUDGE FEDERAL COURT—letter of resignation of
 S. J. Gholson..... 18

[M.]

MEMORIAL—of Mrs. Gibbs..... 12

MESSAGES—from the Governor..... 13

[O.]

ORGANIZATION—from.....3 to 10

ORDINANCES—of secession reported..... 13, 16, 23, 36
 providing for the final adjustment of
 difficulties..... 14
 of secession passed and enrolled, &c. 16
 of secession signed.....20, 22, 36

ORDINANCES—on Postal Affairs, 20, 23, 24, 25, 63, 66, 77, 81.
 concerning jurisdiction and property of the U. S. in Mississippi, 30, 32, 46, 73, 80
 regulating military affairs of the State.....31, 43, 59
 to raise means for defense of the State....35, 36, 39, 64, 66, 69, 81, 82
 on citizenship.....37, 43, 77
 to authorize the Governor to borrow money, &c..... 39
 relative to disbursement of military fund..... 73
 to provide for surveys and fortifications of military cites in this State 80
 providing a permanent council of three for the Governor of this State..... 88
 to appropriate money to pay current expenses of Convention..... 88

[P.]

PRAYER—by C. K. Marshall..... 3
 by Mr. Harrington.....10
 by Mr. Crane.....13
 by Mr. Hunter.....17
 by Mr. Caskie.....19
 by Mr. Snow.....21
 PRESIDENT—election of W. S. Barry..... 7

[R.]

ROLL CALLED—by counties..... 5
 RESOLUTIONS—in relation to Pages..... 9
 in relation to government of Convention.....9, 20
 to appoint a committee to draft ordinance of secession..... 9
 to wait on Governor..... 9
 in relation to reporters....10, 41, 46
 appointing committee on elections..10
 in relation to Commissioners...10, 12
 in relation to Daily Mississippian..11
 in relation to seats
 within the bar, 12, 18, 21, 27, 51

RESOLUTIONS.—to appoint Commissioners.....	12
in relation to Constitutional amendments.....	12, 22, 51
in relation to postage.....	12
to appoint Council to confer with Governor.....	13
to telegraph passage of ordinance of secession.....	17
in relation to introduction of slaves.....	18
in relation to erecting batteries in this State.....	18
in relation to duty of postmas- ters, &c.....	19
in relation to room for Conven- tion.....	20
in relation to room for Legisla- ture.....	20
in relation to signing ordinance, 20,	29
in relation to citizenship.....	20
in relation to issuing bonds by State.....	21
in relation to enrollment of ordi- nances.....	22
to appoint engrossing and enroll- ing committee.....	19
to appoint committee on enroll- ment of ordinance.....	19
instructing committee on Military affairs.....	23
adding clause to ordinance of se- cession.....	23
in relation to taxable property, 23,	32
in relation to navigation of Mis- sissippi.....	24
in relation to occupancy of hall, 26,	38
in relation to framing the ordi- nance of secession.....	28
in relation to Commissioners, &c.....	28, 29, 37
recognizing independence of Flo- rida.....	28
recognizing independence of Ala- bama.....	29
of inquiry in regard to defence of sea coast, Islands, &c.....	29

RESOLUTIONS.—in relation to such business only as shall be acted on in secret session.....	31
conferring copy-right on F. A. Pope and T. S. Hardee.....	31
requiring Auditor to furnish cer- tain information.....	36
instructing military committee to report arms, &c., of State...	36
in relation to planting interest of State.....	36, 51, 85
in relation to procuring magazine,	38
in relation to United States Cir- cuit and District court clerks,	39
in relation to action of South Car- olina.....	39, 40
in relation to furnishing copies of ordinances to Legislature...	40
instructing committee to report ordinance to raise special tax,	41
providing for issuance of bonds, &c.....	41
in relation to taxing slaves.....	42
“ “ exempting polls.....	42
“ “ a stay law.....	63, 68
“ “ cloth made in the Penitentiary.....	65
instructing committee on southern confederacy.....	50, 73
to prepare records of this conven- tion, &c.....	68
authorizing Governor to forward certain ordinance to North- Western States.....	68
on the navy law.....	68
in relation to collection of taxes on real estate.....	69
in relation to officers of the Unit- ed States who resign, &c.....	75
providing for permanent Council of the Governor.....	66
authorizing Postmaster-General....	76
authorizing pay of delegates.....	77
in relation to the slave trade....	78, 84
on adjournment.....	79, 80, 89

RESOLUTIONS.—in relation to re-construction.....	79
in relation to the immediate causes	
of secession.....	82, 86, 88
distributing ordinance to raise	
revenue.....	82
providing for publication of ordi-	
nances and journal.....	83
providing payment \$4 per day to	
reporter.....	83
in relation to representatives in	
Congress of Southern Con-	
federacy.....	83
referring to Arsenal and Hospital	
in Vicksburg.....	83, 84
of thanks to Mobile and Ohio	
Railroad Company.....	86
appointing Auditors to audit ac-	
counts of convention.....	88
allowing secretary five days to	
write up the Journal.....	89
of thanks to the President, W. S.	
Barry.....	89
appointing a committee to wait on	
Governor and inform him the	
convention is about to ad-	
journal.....	89, 90
recommending establishment of a	
Military Academy South.....	89
REPORTS—on ordinance of secession.....	14, 21
on Postal affairs.....	20, 30
on enrollment of ordinance of secession...	21
on Military and Naval affairs, 22, 25, 35, 42	
on Federal jurisdiction and property....	25
on formation of	
Southern Con-	
federacy.....	27, 30, 32, 40, 42, 63, 73
on citizenship.....	27
of committee to confer with House of	
Representatives on use of Hall...	31
on State Constitution.....	35, 38, 81
of committee of Ways and Means—mi-	
nority.....	38, 39
on powers of Legislature to alter or abol-	
ish ordinances....	83
on flag and coat of arms for State.....	89

INDEX TO ORDINANCES.

[A.]

APPENDIX.—correspondence of T. J. Whar-
ton, commissioner to Tennes-
see.....149 to 163
of C. E. Hooker, commissioner
to South Carolina.....163 to 175
of Wirt Adams, commissioner to
Louisiana.....175 to 179
of A. H. Handy, commissioner
to Maryland.....181 to 183
of J. Thompson, commissioner to
North Carolina.....184 to 188
of G. R. Fall, commissioner to
Arkansas.....189 to 195
of W. S. Featherston, commis-
sioner to Kentucky.....195 to 197
of Wm. L. Harris, commissioner
to Georgia.....197 to 208
of Fulton Anderson, commis-
sioner to Virginia.....208 to 220

[C.]

CONSTITUTION—of Mississippi.....91 to 117

AMENDMENTS.

CONSTITUTION—regulating the introduction of slaves.....	114
board of police, how constituted.	114
powers of board of police.....	114
chancery jurisdiction, its powers transferred.....	115
extension of term of office.....	115
additional bond required.....	116
time of holding general election..	116
in relation to terms of office of members of the legislature....	116
amendments by the State Convention.....	116

[O.]

ORDINANCES—to dissolve the Union.....	119
to regulate the Military system....	122
to raise means for the defence of the State.....	126
concerning jurisdiction of property.....	134
to appropriate money to pay current expenses of Convention.....	135
to authorize the Governor to borrow money, &c.....	136
to amend the Constitution.....	136
to provide for postal arrangements, further to provide for postal arrangements.....	138
to provide a permanent Council of three for the Governor.....	139
to provide for surveys and fortifications, &c.....	143
to regulate right of citizenship....	143
to provide for the purchase of arms, &c.....	144
to provide for publishing ordinances, &c.....	145
to provide for publishing ordinances, &c.....	146

[R.]

RESOLUTIONS. —concerning jurisdiction of property.....	146
to provide for representation in the Congress of the Confederate States.....	141
to provide for the formation of a Southern Confederacy.....	132
in reference to certificate of Secretary of State.....	148
REPORTS —of Auditor, between.....	220 and 221
of Adjutant-General....	221 to 246

July 7 1888

1



