

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

TENTH LEGISLATURE

FIRST CALLED SESSION

Hall of Representatives of the
State of Texas

Monday, May 9, 1864

In obedience to the call of His Excellency the Governor of the State, the House of Representatives of the State of Texas met in Extra Session in their Hall and being called to order by the Speaker, after prayer by the Chaplain, the roll was called and the following members answered to their names, viz: Messrs. M. D. K. Taylor, Speaker, Adams, Andrews, Allen, Barclay, Blake, Birdwell, Browne, Butler, Brady, Banton, Brazier, Bush, Baker, Bowers, Bratton, Daniel, DeBerry, Darden, Foscue, Finley, Frazier, Howard of Anderson, Holford, English, Kyle, Lollar, Lacy, Lane, Loughridge, Lovejoy, Mabray, Marshall, McDonald, Moores, McCoy, McGuire, Perkins, Prendergast, Pendleton, Rhea, Reid, Smith, Seele, Tyler, Thaxton, Willis, Wilson, Walker, and Way—50.

Mr. Loughridge having not been present at the regular session presented his credentials and took the oath of office. Whereupon there being no quorum in attendance the House on motion adjourned until 10 o'clock a.m. tomorrow.

Tuesday, May 10, 1864

House met pursuant to adjournment. Prayer by Chaplain. The roll called and the following additional members answered to their names, viz: Emmert, Gibbons, Hart, Harrison, Keyes, and Means, and there still being no quorum present the House on motion adjourned until 3 P.M. this afternoon.

3 P.M.

House met pursuant to adjournment. Roll called and there being no quorum the House adjourned to 10 A.M. tomorrow.

Wednesday, May 11, 1864

The House met pursuant to adjournment. Prayer by Chaplain. Roll called and the following additional members answered to their names, viz: Messrs. Eastland, Hunt, Poag, Slaughter, and Wooten, and there being a quorum present, the Journals of the 9th and 10th were read and adopted.

A message from the Senate was announced and re-

ceived informing the House that the Senate had organized and raised a committee to act in conjunction with a like one on the part of the House to inform His Excellency the Governor that the Houses are fully organized and ready to proceed with the dispatch of business.

The Speaker then informed the House that the office of Chief Clerk of the House was vacant and that nominations to fill the same would be in order. Whereupon Mr. Kyle put in nomination the name of W. D. Miller and no other nomination having been made, the Speaker appointed Messrs. Frazier, Lovejoy and Patton to act as tellers and the House proceeded to ballot which resulted in sixty-three votes for Mr. Miller whereupon W. D. Miller having a majority of all the votes cast was declared duly elected Chief Clerk of the House of Representatives for the Tenth Legislature of the State of Texas.

The Speaker then appointed Messrs. Foscue, McDonald and Smith a committee on the part of the House to inform the Senate that the House had organized and to act in conjunction with the Committee of the Senate to inform the Governor that the Houses were duly organized and ready for the dispatch of business.

Mr. McDonald offered the following resolution, viz: "RESOLVED, That the Sergeant at Arms be requested to procure for the use of the members of the House one copy for each member of *Oldham and White's Digest* and a copy of the general laws passed since the publication of Oldham & White's compilation and also a copy of the Constitution of the Confederate States of America," which was adopted.

Mr. Darden offered the following resolution, viz: "RESOLVED, That the Committee on Printing be instructed to make the necessary arrangements with the Postmaster of this city for a supply of postage stamps for the use of the members of this House," which was adopted.

Mr. Andrews introduced a bill to be entitled an act to give full effect to the sequestration laws of the Confederate States. Read 1st time and referred to the Committee on the Judiciary.

Mr. Seele introduced a bill to be entitled an act to suspend the levy and collection of special taxes by the County Court of Comal County until one year after the close of the war between the Confederate States and the



Bennett Blake
Representative from Nacogdoches

Source: John Henry Brown, **Indian Wars and Pioneers in Texas** (Austin: L. E. Daniell, 1891-1892), 298.

United States of America. Referred to Committee on Counties and County Boundaries.

Mr. Blake introduced a bill to be entitled an act to amend an act to provide against the hostile invasion of the State of Texas by persons of color. Read 1st time and referred to Committee on the Judiciary.

Mr. Smith introduced a bill to be entitled an act to amend the 1st and 3rd sections of an act to incorporate the Rusk Iron Company. Read 1st time and passed to 2nd reading.

The Committee raised to inform the Senate and Governor that the House had duly organized and was ready to proceed to business, reported that they had performed the duty assigned them and that His Excellency the Governor will be ready to deliver his message to the joint Houses at 3 o'clock this afternoon.

On motion the House adjourned to $\frac{1}{2}$ past 2 this afternoon.

2 $\frac{1}{2}$ P.M.

House met pursuant to adjournment. Roll called. Quorum present.

Mr. Moores introduced a bill to be entitled an act to incorporate the Falls of Brazos Manufacturing Company. Read 1st time and passed to 2nd reading.

Mr. Mabray introduced a bill entitled an act to amend the 13th section of an act to regulate the estraying of stock in certain counties therein named, approved December 16, 1863. Read 1st time.

Mr. McCoy introduced an act to amend the 2nd and 3rd sections of an act entitled an act to reorganize the 16th Judicial District and to define the time of holding courts therein. Read 1st time and referred to the Judiciary Committee.

Mr. Smith offered the following resolution, viz: "RESOLVED, That the Committee on Finance be instructed to inquire and ascertain what amount if any is due the citizens of Texas for clothing furnished the soldiers of the State in the Confederate Army by contract with the agents appointed by Governor Edward Clark in an order on circular issued by Colonel William Bryan, Adjutant and Inspector General, on September 4, 1861, and to inquire whether any legislation is necessary in order to enable said citizens to

obtain what is due them from the Confederate government for the same clothing and that the Committee report a bill, resolution, or otherwise." Adopted.

Mr. Banton introduced a bill to be entitled an act to allow the use of the Texas State Penitentiary for the confinement at hard labor of the deserters from the Army of the Confederate States. Read 1st time and referred to the Judiciary Committee.

Mr. Baker introduced a bill to be entitled an act to amend an act entitled an act to organize county courts approved February 16, 1852. Read 1st time and referred to the Judiciary Committee.

A message in writing by his private secretary was received from the Governor.

On motion of Mr. Banton, the House took a recess of ten minutes.

Recess over, the House was called to order, the roll called, and quorum present.

On the invitation of the House the Senate came into the Hall of the House to hear the Governor's message read. After the reading of the message the Senate on motion returned to their chambers.

On motion of Mr. Foscue the Committee on Printing is requested to ascertain at their earliest convenience the facilities for printing the Governor's message and report the same to the House.

Mr. Brady introduced a joint resolution in regard to the suspension of the writ of habeas corpus. Read 1st time.

On motion the House adjourned to 9 A.M. tomorrow.

Thursday, May 12, 1864

House met pursuant to adjournment. Prayer by Chaplain. The roll called, quorum present and Journal of yesterday read and adopted.

Mr. Prendergast presented the petition of J. M. Norris. Read and referred to the Judiciary Committee.

Mr. Andrews presented the petition of Luke A. Falvell. Read and referred to the Committee on Claims and Accounts.

Mr. Thaxton introduced a bill to be entitled an act to reorganize the 17th Judicial District and to prescribe the

¹This message is printed in the Senate Journal for May 11, 1864, in the front section of this volume.

time of holding the court therein. Read 1st time.

Mr. Moores offered the following resolution, viz: "RESOLVED, That the Comptroller at the earliest day possible be and is hereby requested to furnish to this house a list of the indigent persons in each county, said list to show the number of indigent in each county separately, as well as the aggregate number in the State." Read and laid over a day under the rule.

Mr. Birdwell introduced a bill to be entitled an act to incorporate the Henderson Masonic Female Institute. Read 1st time.

Mr. Brady offered a joint resolution in regard to conscription. Read 1st time.

Mr. Moores offered the following resolution, viz: "RESOLVED, That the Judiciary Committee be instructed to inquire into the propriety and expediency of requiring the county court of each county to give bond security for the faithful distribution of funds appropriated to the support of soldiers' families under the provisions of an act of the Legislature, approved December 15, 1863," which was adopted.

The Chairman of the Committee on Printing made a report under the resolution of yesterday on the subject of printing the Governor's message, which was recommitted to the Committee with instructions to further ascertain on what terms the message can be printed in Houston in pamphlet or other form and to report as early as possible the same to this House.

ORDERS OF THE DAY

The bill to be entitled an act to amend the 13th section of an act to regulate the estraying of stock in certain counties therein named, approved December 16, 1863, was taken up and read a 2nd time whereupon the following amendment was offered, to wit: "Amend by inserting the following named counties, viz: Titus, Freestone, Limestone, Falls, Hunt, Upshur, Walker, Madison, Leon, Hill, Navarro, Grimes, Brazos, and Montgomery," which was adopted and bill ordered to be engrossed.

The bill to be entitled an act to amend the 1st and 2nd sections of an act to incorporate the Rusk County Iron Company was taken up and read a 2nd time and ordered to be engrossed.

The bill to be entitled an act to incorporate the Falls of Brazos Manufacturing Company was read a 2nd time, whereupon Mr. Moores offered the following amendment, viz: "In Section 4 strike out five and insert three" which was adopted, and Mr. Andrews offered a further amendment which with the bill and other amendment was, on motion of Mr. Baker, referred to the Committee on State Affairs.

The joint resolution in regard to the suspension of the writ of habeas corpus was taken up, read a 2nd time, and on motion of Mr. Blake was referred to the Committee on Confederate Relations.

Mr. Blake offered the following resolution, to wit: "RESOLVED, That so much of the Governor's message as relates to the currency be referred to the Committee on Finance; so much thereof as refers to military affairs be referred to the Committee on Military Affairs; so much thereof as refers to the Penitentiary be referred to the Committee on the Penitentiary; so much thereof as refers to the operation of the Military Board on cotton, etc., be referred to the Committee on State Affairs; and so much thereof as refers to the action of the late Confederate Congress be referred to the Committee on Confederate Relations.

"2nd That the Senate be requested to appoint like committees to act in conjunction with said committees of the House," which was adopted.

Mr. Bowers (by leave of the House) introduced a bill to be entitled an act making appropriations for defraying the contingent expenses of the Extra Session of the 10th Legislature, which was read 1st time and passed to a 2nd reading.

Mr. Maney presented the petition of Thomas N. Haynes for relief which was read 1st time and referred to the Committee on Private Land Claims.

Mr. Brady offered the following resolution, viz: "RESOLVED, That the Committee on Printing be instructed to have five thousand copies of the Governor's message printed for the use of the House." Whereupon Mr. Willis offered the following amendment, viz: "Strike out five thousand and insert twenty-five hundred." Whereupon Mr. Bowers moved to lay the resolution and amendment on the table. Carried.

On motion the House adjourned to 9:00 a.m. tomorrow.

May 12, 1864

Honorable M. D. K. Taylor, Speaker of the
House of Representatives:

The select committee raised at the regular session of the Tenth Legislature charged with the duty of investigating all the matters pertaining directly or indirectly to the report of the Regimental Quartermaster of the Mounted Regiment of State Troops and other matters with authority to continue their investigations after the adjournment of the Legislature, beg leave to submit the following report:

Your committee were unable to commence their investigations before the adjournment of the Legislature. After its adjournment your committee were not satisfied that a simple resolution adopted by one branch of the Legislature without the concurrence of the other house and Executive approval could confer on them power to compel the attendance of witnesses after the adjournment *sine die* of the Legislature. They were not willing, however, to take the responsibility of declining to act in the premisses and therefore they applied to the Executive to furnish them with the means of carrying out the objects for which it was raised. The Executive declined to furnish the committee with this authority, but submitted to them the accompanying opinion from the Attorney General adverse to the legality of any action the committee could take in the premisses. They, therefore, declined to take further action in the matter.

All of which is respectfully submitted.

M. H. Bowers, Chairman

Report received.

Friday, May 13, 1864

House met pursuant to adjournment. Prayer by Chaplain. Roll called. Quorum present. Journal of yesterday read and adopted.

Mr. Frazier presented the petition of the county court of Harris County. Read and referred to Committee on State Affairs.

A message from the Senate was received informing the House that the Senate had adopted the following: "RESOLVED, That in response to the invitation of the House

that the committees of the two Houses act jointly upon the Governor's message, the Senate respectfully suggests the impropriety of this joint action as committees, but will cordially hold informal conferences with the House committees."

Mr. Kyle made the following report, to wit:

Speaker of the House of Representatives:

Your Committee on Private Land Claims have instructed me to report back to the House the petition of Thomas N. Haynes and ask to be discharged from its further consideration.

C. Kyle, Chairman

Report received.

Mr. Lollar made the following report:

The Committee to whom was referred a bill to suspend the levying and collecting of a special tax by the County Court of Comal County until one year after the close of the War between the Confederate and United States have had the same under consideration and recommend that it do pass.

Report received.

Mr. DeBerry made the following report:

The Committee on the Judiciary to whom was referred a bill to be entitled an act to allow the use of the State Penitentiary for the confinement at hard labor of deserters from the Army of the Confederate States, having duly considered the same, a majority of said committee have instructed me to report said bill back to the House and recommend its passage with the following amendment, to wit: amend by adding to Section First "provided said superintendent shall not receive said convicts in such number as to exclude convicts by the counties of the state.

Report received.

Mr. McGuire made the following report, to wit:

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

The Committee on Printing beg leave to report that they have received a proposition from Mr. Buchanan of this place to print 5,000 copies of the Governor's message for the sum of \$135, 4,000 copies for \$75, 3,000 for \$62.50,

2,000 for \$47.50, and 1,000 for \$51.50 for specie, or its equivalent in Confederate Notes or Treasury Warrants. He informed us that he could deliver 200 copies in 7 days, and the balance in 15 days.

Your committee would further state that they wrote by last mail to the Houston printer on the subject. We think it doubtful whether we can get the message printed during the present session of the Legislature.

F. W. McGuire, Chairman

Report received.

Mr. English made the following report, to wit:
Honorable M. D. K. Taylor, Speaker of the
House of Representatives:

A majority of the Committee on Engrossed Bills have instructed me to report back to the House as correctly engrossed the following bills, to wit:

A bill to amend the 1st and 2nd sections of an act to incorporate the Rusk County Iron Company.

A bill to amend the 13th section of an act to regulate the estraying of stock in certain counties therein named, approved December 16, 1863.

Respectfully submitted,
R. English,
One of the Committee

Report received.

Mr. Way made the following report, to wit:

The Committee on the Judiciary to whom was referred an act to amend the 2nd and 3rd sections of an act entitled an act to organize the 16th Judicial District and to define the time of holding courts therein have had the same under consideration and have instructed me to refer the same back to the House and recommend its passage.

Report received.

Mr. Prendergast made the following report, to wit:

The Committee on the Judiciary to whom was referred a bill to be entitled an act to amend an act entitled an act to organize the county courts, approved February 16, 1852, have had the same under consideration and beg leave to report same bill back to the House and recommend its passage. Report received.

Mr. McDonald made the following report, to wit:

The Judiciary Committee to whom was referred the petition of J. M. Norris alleging his election as a member of the House from the district composed of the counties of Coryell, Hamilton, Comanche, etc., to fill the vacancy occasioned by the permanent removal of the former incumbent Honorable O. T. Tyler out of same representative district, have had the same under consideration and beg leave to report that it appears that the Honorable O. T. Tyler since the adjournment of the last session of the Legislature has removed his family to the County of Bell which is outside of his representative district; that his removal seems to have been for the purpose of education; that he still owns property in the county of his former residence and from his statement before the committee it is evidently doubtful if there be any permanent removal of said Tyler from his representative district.

The Committee further reports that even if it be conceded that said Tyler has removed permanently beyond his representative district it would not have vacated his seat in this House. There is no law, nor any provision of the Constitution of the State, which requires a representative to remain within his district after his election. Many precedents in the Congress of the late United States, and also in the various states which formerly composed that government could if necessary, be cited to sustain the view of the subject matter under consideration. The Committee therefore reports adversely to the petition of the said J. M. Norris and recommend that it be not granted and that the Committee be discharged from further consideration of the subject. The Committee do not consider that there seems any vacancy in the case and think that Honorable Mr. Tyler is justly entitled to his seat in this House.

Report received.

Mr. Simpson made the following report, to wit:²

Mr. Banton by leave introduced a bill to be entitled an act to amend the 3rd section of an act entitled an act to prescribe what kind of funds may be received for public dues, approved July 11, 1863. Read 1st time and referred to Committee on Finance.

Mr. Howard of Anderson by leave introduced a bill to

²A portion of the manuscript journal for this date is missing.

be entitled an act to incorporate the Beaver Iron Manufacturing Company. Read 1st time.

Mr. Lovejoy introduced a joint resolution empowering the Governor to convene the Legislature of the State at some other place than Austin. Read 1st time.

Mr. Pennington presented his resignation of the office of Doorkeeper of the House of Representatives, which was accepted, whereupon the Speaker announced that the election of another Doorkeeper the first business before the House.

Mr. Glasscock put the name of J. M. Thomas in nomination and the House proceeded to ballot, Messrs. Rhea, Hart, and Browne acting as tellers, which resulted in sixty-eight votes for Mr. Thomas and it being a majority of all votes cast Mr. Thomas was declared duly elected Doorkeeper of the House of Representatives of the Tenth Legislature.

On motion of Mr. Brady the resolution providing for the printing of the Governor's message which on yesterday was laid on the table, was taken up. Whereupon Mr. Willis withdrew his amendment.

Mr. Foscue then offered the following amendment, to wit: "Amend by striking out 5,000 and insert 1,000 copies" which was lost. Mr. Butler moved to amend by striking out 5,000 and inserting in lieu thereof 3,000 copies, which was adopted and the resolution adopted.

ORDERS OF THE DAY

The resolution offered on yesterday requiring the Comptroller to furnish to the House a list of the indigent persons in each county in the State was taken up and adopted.

The bill to be entitled an act making appropriations to defray the expenses of the Tenth Legislature was taken up, read a 2nd time, and ordered to be engrossed.

The bill to be entitled an act to incorporate the Henderson Masonic Female Institute was taken up. Read 2nd time and ordered to be engrossed.

The bill to be entitled an act to reorganize the 17th Judicial District and to prescribe the time of holding the courts therein. Read 2nd time and ordered to be engrossed.

The joint resolution in regard to conscription was taken

up. Read a 2nd time and referred to the Committee on the Judiciary.

Mr. Foscue offered the following resolution: "RESOLVED, That the Adjutant General communicate to this House as soon as practicable the number of men that have been detailed to carry on the cotton operations of the State of Texas," which was read and laid over under the rule.

The bill to be entitled an act to amend the 2nd and 3rd sections of an act entitled an act to reorganize the 16th Judicial District and to define the time of holding courts therein, was on motion of Mr. McCoy taken up, read a 2nd time, and ordered to be engrossed. The Constitutional rule was then suspended, bill read 3rd time and passed.

On motion of Mr. Banton the bill entitled an act to allow the use of the State Penitentiary for the confinement at hard labor of deserters from the Army of the Confederate States, was taken up and read a 2nd time. Whereupon Mr. Bowers moved to amend by adding in the caption "duly sentenced by court martial" which was adopted and Mr. Banton moved to amend by inserting after the word "more" in the 8th line of the 1st section "or during the continuance of the present war between the United and Confederate States of America," which was also adopted and bill ordered to be engrossed. The Constitutional rule was then suspended, bill read a 3rd time and passed.

The bill entitled an act to suspend the levying and collection of a special tax by the County Court of Comal County until two years after the close of the war between the United and Confederate States of America. On motion of Mr. Seele was taken up, read a 2nd time, and ordered to be engrossed.

Mr. Daniel offered a joint resolution instructing our representatives in the Confederate Congress in regard to making the new issue of Confederate money legal tender for the payment of all kinds of liabilities. Read 1st time.

Mr. Bowers made the following report to wit:³

On motion the House adjourned to 9 A.M. tomorrow.

Saturday, May 14, 1864

House met pursuant to adjournment. Prayer by Chaplain. Roll called, Quorum present. Journal of yesterday read and adopted.

³This report cannot be located.

Mr. English made the following report, to wit:
 Honorable M. D. K. Taylor, Speaker of the
 House of Representatives:

A majority of the Committee on Engrossed Bills have instructed me to report back to the House as correctly engrossed the following bills, to wit:

1st An act to amend the 2nd and 3rd sections of an act entitled an act to reorganize the 16th Judicial District and to define the times of holding courts therein.

2nd A bill to be entitled an act to allow the use of the State Penitentiary for the confinement of deserters, etc.

3rd An act to suspend the levy and collection of a special tax by the County Court of Comal County until one year after the close of the War between the Confederate States and the United States.

Respectfully submitted,
 R. English
 one of the Committee

Report received.

Mr. Andrews introduced a bill to be entitled an act for the relief of Robert Pulsford. Read 1st time.

Mr. Loughridge presented the petition of sundry members of the Texas Brigade in Virginia to His Excellency the Governor of the State of Texas, and offered a joint resolution in relation to said petition. Petition and resolution read 1st time and referred to the Committee on Military Affairs.

Mr. Butler offered the following resolution: "RESOLVED, That the Military Board be required to inform the Legislature what number of agents they have in their supply as well as the names of those agents and what amount of cotton have been purchased under the act of the Tenth Legislature and what price have been paid for the cotton so purchased," which was adopted.

Mr. Wooten offered the following resolution: "RESOLVED, That the Adjutant and Inspector General be requested to report the result of his inquiry under the joint resolution approved December 16, 1864," which was read.

Mr. Brady presented the resignation of J. M. Thomas of the office of Doorkeeper to the House of Representatives of the State of Texas, which was accepted. Whereupon the names of E. Raven and W. P. Mabin were placed in nom-

ination and the House proceeded to ballot for the nominees—Messrs. Keyes, Emmert, and Simpson acting as tellers—which being taken resulted in 48 votes for Mr. Raven and 22 for Mabin and Mr. Raven having received a majority of all the votes cast was declared the duly elected Door-keeper of the House of Representatives of the Tenth Legislature.

ORDERS OF THE DAY

The report of the Committee on Private Land Claims on the petition of Thomas N. Haynes for relief adversely to the petitioner was taken up and adopted. And leave was granted to petitioner to withdraw the accompanying documents.

The bill to be entitled an act to amend the 13th section of an act to regulate the estraying of stock in certain counties therein named, approved December 16, 1863, was taken up and read a 3rd time. Whereupon Mr. Lovejoy moved to amend by inserting Cooke, Wise, Jack, Clay, Montague, and Denton, and Mr. Browne moved to amend the amendment by adding Collin and Grayson, which was accepted and the amendment was then adopted. Whereupon Mr. Brady moved to postpone the further consideration of the bill until Monday next, which was carried.

The bill to be entitled an act to incorporate the Rusk County Iron Manufacturing Company was taken up and read a 3rd time and passed by the following vote, to wit:

The Speaker, Adams, Allen, Andrews, Barclay, Blake, Birdwell, Butler, Browne, Brady, Banton, Brazier, Bush, Baker, Bowers, Bratton, Cook, Daniel, DeBerry, Darden, Eastland, Emmert, Foscue, Finley, Frazier, Gibbons, Glasscock, Howard of Anderson, Howard of Lavaca, Hays, Hart, Harrison, Holford, Hunt, English, Jones, Kyle, Keyes, Lipscomb, Lollar, Lane, Lacy, Loughridge, Lovejoy, Mabray, Marshall, McDonald, Moores, McCoy, McGuire, Maney, Means, Perkins, Patton, Prendergast, Pendleton, Poag, Redding, Rhea, Robinson, Reid, Ranck, Russell, Slaughter, Smith, Seele, Simpson, Tyler, Thaxton, Willis, Wooten, Wilson, Walker, and Way—73.

The bill to be entitled an act to reorganize the 17th Judicial District and to prescribe the times of holding court therein was taken up, read a 3rd time, and passed.

The bill to be entitled an act to incorporate the Hen-

derson Masonic Female Institute was taken up, read a 3rd time, and passed by the following vote, to wit:

The Speaker, Adams, Allen, Andrews, Barclay, Birdwell, Butler, Browne, Banton, Brazier, Bush, Baker, Bowers, Bratton, Cook, Daniel, DeBerry, Darden, Eastland, Emmert, Foscue, Finley, Frazier, Gibbons, Glasscock, Howard of Anderson, Howard of Lavaca, Hays, Harrison, Holford, Hunt, English, Jones, Kyle, Keyes, Lipscomb, Lollar, Lane, Lacy, Loughridge, Lovejoy, Mabray, Marshall, McDonald, Moores, McCoy, McGuire, Maney, Means, Patton, Prendergast, Pendleton, Poag, Redding, Rhea, Robinson, Reid, Ranck, Russell, Slaughter, Smith, Seele, Simpson, Tyler, Thaxton, Willis, Wooten, Walker, Wilson, and Way—70.

The resolution requesting the Adjutant General to communicate to the House the number of persons detailed to carry on the cotton operations of the State was taken up and adopted.

The bill to be entitled an act to amend an act entitled an act to amend an act entitled an act to organize county courts, approved February 16, 1852, was taken up and read 2nd time and ordered to be engrossed. Rule then suspended, bill read a 3rd time and passed.

The report of the Committee on the petition of J. M. Norris was taken up and adopted.

Mr. Howard of Anderson introduced a bill to be entitled an act to incorporate the Beaver Iron Manufacturing Company was taken up, read a 2nd time and ordered to be engrossed.

The joint resolution empowering the Governor to convene the Legislature at some other place than Austin was taken up and read a 2nd time, and on motion of Mr. Foscue the further consideration of the same was postponed to Tuesday next at the hour of 11 A.M.

The joint resolution in regard to making Confederate money a legal tender was taken up and read a 2nd time and on motion of Mr. Bowers was referred to the Finance Committee.

The report of the committee on the resolution regarding the propriety of requiring the county courts to give bond and security for the faithful distribution of the funds appropriated for the support of soldiers' families was taken up and adopted.

The bill to be entitled an act making appropriation to

defray the contingent expenses of the Extra Session of the Tenth Legislature was taken up, read 3rd time and passed.

Mr. Poag by leave introduced a bill to be entitled an act to amend the 1046th Article of the General Statutes of the State. Read 1st time and referred to the Committee on the Judiciary.

A communication from the Comptroller in response to a resolution of the House requesting him to furnish the House a statement of the number of indigent persons in the State, which was read and laid on the table.

Mr. Bowers offered the following resolutions, to wit:

RESOLVED, That this House has learned with deep sorrow of the death of a favorite and distinguished son of Texas, Major General Tom Green, who nobly died on the 12th day of April, 1864, while bravely fighting the battles of his country. By his pure patriotism and brilliant military achievements, he has won the appellation of Defender of his country and is entitled to his country's approbation. His lamented death demands the expression of our grief for his loss and our affection for his memory.

RESOLVED, That when Major General Green fell Texas and freedom lost a devoted servant and brave defender of constitutional and civil liberty. In his death he has bequeathed to us a rich legacy in his immortal example of patriotic virtue and exalted worth.

RESOLVED, That we tender to the afflicted family of the deceased our sympathies to this their gloomy bereavement and that the clerk be authorized to transmit to them a copy of this resolution.

RESOLVED, That these resolutions be spread on the journals and as a further expression of our esteem for the memory of the deceased this House now stand adjourned until Monday morning at 10 o'clock.

Adopted unanimously.

The House adjourned to 10 A.M. on Monday next.

Monday, May 16, 1864

House met pursuant to adjournment. Roll called. Quorum present. Journal of last Saturday read and adopted.

Mr. Chance, member-elect from the 53rd District composed of the counties of Robertson and Burleson, came forward, presented his credentials and took the oath of office.

Mr. Brady introduced a bill to be entitled an act to



John T. Brady
Representative from Harris

Source: *History of Texas Together With a Biographical History of the Cities of Houston and Galveston* (Chicago: Lewis Publishing Company, 1895), 377.

limit the time of receiving the old specie of the Treasury Notes of the Confederate States in payment of taxes. Read 1st time; and also made the following report, to wit:

The Committee on Finance have instructed me to report a bill to be entitled an act to limit the time of receiving the old issue of Treasury Notes of the Confederate States in payment of taxes, and recommend its passage.

J. T. Brady, Chairman

Report received.

Mr. Bratton made the following report, to wit:
Honorable M. D. K. Taylor, Speaker of the
House of Representatives:

The Committee on Engrossed Bills beg leave to report the following bills as correctly engrossed, to wit:

1st A bill to incorporate the Henderson Masonic Female Institute.

2nd A bill to be entitled an act to incorporate the Beaver Iron Manufacturing Company.

3rd A bill to be entitled an act to reorganize the 17th Judicial District and prescribe the time for holding courts therein.

4th A bill to be entitled an act to amend an act entitled an act to organize county courts, approved February 16, 1852.

5th A bill to be entitled an act making an appropriation to defray the contingent expenses of the 10th Legislature.

L. R. Bratton,
one of said Committee

Report received.

Mr. Hays reported as follows, to wit:

The Committee on State Affairs to whom was referred a memorial of the County Court of Harris County in relation to the distribution of cloth manufactured in the State Penitentiary, having information that this subject is now undergoing an investigation before the Committee on the Penitentiary and believing it due to that Committee that this matter should pass through their hands, would respectfully return the same to the House and recommend its reference to said Committee on Penitentiary.

Report received.

Mr. DeBerry for the Judiciary Committee reported the bill to be entitled an act to amend an act to provide against the hostile invasion of the state by persons of color, back to the House and recommend that the bill do not pass for the reasons set forth in the report. Report received.

Mr. Hays for the Committee on State Affairs reported the bill to be entitled an act to incorporate the Falls of Brazos Manufacturing Company back to the House and recommend its passage with the amendments proposed by the Committee. Report received.

Mr. Rhea for the Committee on Military Affairs reported on the portion of the Governor's message referred to said Committee. Report received.

Mr. Foscue introduced a bill entitled an act to prevent slaves from holding certain kinds of property. Read 1st time and referred to Committee on the Judiciary.

Mr. Brady introduced a bill entitled an act to define and punish the offense of military oppression. Read 1st time and referred to Committee on the Judiciary.

Mr. Reid introduced a bill entitled an act to regulate State finance. Read 1st time and referred to Committee on Finance.

Mr. McCoy introduced a bill entitled an act supplemental to the several acts providing for the support and subsistence of families and dependants of officers and soldiers. Read and referred to Committee on State Affairs.

Mr. Ranck introduced a bill entitled an act to provide for the recovery of estray animals and to prescribe punishment for failure or refusing to comply with the requirements of this act. Read and referred to Committee on Stockraising.

Mr. Cook introduced a bill entitled an act for the relief of the citizens and soldiers of the county of Calhoun. Read and referred to Committee on State Affairs.

Mr. McCoy introduced a bill entitled an act to incorporate the Dallas Manufacturing Company. Read 1st time.

Mr. Baker introduced a bill entitled an act to incorporate the West Texas Manufacturing Company. Read and referred to Committee on State Affairs.

Mr. McCoy introduced a bill entitled an act to incorporate the Trinity Mills Manufacturing Company. Read 1st time.

ORDERS OF THE DAY

The bill entitled an act to amend the 13th section of an act to regulate the estraying of stock in certain counties therein named, approved December 16, 1863, was taken up and read a 3rd time. Whereupon the following amendment was offered, to wit: amend by inserting the following named counties, viz: Tarrant, Austin, Galveston, Dallas, Young, Harris, and Washington; which was adopted and the bill passed.

The bill entitled an act to incorporate the Beaver Iron Company was taken up, read a third time, and passed by the following vote, to wit: The Speaker, Adams, Allen, Andrews, Barclay, Birdwell, Butler, Browne, Brady, Banton, Brazier, Bush, Baker, Bratton, Cook, Daniel, DeBerry, Darden, Eastland, Emmert, Foscue, Finley, Frazier, Gibbons, Glasscock, Howard of Anderson, Howard of Lavaca, Hays, Hart, Harrison, Holford, Hunt, English, Jones, Keyes, Kyle, Lollar, Lipscomb, Lane, Lacy, Loughridge, Mabray, Marshall, McDonald, Maney, McCoy, McGuire, Maney, Means, Perkins, Patton, Prendergast, Pendleton, Rhea, Robinson, Reid, Ranck, Russell, Ramsey, Slaughter, Smith, Seele, Simpson, Tyler, Thaxton, Willis, Wooten, Wilson, Walker, and Way—67.

The bill entitled an act to suspend the levy and collection of a special tax by the County Court of Comal County until one year after the close of this war between the United States and Confederate States of America, was taken up, read a 3rd time, and passed.

The resolution requiring the Adjutant General to report the result of his inquiries under the joint resolution, approved December 16, 1863, was taken up, read a 2nd time, and on motion was laid on the table.

The bill entitled an act for the relief of Robert Pulsford was taken up and read a 2nd time, and on motion of Mr. Andrews was referred to the Committee on Judiciary.

On motion House adjourned to 9 A.M. tomorrow.

Tuesday, May 17, 1864

House met pursuant to adjournment. Prayer by Chaplain. Roll called, quorum present, and Journal of yesterday read and adopted.

Mr. DeBerry for the Committee on the Judiciary reported as follows:

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

The Judiciary Committee to which was referred a bill to be entitled an act to give full effect to proceedings in compliance with the sequestration laws by the Confederate States and security to the people of Texas under the same, having duly considered the same, are of the opinion that if Congress has the right to confiscate property it has the right to pass laws to carry the same into effect, and that no action of this body is necessary to cure any defects or omissions therein. In view of this a majority of said committee have instructed me to report said bill back to the House and recommend that the same do not pass.

A. W. DeBerry,
one of said Committee

Report received.

Mr. Poag for the Committee on the Judiciary reported back to the House the bill entitled an act to amend the 1046th Article of the General Laws of the State with a substitute for the bill, and recommended that the same do not pass.

Report received.

Mr. Loughridge for the Committee on Military Affairs reported back to the House the petition of 1st, 4th, and 5th Regiment of Texas Volunteers to the Governor of the State and the resolution in relation to the same, and recommend that the petition be received and the resolution adopted.

Mr. Butler offered the following resolution, to wit: "RESOLVED, That the Governor be requested to inform the Legislature what number of agents he has employed in the purchase of cotton for the state under the act of the Tenth Legislature as well as their names, and what amount of cotton have been purchased, and what price have been paid for the cotton so purchased." Read and laid over under the rule.

Mr. Howard of Lavaca offered the following resolution: "RESOLVED, That the Committee on State Affairs be instructed to inquire into the expediency of more effectually providing by law that the sessions of the several district courts of the State be regularly held by the respective judges thereof and that the same committee report by bill or otherwise," which was adopted.

Mr. McDonald offered the following resolution: "RESOLVED, That the Governor of Texas be and he is hereby requested to send one agent immediately to Louisiana and Arkansas with a sufficient sum of money to provide for the relief of Texas soldiers wounded in the recent engagements in those states, and also for the relief of the sick soldiers, citizens of Texas, now in the Army in said states." Read and referred to the Committee on Military Affairs.

Mr. Howard of Anderson offered a resolution requesting the Judiciary Committee to inquire whether or not additional legislation is necessary upon the subject of probating wills in cases in which the witnesses thereto are non-residents of the county, or unable to attend the court, or are absent from the state, and the period of time of whose absence is uncertain, and also to inquire whether or not more specific rules upon the subject of taking depositions in such cases are necessary; and report to the House by bill or otherwise, which was read and adopted.

Mr. Charles Callahan, member-elect from the 76th Representative District of the State came forward, presented his credentials, and took the oath of office.

Mr. Banton introduced a bill entitled an act supplemental to and amendatory of an act to establish a Penal Code. Read and referred to the Committee on Judiciary.

Mr. Pendleton introduced a bill entitled an act to prohibit the sale of ardent spirits within five miles of the town of Waxahachie in Ellis County. Read 1st time.

Mr. Foscue introduced a bill entitled an act to amend Article 905 of the Code of Criminal Procedure. Read 1st time and referred to the Committee on the Judiciary.

Mr. DeBerry introduced a bill entitled an act granting lands to the officers and soldiers of the Army and Navy of the Confederate States and of the State of Texas. Read and referred to the Committee on Public Lands.

Mr. Bratton introduced a bill entitled an act to provide for the support of the families of Texas soldiers. Read and referred to the Committee on State Affairs.

Mr. Russell introduced a bill entitled an act supplemental to the several acts regulating the duties of attorneys and counsellors-at-law. Read 1st time.

Mr. Darden introduced a bill entitled an act to define the boundary line of the headright league of land granted to James McNair and A. W. McLain of Colorado County.

Read and referred to the Committee on the Judiciary.

Mr. Daniel introduced a bill entitled an act to incorporate the Cherokee Furnace Company. Read 1st time.

Mr. Smith made the following report:

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

A majority of the Committee on Engrossed Bills have instructed me to report the joint resolution in regard to the manufacture of salt as correctly engrossed.

Respectfully submitted,
Thomas Smith, Chairman

Report received.

ORDERS OF THE DAY

The bill entitled an act to incorporate the Trinity Mills Manufacturing Company was taken up and read 2nd time and ordered to be engrossed.

The bill entitled an act to incorporate the Dallas Manufacturing Company was taken up, read 2nd time, and ordered to be engrossed. Rule suspended, bill read 3rd time and passed by the following vote, to wit:

Messrs. Speaker, Adams, Allen, Andrews, Barclay, Birdwell, Butler, Browne, Banton, Brazier, Bush, Baker, Bowers, Bratton, Chance, Cook, Callahan, DeBerry, Darden, Eastland, Emmert, Finley, Frazier, Griffith, Gibbons, Glasscock, Howard of Anderson, Howard of Lavaca, Hays, Hart, Harrison, Holford, Hunt, Jones, Kyle, Keyes, Lollar, Lane, Lacy, Loughridge, Lovejoy, Mabray, Marshall, McDonald, Moores, McGuire, Maney, Means, Patton, Prendergast, Pendleton, Poag, Rhea, Robinson, Ranck, Russell, Slaughter, Smith, Seele, Simpson, Tyler, Thaxton, Willis, Wooten, Wilson, Walker, and Way—67.

The bill entitled an act to limit the time for receiving the old issue of Confederate notes in payment of taxes was taken up and read a 2nd time. Whereupon Mr. Slaughter moved to re-refer the bill to the Finance Committee, which was carried.

Mr. Hays by leave offered a joint resolution in regard to the manufacture of salt. Read 1st time. Rule suspended, read 2nd time and ordered to be engrossed. Rule further suspended, read 3rd time, and passed.

The report of the Committee on the bill entitled an act to amend an act to provide against the hostile invasion of

the State of Texas, etc., adverse to the bill was taken up and adopted.

The bill entitled an act to incorporate the Falls of Brazos Manufacturing Company was taken up and read a 2nd time, and on motion the amendments offered by the committee were adopted and the bill ordered to be engrossed. Rule suspended, bill read a 3rd time and passed by the following vote, viz: Messrs. Speaker, Adams, Allen, Andrews, Barclay, Blake, Birdwell, Butler, Browne, Brady, Banton, Brazier, Bush, Buckley, Baker, Bowers, Bratton, Chance, Cook, Daniel, DeBerry, Darden, Eastland, Emmert, Foscue, Finley, Frazier, Griffith, Gibbons, Glasscock, Howard of Anderson, Howard of Lavaca, Hays, Hart, Harrison, Holford, English, Jones, Keyes, Lipscomb, Lollar, Lane, Lacy, Loughridge, Mabray, Marshall, Maney, McGuire, Maney, Means, Patton, Prendergast, Pendleton, Rhea, Robinson, Reid, Slaughter, Smith, Seele, Simpson, Tyler, Thaxton, Willis, Wooten, and Way—65.

The report of the Committee on Military Affairs on the portion of the Governor's message relating to the State Troops was taken up and adopted.

The joint resolution empowering the Governor to convene the State Legislature at some other place than Austin was taken up and read a 2nd time. Whereupon Mr. Foscue moved to strike out the word "furniture" which was carried; and to amend by adding "if in his opinion it is not incompatible with the public interest" which was adopted. Mr. Smith moved to strike out of the preamble the last sentence or paragraph, after the word "quorum." Carried. Mr. McGuire offered the following amendment: "And we hereby respectfully recommend to his Excellency the town of Allen in Denton County, as the most appropriate place at which to convene the next Extra Session of the Tenth Legislature," which was rejected. Whereupon Mr. McDonald moved to postpone the further consideration of the matter to 11 A.M. on Saturday next, which was lost. Whereupon Mr. Griffith offered the following substitute, to wit: Amend by striking out all after the word "siel" and insert that we hereby tender the citizens of Austin our sincere thanks for the kindness shown to us as a body in boarding us during the fast depreciation of the currency for a less amount than was their actual cost to them.

And Mr. Bowers offered the following amendment to

the substitute, to wit: Amend by adding to the last resolution the words "Provided nothing herein contained shall be so construed as to authorize the Governor to convene the Legislature in extraordinary session at any other place than at the Seat of Government unless that place shall be in the actual possession of a public enemy."

On motion House adjourned to 9 A.M. tomorrow.

Wednesday, May 18, 1864

House met pursuant to adjournment. Prayer by Chaplain. Roll called, quorum present, Journal of yesterday read and adopted.

Mr. DeBerry for the Committee on the Judiciary reported back to the House the bill entitled an act for the relief of Robert Pulsford, and recommend that a substitute by the committee do pass. Report received.

Mr. Buckley for the Committee on the Judiciary reported back to the House the bill entitled an act to amend Article 965 of the Code of Criminal Procedure, and recommend its passage with the amendment subjoined by the committee. Also the bill entitled an act to prevent the holding of property by slaves with a substitute by the committee and recommend its passage. Report received.

Mr. Bowers for the Committee on the Judiciary reported back to the House the joint resolution in regard to conscription and recommend its passage with the substitute or amendment offered by the committee. Report received.

Mr. Walker for the Committee on Public Lands reported back to the House the bill entitled an act granting lands to the officers and soldiers of the Army and Navy of the Confederate States and of the State of Texas, and recommend its passage with the subjoined amendment. Report received.

Mr. Way for the Committee on the Judiciary reported back to the House the bill entitled an act supplemental to and amendatory of an act to establish a Penal Code, and recommended its passage. Report received.

Mr. McGuire for the Committee on Public Printing reported to the House its action in reference to the printing of the Governor's message:

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

The Committee on Printing respectfully submit to the

House a letter from Mr. Cushing of Houston on the subject of printing the Governor's message; and also one from Mr. Richardson of the same place. We would state that the Senate committee made a contract for the printing the message with Mr. Richardson of this place; and as there was but one copy of the message it became necessary for the House Committee to make a similar contract. It will be seen that the difference in price is very considerable. Comment is unnecessary.

Respectfully,

J. W. McGuire, Chairman

We have to pay \$28.80

Report received.

Mr. English of the Committee on Engrossed Bills made the following report:

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

The Committee on Engrossed Bills have instructed me to report as correctly engrossed:

An act to incorporate the Dallas Manufacturing Company.

An act to incorporate the Trinity Mills Manufacturing Company.

Respectfully submitted,

R. English

one of the Committee

Mr. Banton for the Committee on State Affairs reported to the House that the Committee after considering the portion of the Governor's message referring to the demoralization of the people away from the non-execution of the law, beg leave to present a bill entitled an act amendatory of and supplemental to an act to adopt and establish a Code of Criminal Procedure, and recommend its adoption. Read and referred to the Committee on the Judiciary. Also the bill entitled an act to incorporate the West Texas Manufacturing Company and recommend its passage with the subjoined amendment. Report received.

Mr. Griffith for the Committee on Military Affairs reported back to the House the resolution in regard to the wounded and sick soldiers in Louisiana and Arkansas with

joint resolution from the Committee, which the Committee recommends to be passed.

A message from the Senate was received informing the House that the Senate had passed a joint resolution in regard to the frontier organization.

Mr. Lane introduced a bill entitled an act to authorize the county courts to cause reassessment of taxable property for the year 1864. Read and referred to Committee on State Affairs.

Mr. Russell introduced a bill to be entitled an act to provide for the payment of the enrolling officers of the State. Read and referred to the Committee on Finance.

Mr. Howard of Lavaca offered a joint resolution in regard to the provision of the Confederate Constitution which declares that private property shall not be taken for public uses without just compensation. Read and referred to the Committee on Confederate Relations.

Mr. Seele introduced a bill entitled an act to incorporate the Comal County Mutual Aid Association. Read and referred to the Committee on State Affairs.

Mr. Frazier introduced a bill entitled an act to incorporate the Star State Machine and Manufacturing Company.

Mr. Brady introduced a bill entitled an act to provide for regulating the finance of the State, and for the Finance Committee to report the bill back to the House and recommend its passage.

Mr. McDonald offered the following resolution, to wit: "RESOLVED, That the Judiciary Committee be requested to investigate and report by bill or otherwise the best practicable method consistent with constitutional powers to prevent persons fleeing the State of Texas to avoid military service or to join the public enemy of the Confederate States," which was adopted.

ORDERS OF THE DAY

The joint resolution empowering the Governor to convene the State Legislature at some other place than Austin which was under consideration at last adjournment was taken up, the question pending being on the substitute offered by Mr. Griffith. Mr. Howard of Lavaca moved to lay it and all the amendments on the table, which was carried.

The resolution offered on yesterday requesting the Governor to inform the House of the number of agents engaged in the cotton operations of the State was taken up and by leave was withdrawn.

The bill to incorporate the Trinity Mills Manufacturing Company was taken up, read 3rd time and passed by the following vote, to wit:

Yeas—Messrs. Speaker, Adams, Allen, Andrews, Barclay, Butler, Browne, Brady, Banton, Brazier, Bush, Baker, Bowers, Bratton, Chance, Cook, Daniel, DeBerry, Darden, Eastland, Emmert, Foscue, Finley, Frazier, Griffith, Gibbons, Howard of Anderson, Howard of Lavaca, Hays, Hart, Holford, Jones, Kyle, Keyes, Lipscomb, Lollar, Lane, Lacy, Loughridge, Mabray, Moores, Maney, Perkins, Patton, Prendergast, Poag, Redding, Rhea, Robinson, Reid, Ranck, Smith, Seele, Simpson, Tyler, Thaxton, Willis, Wooten, Wilson, Walker, and Way—63.

Nays—Messr. Means—1.

The bill entitled an act to prohibit the sale of ardent or spirituous liquors within five miles of the town of Waxahachie in Ellis County was taken up, read a 2nd time and ordered to be engrossed.

The bill entitled an act to incorporate the Cherokee Furnace Manufacturing Company was taken up, read a 2nd time, and ordered to be engrossed. Rule suspended, bill read a 3rd time and passed by the following vote:

Yeas—Messrs. Speaker, Allen, Adams, Andrews, Barclay, Banton, Birdwell, Butler, Browne, Brady, Brazier, Bush, Buckley, Baker, Bowers, Bratton, Chance, Cook, Daniel, Darden, Eastland, Emmert, Foscue, Griffith, Howard of Anderson, Howard of Lavaca, Hays, Holford, Jones, Kyle, Keyes, Lipscomb, Lollar, Lane, Lacy, Loughridge, Lovejoy, Mabray, Marshall, McDonald, Moores, McCoy, McGuire, Means, Prendergast, Pendleton, Redding, Rhea, Robinson, Reid, Ranck, Russell, Smith, Simpson, Tyler, Thaxton, Willis, Wooten, Wilson, Walker, and Way—63.

Nays—Messrs. DeBerry, Gibbons, and English—3.

The bill entitled an act supplemental to the several acts regulating the duties of attorneys and counsellors at law was taken up, read a 2nd time and on motion of [blank] was referred to the Committee on the Judiciary.

The joint resolution in regard to the Texas Brigade in Virginia was taken up and read a 2nd time. Whereupon

Mr. Prendergast moved to amend by inserting the name of General Gregg which was carried. Mr. Smith then offered the following amendment, to wit:

Amend 1st resolution by adding the following "provided such transfer is consistent with the best interest of the country," which was adopted—and then moved a reconsideration of the vote adopting the amendment, which was lost. Whereupon Mr. Buckley offered the following amendment, to wit:

Strike out "position" and insert in 1st resolution "organization and identity" till the end of the war, which was adopted—and Mr. Taylor, Mr. Hays in the Chair, offered to amend by inserting in the preamble "and whereas the said regiments have petitioned the Legislature" which was adopted, and resolution ordered to be engrossed. Rule suspended and resolutions read a 3rd time and passed.

The bill entitled an act to amend the 1st section of an act entitled an act regulating jurors, approved May 4, 1846, was taken up and the Committee's substitute adopted. Bill read 2nd time whereupon Mr. Darden offered the following amendment, to wit: "Provided that no one not exempt by the provision of this act shall be exempt by reason of his name not being on the jury list," which was adopted, and bill ordered to be engrossed. Rule suspended, bill read 3rd time and passed.

The report of the Judiciary Committee on the bill entitled an act to give full effect to proceedings under the Confederate Sequestration laws was taken up, and on motion of Mr. Baker was postponed to 11 A.M. on Friday next and made special order for that time.

Mr. Prendergast by leave presented a communication from Judge Walker of the 13th Judicial District which was received and referred to the Judiciary Committee.

The Senate joint resolution in regard to the frontier organization was taken up and read 1st time, and referred to the Committee on Military Affairs.

A communication from the Governor in response to a resolution of the House in regard to the operations of the Military Board was received and referred to the Committee on State Affairs.

On motion the House adjourned to 9 A.M. tomorrow.

Thursday, May 19, 1864

House met pursuant to adjournment. Prayer by Chaplain. Roll called. Quorum present. Journal of yesterday read and adopted.

Felix T. Elder, member elect from the 72nd District composed of the counties of Bexar, Uvalde, Medina, Wilson and Maverick, came forward, presented his credentials, and took the oath of office.

Mr. Buckley for the Committee on the Judiciary reported back to the House the bill entitled an act amendatory of and supplemental to an act to adopt and establish a Code of Criminal Procedure, and for the reasons set forth in the report recommended that it do not pass. Report received.

Mr. Griffith for the Committee on Military Affairs reported back to the House the joint resolution from the Senate in regard to the frontier organization and recommend adoption by the House. Also reported to the House in response to the portion of the Governor's message in relation to a police force for the State. A bill entitled an act to provide for the organization of companies in the several counties of the State for police and other purposes, which was read 1st time. Report received.

Mr. Thaxton for the Committee on Stock and Stockraising reported back to the House the bill entitled an act to provide for the recovery of estray animals and to prescribe the punishment for failing or refusing to comply with the requirements of this act, and recommend its passage with the proposed amendment. Report received.

Mr. McDonald for the Judiciary Committee reported back to the House the communication of Judge James C. Walker, and submit that for the reasons set forth in the report any action at this time in the suggestions of the same would be inexpedient. Report received.

Mr. Banton for the Committee on the Judiciary reported back to the House the memorial of the Harris County Court in regard to cloth manufactured at the State Penitentiary with a bill from the committee, and recommend the passage of the bill. Report received.

Mr. Slaughter for the Committee on Finance reported to the House a bill to be entitled an act to supply the deficiency in the State Treasury in response to the portion

of the Governor's message on the subject of the financial difficulties of the State, and recommend its passage:

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

A majority of the Committee on Finance to which was referred that portion of the Governor's message on the subject of the financial difficulties of the State have had the subject under consideration. A bill for the purpose of supplying the deficiency which may be found to exist in the available means of the State of carrying on the State Government fiscal year the whole financial condition of State do surround difficulties and embarrassments. They have prescribed the only measure which seemed feasible at the present time and which is far from being entirely satisfactory.

R. F. Slaughter,
one of Committee

Report received.

Mr. Poag for the Committee on the Judiciary reported back to the House the bill entitled an act supplemental to the several acts regulating the duties of attorneys and counsellors-at-law, and recommend that the same be not passed. Report received.

Mr. McCoy for the Committee of State Affairs reported back to the House the bill entitled an act to authorize the county courts to cause reassessment of taxable property for the year 1864 with a substitute therefor and recommend that the substitute be passed. Report received.

Mr. DeBerry for the Judiciary Committee reported back to the House the resolution requesting some action of the said Committee on the subject of probating wills, etc., with a bill from the Committee entitled an act to provide for the probate of wills in certain cases and recommend the passage of the same. Report received.

Mr. Smith for the Committee on Engrossed Bills made the following report, to wit:⁴

A message from the Senate was received informing the House that the Senate had passed a bill entitled an act to define and punish the unlawful interference with exportation and transportation of cotton and other articles, and

⁴Ibid.

the unlawful impressment of property. Also a bill entitled an act to define and punish offenses committed within this state by persons under the protection of the enemy. And also the House joint resolution relative to the manufacture of salt, with an amendment.

Mr. Baker introduced a bill entitled an act to amend an act to authorize the Comptroller of the State to receive from railroad companies in this state the interest that may be now due or hereafter become due on their bonds. Read and referred to the Finance Committee.

Mr. Cook offered a joint resolution in regard to the County Court of Calhoun County, which was read and referred to the Judiciary Committee.

Mr. Bowers introduced a bill entitled an act to furnish the reporters of the Supreme Court with stationery. Read and referred to Committee on the Judiciary.

Mr. Buckley introduced a bill entitled an act to punish unlawful interference with private property, or private rights. Read and referred to the Judiciary Committee.

Mr. Simpson introduced a bill entitled an act to encourage the manufacture of leather. Read 1st time.

Mr. Slaughter offered the following resolution, to wit: "RESOLVED, That the State Quartermaster furnish to the House a full and complete report of the amount of goods turned over to him by the old Military Board, Adjutant General, or otherwise, and what kind of disposition has been made of them; if the same or any part thereof has been sold—to whom and at what rate?" which was read and adopted.

ORDERS OF THE DAY

The bill to be entitled an act to regulate the finances of the State was taken up and read a 2nd time. Whereupon Mr. Reid offered the following amendment, viz: strike out the words "at par" in the 5th line of section 2nd and insert the words "as the value expressed on the fact of the obligation," and Mr. Smith offered an amendment to the amendment which lost, and Mr. Banton offered an amendment to the amendment. And Mr. Reid moved to lay Mr. Banton's amendment on the table which was carried, and Mr. DeBerry moved an amendment to the amendment, and Mr. Prendergast moved to lay the original amendment and amendment to it on the table. Carried. Mr. Prendergast

then offered the following amendment to the bill, to wit: strike out "November" and insert "October" which was adopted. Mr. Brady moved that the bill be referred to a special committee, whereupon Mr. Reid moved to lay Mr. Brady's motion on the table which was carried. Mr. Bowers then offered the following amendment, to wit: add to Section _____ "that when taxes are paid in interest drawing Texas State Treasury Warrants, interest shall be allowed thereon up to the date of payment and it is hereby made the duty of the Assessor and Collector to endorse on said warrants the date at which they were received, which endorsement shall be signed by him and witnessed by the person paying the same," which was adopted. And Mr. Brady offered the following amendment, to wit: provided that nothing in section 2nd shall be construed so as to allow any of the old issue of the interest bearing Treasury Notes of the Confederate States to be received in payment of taxes after the 1st of October next. And Mr. DeBerry offered the following substitute for Mr. Brady's amendment, to wit: Amend Section 2 by striking out in the tenth line of said section the words "not bearing interest." And Mr. McDonald moved to postpone the further consideration of the bill to 9 A.M. tomorrow which was lost, and the question recurring on the adoption of Mr. DeBerry's substitute for Mr. Brady's amendment was put and substitute adopted and bill ordered to be engrossed.

The House joint resolution reported from the Senate passed with an amendment was taken up and the Senate's amendment agreed to.

A message from the Senate was received informing the House that the Senate had passed the following bills, to wit: a bill entitled an act to provide for the revision of the laws, and the House bill entitled an act to amend the 2nd and 3rd sections of an act entitled an act to reorganize the 16th Judicial District and to define the time of holding courts therein.

The Senate bill entitled an act to define and punish the unlawful interference with the exportation and transportation of cotton and other articles, and the unlawful impressment of property, was taken up and read and referred to the Judiciary Committee.

The Senate bill entitled an act to define and punish offenses committed within this state by persons under the

protection of the enemy was taken up, read, and referred to the Committee on the Judiciary.

Mr. Bowers by leave presented the petition of the county court of Travis County, which was read and referred to the Committee on State Affairs.

The bill entitled an act to prevent slaves from exercising pretended ownership over property, was taken up and read 2nd time. Whereupon Mr. Prendergast offered to amend by striking out of the 1st section the words "other property" which was adopted, and bill ordered to be engrossed.

The Senate bill entitled an act to provide for the revision of the laws was taken up, read, and referred to the Judiciary Committee.

On motion the House adjourned to 8 A.M. tomorrow.

Friday, May 20, 1864

House met pursuant to adjournment. Prayer by Chaplain. Roll called, quorum present, Journal of yesterday read and adopted.

Mr. Buckley for the Judiciary Committee reported back to the House a substitute for the bill entitled an act to punish unlawful interference in the private property or private rights and recommend the passage thereof. Report received.

Also the Senate bill entitled an act to provide for the revisions of the laws, and recommend its passage. Report received.

Mr. Bowers for the Judiciary Committee reported back to the House the Senate bill entitled an act to define and punish the unlawful interference with the exportation and transportation of cotton and other property, and the unlawful impressment of property, with an amendment proposed by the Committee and recommend its passage with the amendment. Report received.

Mr. Howard for the Committee on State Affairs reported back to the House the resolution requiring the Committee on State Affairs to report in respect to the necessity of a law requiring the regular terms of the several district courts to be regularly held, reported the same back with a bill entitled an act more effectually to provide for the regular holding of the terms of the several district courts of the State by the respective judges thereof, and they recommend the passage thereof. Report received.

Mr. Darden for the Committee on the Judiciary reported back to the House the Senate bill entitled an act to define and punish offenses committed within this state by persons under the protection of the enemy, and recommend its passage. Report received.

Mr. Banton for the Committee on State Affairs reported back to the House the bill entitled an act supplemental to the several acts providing for the support and subsistence of families and dependents of officers and soldiers, and recommend its passage. Report received.

Mr. Simpson for the Judiciary Committee reported back to the House the joint resolution in regard to the County Court of Calhoun County, and for the reason set forth in the report submit that no action thereon is necessary. Report received.

Mr. Darden for the Committee on the Judiciary reported back to the House the bill entitled an act to furnish the reporter of the Supreme Court with stationery, and recommend its passage. Report received.

Mr. Brady for the Finance Committee reported back to the House the resolution in regard to the clothing furnished for the State Troops by order of Colonel William Byrd, late Adjutant and Inspector General, and recommend that the same be referred to the Committee on Military Affairs. Report received and resolution referred to the Committee on Military Affairs.

Mr. Banton for the Committee on State Affairs reported back to the House the bill entitled an act for the relief of citizens and soldiers of the county of Calhoun, and recommend that the same be referred to the Committee on Finance. Report received and bill referred to the Finance Committee.

Mr. Banton introduced a bill entitled an act to amend the 3rd section of the act to provide for the support of the families and dependents of Texas soldiers, approved December 15, 1863, which was read 1st time.

Mr. Moores offered a joint resolution to the importation of medicines, which was read 1st time.

Mr. Loughridge offered the resolution, to wit: "RESOLVED, That the Honorable Speaker of the House of Representatives appoint a Committee of Seven members of the House whose duty it shall be to examine into the condition of the inmates of the Lunatic Asylum, and report

at their earliest convenience their number together with the vacancies, if any exist," which was read and adopted. Whereupon the Speaker appointed as said committee Messrs. Loughridge, Lollar, Finley, Lovejoy, Adams, Callahan, and Bratton.

Mr. Butler offered the following resolution, to wit: "RESOLVED, the Senate concurring, That the Tenth Legislature of the State of Texas adjourn *sine die* on Tuesday, the 24th instant," which was adopted.

Mr. Keyes made the following report, to wit:

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

The Joint Committee on Enrolled Bills have examined the subjoined act and joint resolution and find them correctly enrolled and properly signed and have presented the same to the Governor today for his approval, to wit:

A bill to be entitled an act to amend the 2nd and 3rd sections of an act entitled an act to reorganize the 10th Judicial District and to define the time of holding courts therein.

Joint resolution relative to the manufacture of salt.

H. Keyes, Chairman

Report received.

A message from the Senate informing the House that the Senate had passed a bill entitled an act to amend Articles 734 and 744, Chapter 8, Title I, of the Penal Code, was received.

ORDERS OF THE DAY

The joint resolution in regard to conscription was taken up. Read a 2nd time whereupon Mr. DeBerry offered as a substitute the resolution offered by the minority of the Judiciary Committee for the original resolution and amendment of the Committee. And yeas and nays being ordered, was taken and the substitute rejected by the following vote, to wit:

Yeas—Messrs. Adams, Blake, Bush, Cook, Daniel, DeBerry, Elder, Foscue, Howard of Anderson, Holford, English, Jones, Lacy, Mabray, Marshall, Moores, McGuire, Means, Perkins, Prendergast, Pendleton, Redding, Robinson, Smith, Simpson, Wilson, and Willis—28.

Nays—Messrs. Speaker, Allen, Andrews, Barclay, Birdwell, Butler, Brady, Banton, Brazier, Buckley, Baker, Bowers, Bratton, Chance, Callahan, Darden, Eastland, Finley, Frazier, Griffith, Gibbons, Glasscock, Howard of Lavaca, Hays, Harrison, Kyle, Keyes, Lipscomb, Lollar, Lane, Loughridge, McDonald, Maney, Patton, Poag, Rhea, Reid, Ranck, Russell, Slaughter, Tyler, Thaxton, Wooten, Walker, and Way—45.

And the question recurring on the adoption of the committee's amendment was put and the amendment adopted and the resolution ordered to be engrossed.

Mr. Smith made the following report, to wit:

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

The majority of the Committee on Engrossed Bills instruct me to report as correctly engrossed the following bills:

A bill to provide for regulating the finances of the State.

A bill to prevent slaves from exercising pretended ownership over property.

Respectfully submitted,
Thomas Smith, Chairman

Report received.

The bill entitled an act to give full effect to proceedings under the sequestration laws of the Confederate States made special order for this hour was taken up and on motion of Mr. Prendergast was laid on the table.

The Senate bill entitled an act to amend Articles 743 and 744, Chapter 8, Title 1, of the Penal Code was taken up and read 1st time.

The bill entitled an act to regulate the finances of the State was taken up and read a 3rd time. Whereupon Mr. Banton offered the following amendment, to wit: "Add to 3rd section except the school fund to the credit of which shall be placed the Treasury Notes of the new issue," which was rejected. And Mr. Brady offered the following amendment, to wit: "Add to Section 2 notes of the old issue of five dollars shall be received at their face value until the 1st of October—notes of a less denomination than five dollars shall be received without abatement at any time" which

was adopted. And Mr. Seele offered the following amendment, to wit: "Amend the 2nd section by adding the following provision—provided that nothing in this act shall be so construed as to conflict with the provisions of the act entitled an act to raise revenue by taxation, approved December 16, 1863, providing for the levy and collection of certain taxes in specie" which was adopted. Bill passed.

The bill entitled an act to prevent slaves from owning or exercising pretended control over property was taken up. Read a 3rd time and passed.

The bill entitled an act to provide for the legislation of claims against the State when there is a deficiency of funds in the Treasury was taken up and read a 2nd time. Whereupon Mr. Baker offered the following amendment, to wit: Amend by striking out of 2nd section the words "redeemable in the Treasury Notes of the Confederate States of America." Pending a discussion thereon the House adjourned to 3 P.M.

3 P.M.

House met pursuant to adjournment. Roll called. Quorum present.

William R. Shannon, member-elect from the 42nd District, came forward, presented his credentials and took the oath of office.

Mr. McDonald for the Committee on the Judiciary reported back to the House the joint resolution in regard to the writ of habeas corpus with a substitute from the Committee and recommend the passage of the substitute.

Mr. Buckley presented a memorial from sundry citizens of Walker County which was received and referred to the Committee on Education.

Mr. Buckley also introduced a bill entitled an act to incorporate the Fort Bend Trading Company which was read and referred to the Committee on State Affairs.

Mr. Banton introduced a bill entitled an act supplemental to and amendatory of an act to adopt and establish a Penal Code and to repeal all laws granting licenses to nine pin alleys. Read and referred to the Judiciary Committee.

Mr. Buckley introduced a bill entitled an act to repeal certain acts therein contained. Read and referred to the Committee on Finance.

Mr. Darden introduced a bill entitled an act to amend

an act entitled an act to incorporate the Columbus Tap Railroad Company. Read and referred to the Committee on Roads, Bridges, and Ferries.

Mr. Bowers introduced a bill entitled an act making an appropriation to pay for stationery and lighting material for the Tenth Legislature. Read and referred to the Finance Committee.

Mr. Poag introduced a bill entitled an act to regulate the carrying on of distilleries and to impose a license tax thereon. Read and referred to the Finance Committee.

Mr. McGuire offered the following resolution, to wit: "RESOLVED, That the Committee on Military Affairs be requested to inquire and report the practicability of establishing a more expeditious mode of correspondence between the capital of this state and the headquarters of the Trans-Mississippi Department and that they report by bill or otherwise," which was read and adopted.

The bill entitled an act to provide for the liquidation of claims against the State when there is a deficiency of funds in the Treasury, pending the discussion of which the House adjourned this forenoon, was taken up. The question being on the adoption of the amendment offered by Mr. Baker before adjournment.

Mr. Cook moved to lay the amendment on the table which carried. Whereupon Mr. Banton offered the following amendment, to wit: Amend by striking out the 3rd section, which was rejected and the question then recurring on the engrossment of the bill was put and the yeas and nays being called was taken and the bill ordered to be engrossed by the following vote, to wit:

Yeas—Messrs. Speaker, Allen, Barclay, Brazier, Bush, Bratton, Chance, Cook, Callahan, Daniel, DeBerry, Eastland, Finley, Howard of Lavaca, Hays, Hart, Harrison, Holford, English, Jones, Lipscomb, Lollar, Lane, Loughridge, Lovejoy, Mabray, Marshall, Moores, McCoy, Means, Prendergast, Pendleton, Redding, Rhea, Robinson, Reid, Russell, Shannon, Slaughter, Willis, and Wilson—41.

Nays—Messrs. Andrews, Blake, Birdwell, Butler, Browne, Banton, Buckley, Baker, Bowers, Darden, Foscue, Frazier, Gibbons, Glasscock, Howard of Anderson, Kyle, Keyes, Lacy, McGuire, Maney, Perkins, Patton, Poag, Ranck, Smith, Seele, Simpson, Tyler, Thaxton, Walker, and Way—33.

The rule was then suspended, bill read a 3rd time and passed.

The bill entitled an act to provide for the distribution of cloth manufactured in the State Penitentiary was taken up and read a 2nd time. Whereupon Mr. Banton offered the following amendment, to wit: Section 4th "That this act take effect from and after sixty days from its passage—giving counties which have not obtained their prorated under the existing system of the Penitentiary for the distribution of cloth; until that time to obtain the same" which was adopted. And Mr. Foscue offered to amendment by striking out the 3rd section.

On motion of Mr. McDonald, Mr. Prendergast was granted leave of absence for the remainder of the session.

On motion the House adjourned to 8 A.M. tomorrow.

Saturday, May 21, 1864

House met pursuant to adjournment. Prayer by Chaplain. Roll called. Quorum present. Journal of yesterday read and adopted.

Mr. Emmert for the Committee on Roads, Bridges, and Ferries reported back to the House the bill entitled an act to amend an act entitled an act to incorporate the Columbus Tap Railroad Company and recommended its passage.

Mr. Smith made the following report, to wit:

The Committee on Engrossed Bills beg leave to report the following bill as correctly engrossed, to wit: a bill entitled an act to supply any deficiency in the State Treasury.

Also the joint resolution in regard to conscription.

Report received.

Mr. Daniel offered the following resolution, to wit: "RESOLVED, That no member of this House shall be permitted to speak more than fifteen minutes at any one time unless by leave of the House." Read and laid over under the rule.

A message was received from the Senate informing the House that the Senate has passed the following bills, to wit: A bill entitled an act supplemental to an act to provide for the protection of the frontier and turning over the Frontier Regiment, approved December 15, 1863; the House bill to amend the 1st and 2nd sections of an act to incorporate the Rusk County Iron Company; the House bill to amend an act entitled an act to organize the county courts, approved February 16, 1852; and the House bill to incorporate the

Cherokee Furnace Company; and also the House bill entitled an act to reorganize the 17th Judicial District and to prescribe the time of holding courts therein; the House bill entitled an act making an appropriation to defray the contingent expenses of the Tenth Legislature with an amendment and a bill entitled an act to regulate the reception and disposal of Confederate Notes and Bonds now and hereafter in the treasury exclusive of new issue; and the joint resolution to General Smith and the Army.

Mr. Hays for the Committee on State Affairs reported back to the House the petition of the County Court of Travis County, and for the reasons set forth in the report ask to be discharged from any further consideration of the same. Report received.

ORDERS OF THE DAY

The bill entitled an act to provide for the distribution of cloth manufactured at the State Penitentiary, pending the consideration of which the House adjourned on yesterday, was taken up, the question pending being on the adoption of Mr. Foscue's amendment. Mr. DeBerry moved to lay the amendment on the table and the yeas and nays called for was ordered and taken and the motion carried by the following vote, to wit:

Yeas—Messrs. Adams, Allen, Barclay, Brady, Banton, Brazier, Bush, Bratton Chance, Cook, Callahan, DeBerry Elder, Finley, Frazier, Griffith, Glasscock, Howard of Anderson, Hart, English, Keyes, Lollar, Lane, Lacy, Loughridge, Lovejoy, Mabray, Marshall, McDonald, Maney, Means, Perkins, Pendleton, Poag, Redding, Reid, Ranck, Russell, Shannon, Slaughter, Smith, Seele, Thaxton, Willis, Wooten, Walker, and Way—47.

Nays—Messrs. Speaker, Andrews, Birdwell, Butler, Browne, Buckley, Baker, Bowers, Daniel, Darden, Eastland, Foscue, Gibbons, Howard of Lavaca, Hays, Harrison, Holford, Jones, Kyle, Lipscomb, McCoy, McGuire, Patton, Rhea, Robinson, Tyler, and Wilson—27.

Mr. McCoy for the Committee on Education reported back to the House the petition of sundry citizens of Walker County and for the reasons set forth in the report recommend that the petition be referred to the Judiciary Committee. Report adopted.

... the amendment rejected by the following vote, to wit:

Yeas—Messrs. Andrews, Birdwell, Butler, Browne, Brady, Bush, Buckley, Baker, Callahan, Daniel, Darden, Eastland, Elder, Foscue, Griffith, Glasscock, Gibbons, Howard of Anderson, Hunt, Holford, Jones, Kyle, Lipscomb, Mabrady, McGuire, Rhea, Robinson, Smith, and Simpson—29.

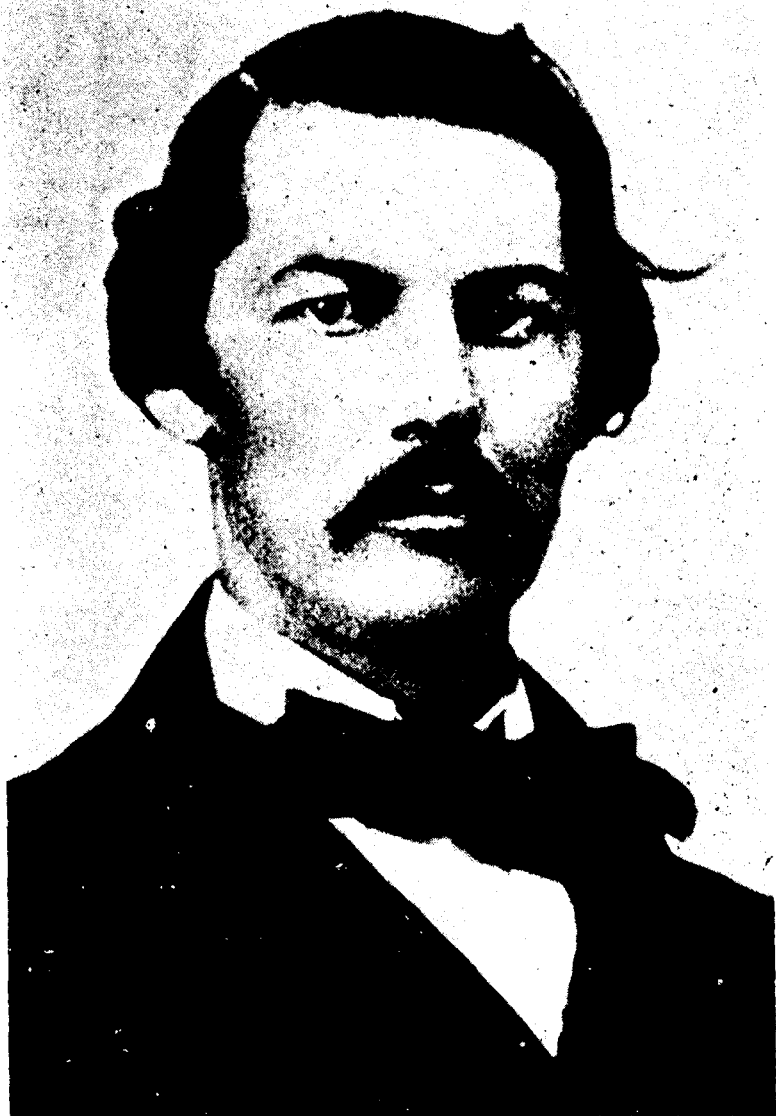
Nays—Messrs. Speaker, Adams, Blake, Banton, Brazier, Bowers, Bratton, Chance, Cook, DeBerry, Emmert, Finley, Frazier, Howard of Lavaca, Hays, Hart, English, Keyes, Lollar, Lane, Loughridge, Lovejoy, Marshall, McDonald, McCoy, Maney, Patton, Poag, Pendleton, Redding, Reid, Ranck, Shannon, Slaughter, Seele, Thaxton, Willis, Wooten, Wilson, Walker, and Way—41.

Mr. Buckley then offered the following amendment, to wit: amend by striking out after "his office" in line four "upon giving 20 days notice" and insert "upon the first Tuesday in each month between the legal times of sale and the next succeeding days until the stock on hand is disposed of and in making such sales not more than one price of goods shall be offered at a time in order that a monopoly of the fabric shall be prevented. And Mr. Walker offered a substitute for Mr. Buckley's amendment which was rejected. Whereupon Mr. Hays offered to amend by striking out 1st Tuesday in each month and insert the 3rd Tuesday in January, April, July and October which was adopted and the question recurring on the adoption of Mr. Buckley's amendment was put and amendment adopted. Mr. Thaxton offered to amend by adding after the word "system" in the fourth line the words "or the system of the year 1863" which was rejected. Mr. DeBerry offered the following amendment, to wit: Amend Section 3 by striking out in ninth line the words "and supported as such in whole or in part by the several counties of the state" and insert the words "as in the opinion of the county court are most in need of such cloth," which was adopted. And Mr. Ranck offered the following amendment, to wit: amend by inserting at the close of the 4th section the words "and it shall be the duty of the Financial Agent to set apart the cloth to which each county may be entitled under this act, and to notify the Chief Justice of the county when the cloth is in readiness for distribution and the amount thereof," which was adopted. Mr. Bowers, Mr. Banton, and Mr.

Loughridge each offered an amendment which was rejected. Mr. Howard of Lavaca offered the following amendment, to wit: amend by adding at the end of fourth paragraph of first section "and that the proceeds of such sales be deposited by the Financial Agent in the Treasury once every month," which was adopted. And Mr. Buckley offered the following amendment, to wit: Strike out all after "and" and insert "so much may be used to clothe the inmates as may be required for such purpose and so much may be sold to the officers and guards as will be necessary for their own personal clothes at the same price at which it is sold to the government for the Army or at market price if the government makes no purchases," which was adopted. Also the following amendment, to wit: "and the contract shall be awarded to the lowest bidder upon his giving sufficient security to deliver the articles proposed to be delivered," which was adopted. Mr. Banton offered the following amendment, to wit: in bartering for surplus material, etc., the Financial Agent shall advertise for sealed proposals for furnishing the same which proposals shall state the articles proposed to be furnished, the amount, time, when to be delivered, and the price. The advertisement shall be published in such manner by the Financial Agent as ever give the greatest publicity to the same and shall state the articles desired, the amount, when wanted, and the price which will be charged for the cloth, which was adopted. And the following amendment: amend Section 4 by striking out the words "sixty days from its passage" and insert "from and after its passage provided however that the distribution of cloth to soldiers' families shall not be made until the first day of September, 1864, and provided further that nothing herein contained be so construed as to prevent the Financial Agent from furnishing the amount of cloth due those counties which have not obtained their *pro rata* under the system established by the directors for the distribution of cloth, if they apply for the same by the 1st of September, 1864," which was adopted, and the bill ordered to be engrossed.

The joint resolution in regard to conscription was taken up, read 3rd time and passed by the following vote, to wit:

Yeas—Messrs. Speaker, Adams, Allen, Andrews, Birdwell, Butler, Browne, Brady, Banton, Brazier, Buckley, Baker, Bowers, Bratton, Chance, Callahan, Darden, East-



Marmion H. Bowers
Representative from Travis

Source: Speech of M. H. Bowers, From
State Journal Appendix, Twelfth
Legislature, Vol. I, No. 14 (Austin:
Tracy, Siemering and Company, June
18. 1870), ii.

land, Elder, Finley, Frazier, Griffith, Gibbons, Glasscock, Howard of Anderson, Howard of Lavaca, Hays, Hart, English, Jones, Kyle, Keyes, Lipscomb, Lollar, Lane, Loughridge, Lovejoy, McDonald, McCoy, Maney, Moores, Patton, Poag, Pendleton, Redding, Rhea, Robinson, Reid, Ranck, Russell, Slaughter, Shannon, Seele, Thaxton, Willis, Walker, and Way—57.

Nays—Messrs. Blake, Bush, Cook, Daniel, DeBerry, Foscue, Harrison, Holford, Mabray, Marshall, Perkins, Smith, Simpson, and Wilson—14.

The Senate bill entitled an act to regulate the reception and disposal of Confederate Notes and Bonds now and hereafter in the Treasury exclusive of new issue was taken up, read, and referred to Committee on Finance.

The Senate joint resolution in regard to the frontier organization was taken up, read a 2nd time, rule suspended, read 3rd time, and passed.

The bill entitled an act for the relief of the indigent families of Calhoun County was taken up, read 1st time. Rule suspended, bill read a 2nd time and ordered to be engrossed. Rule further suspended, bill read a 3rd time and passed.

The Senate bill entitled an act supplementary to an act to provide for the protection of the frontier and turning over the frontier regiment, approved December 13, 1863, was taken up, read 1st time and referred to the Committee on Military Affairs.

Mr. Bowers introduced a bill entitled an act to authorize the Military Board of the state to sell cotton to the several counties for the use of the indigent families of officers and soldiers in the Confederate States Army for industrial purposes as such was read and referred to Committee on State Affairs.

Mr. Brady introduced a bill entitled an act for the relief of indigent families of Calhoun County and for the Committee on Finance reported the same back to the House and recommend its passage. Read 1st time and report received.

Also introduced a bill entitled an act making appropriation for the mileage and per diem pay of the members and the per diem pay of the officers of the Tenth Legislature and reported the same back and recommend its passage. Bill read 1st time and report received.

On motion the House adjourned to 3 P.M. today.

3 P.M.

House met pursuant to adjournment. Roll called. Quorum present.

Mr. Brady by leave for the Committee on Finance reported back to the House the bill entitled an act making an appropriation to pay for stationery and lighting material for the Tenth Legislature, and recommended its passage.

Mr. Banton by leave introduced a bill entitled an act to authorize the Financial Agent of the Penitentiary to purchase and export cotton for certain purposes therein named and making appropriation for the same. Read and referred to Committee on Finance.

The bill entitled an act to provide for the distribution of cloth manufactured in the State Penitentiary which was pending at last adjournment was taken up. Whereupon Mr. Buckley offered the following amendment, to wit: amend 3rd paragraph by striking out all after the words "same purposes" fifth line, page two, and insert "free of cost and the several county courts of the State are hereby required to distribute the cloth to the most needy upon the indigent list of their respective counties in such quantities as their necessities require" and the yeas and nays on the adoption being called for was taken and . . .⁵

Mr. Baker introduced a bill entitled an act to incorporate the Independence Manufacturing Company. Read 1st time.

On motion House adjourned to 8 P.M. this evening.

8 P.M.

House met pursuant to adjournment. Roll called. Quorum present.

Mr. Andrews offered the following resolution in relation to the death of Generals Scurry and Randal, to wit: . . .

Whereas Brigadier Generals William R. Scurry and Horace Randall died on the 1st day of April, 1864, of mortal wounds received while gallantly leading their commands in the bloody and desperately fought battle of Sabine River in the State of Arkansas—and Whereas it is due alike to the living and the dead to place on record a fitting tribute

⁵A portion of the manuscript journal for this date is missing.

to the eminent worth of these faithful and fearless soldiers who have nobly discharged their duty to their country both in time of peace and war, therefore, be it

RESOLVED, That the State of Texas feels a parent's grief for the loss of her gallant son William R. Scurry whose high and varied endowment as a statesman, a soldier, and a patriot have endeared him to the hearts of his countrymen and that we recognize in his last words "I am content to die since my death wound was received while in the discharge of my duty upon the battlefield." That self-sacrificing spirit so fully exemplified in every act of his life.

RESOLVED, That in the death of Horace Randal Texas mourns the loss of another favored son whose untimely fate has added another name to the scroll of martyrs who have fallen in defense of the principles of liberty and produces a feeling of extreme regret that her fame should be increased by the sacrifice of such gallant and patriotic sons.

RESOLVED, That their devotion to the cause of their country attested by the willing sacrifice of their lives in her behalf places them high among the illustrious patriots who have preceded them, and they are entitled to the lasting gratitude of the State which they had loved and served so long and well.

RESOLVED, That the State sincerely sympathizes with their bereaved families and that the Speaker of the House be requested to transmit to them a copy of these resolutions.

RESOLVED, That in respect to their memories this House stands adjourned until Monday morning.

Which after appropriate addresses by Messrs. Andrews, Buckley, Slaughter, McDonald, and Smith were unanimously adopted. Whereupon on motion the House adjourned to 8 A.M. Monday next.

Monday, May 23, 1864.

House met pursuant to adjournment. Prayer by Chaplain. Roll called, quorum present, and Journal of yesterday read and adopted.

Mr. Rhea for the Committee on Military Affairs reported back to the House the resolution in regard to the establishment of an Express Carrier between the State Capitol and the Headquarters for the Trans-Mississippi Department, and ask to be discharged from its further considera-

tion for the reason set forth in the report. Report received.

Mr. Griffith for the Military Committee reported back to the House the resolution in relation to claims of citizens for clothing furnished them upon the proclamation of the late Adjutant General and present a joint resolution in reference to the same and recommend its passage. Report received.

Mr. Buckley for the Committee on the Judiciary reported back to the House the bill entitled an act supplemental to and amendatory of an act to adopt and establish a Penal Code and to repeal all laws granting licenses to nine pin alleys, and recommend that the same be not passed. Report received.

Mr. McDonald for the Committee on Confederate Relations reported back to the House the joint resolution in relation to the provision of the Confederate Constitution which declares that private property shall not be taken for public uses without just compensation, and recommend the same to the favorable consideration of the House. Report received.

Mr. Bratton for the Committee on Engrossed Bills reported the following bills, to wit: a bill entitled an act to provide for the distribution of cloth manufactured at the Texas State Penitentiary; also the bill entitled an act for the relief of the indigent families of Calhoun County, as correctly engrossed. Report received.

Mr. Banton for the Committee on State Affairs reported back to the House the bill entitled an act to authorize the Military Board of the State to sell cotton to the several counties for the use of indigent families of officers and soldiers in the Confederate States Army for industrial purposes, and recommend its passage:

Honorable M. D. K. Taylor, Speaker of the
House of Representatives:

Your Committee on State Affairs to whom was referred a bill to be entitled an act to authorize the Military Board of the State to sell cotton to the several counties for the use of the indigent families of officers and soldiers in the Confederate States Army for industrial purposes have considered the same and a majority of said committee instruct

me to report the bill back to the House and recommend its passage.

Respectfully submitted,
J. H. Banton,
one of Committee

Report received.

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

The joint Committee on Enrolled Bills have examined the following bills and find them correctly enrolled and properly signed and have presented the same to the Governor for his approval, to wit:

A bill to be entitled an act to reorganize the 17th Judicial District and to prescribe the time for holding courts therein.

A bill to be entitled an act to amend the 1st and 2nd sections of an act to incorporate the Rusk County Iron Company.

A bill to be entitled an act to incorporate the Cherokee Furnace Company.

A bill to be entitled an act to amend an act entitled an act to organize county courts, approved February 10, 1852.

H. Keyes, Chairman

Report received.

Mr. Seele introduced a bill entitled an act to incorporate the Comal Springs Manufacturing Company. Read 1st time.

Mr. Elder introduced a bill entitled an act to reorganize the 18th Judicial District. Read 1st time and referred to Committee on the Judiciary.

Mr. DeBerry offered the following resolution, to wit: RESOLVED, That the Committee on State Affairs be requested to inquire into the propriety and expediency of suspending the operations of the Asylums for the Deaf and Dumb and Blind, and that they report by bill or otherwise.

Mr. McGuire introduced a bill entitled an act concerning state and county taxes of soldiers and seamen in the Army and Navy of the Confederate States. Read 1st time and referred to the Committee on Finance.

Mr. Andrews introduced a bill entitled an act amending an act authorizing the Comptroller of the State to receive from railroad companies in this state the interest that may

be now due or hereafter become due on their bonds. Read 1st time. Rule suspended, bill read a 2nd time and ordered to be engrossed. Rule further suspended, bill read 3rd time and passed.

ORDERS OF THE DAY

The resolution reducing the time for discussion of measures to fifteen minutes was taken up. Whereupon Mr. Foscue offered to amend by inserting ten in lieu of fifteen which was adopted and resolution adopted.

The bill entitled an act to provide for the distribution of cloth manufactured in the Texas State Penitentiary was taken and read a 3rd time. Whereupon Mr. Baker moved to amend by striking out from the 4th Section the words "once in every month" which was carried and bill passed by the following vote, to wit:

Yeas—Messrs. Speaker, Allen, Andrews, Adams, Barclay, Birdwell, Brady, Banton, Brazier, Bush, Buckley, Bowers, Bratton, Chance, Cook, Callahan, Daniel, DeBerry, Eastland, Emmert, Elder, Finley, Frazier, Griffith, Gibbons, Glasscock, Howard of Anderson, Howard of Lavaca, Hays, Hart, Holford, English, Jones, Kyle, Keyes, Lipscomb, Lollar, Lane, Lacy, Loughridge, Lovejoy, Marshall, Mabray, McDonald, McCoy, McGuire, Maney, Means, Perkins, Poag, Pendleton, Redding, Rhea, Robinson, Reid, Ranck, Russell, Slaughter, Smith, Seele, Tyler, Thaxton, Willis, Wooten, Walker, and Way—66.

Nays—Messrs. Blake, Butler, Brown, Foscue, Harrison, Patton, Simpson, and Wilson—8.

The bill entitled an act granting land to the officers, non-commissioned officers and soldiers of the Army and Navy of the Confederate States of America and the State of Texas was taken up and read a 2nd time. Whereupon Mr. Bowers moved to postpone the further consideration of the bill to Thursday next and the yeas and nays being called for was taken and resulted as follows, to wit:

Yeas—Messrs. Speaker, Adams, Andrews, Barclay, Blake, Butler, Brady, Buckley, Baker, Bowers, Bratton, Chance, Cook, Callahan, Daniel, Eastland, Foscue, Finley, Frazier, Griffith, Gibbons, Glasscock, Howard of Lavaca, Harrison, Kyle, Keyes, Lollar, Lacy, Mabray, McDonald, McGuire, Perkins, Poag, Redding, Rhea, Robinson, Reid,

Ranck, Russell, Slaughter, Seele, Simpson, Tyler, Thaxton, Walker, and Way—67.

Nays—Messrs. Allen, Birdwell, Brazier, Bush, DeBerry, Elder, Howard of Anderson, Hays, Hart, Holford, Jones, Lipscomb, Lane, Loughridge, Lovejoy, Marshall, Maney, Means, Pendleton, Smith, Willis, Wooten, and Wilson—24.

Bill postponed to Thursday next at 11 A.M.

Motion carried and bill made order for 11 A.M. on Thursday next.

The bill entitled an act to defray the contingent expenses of the Extra Session of the Tenth Legislature. Reported back from the Senate passed with an amendment, was taken up, and Senate's amendment agreed to.

Mr. Hays for the Committee on State Affairs by leave reported back to the House the bill entitled an act to incorporate the Fort Bend Trading Company, and for the reasons set forth in the report do not recommend its passage. Report received.

The report of the Committee on State Affairs on the petition of the County Court of Travis County was taken up and adopted.

The bill entitled an act to amend the 965th Article of the Code of Criminal Procedure was taken up, read a 2nd time and committee's amendment adopted and bill ordered to be engrossed. Rule suspended, read a 3rd time and passed.

The bill entitled an act to incorporate the West Texas Manufacturing Company was taken up, read a 2nd time, and ordered to be engrossed.

The bill entitled an act to incorporate the Star State Machine and Manufacturing Company was taken up and read a 2nd time, and ordered to be engrossed.

The joint resolution in regard to the sick and wounded soldiers in Louisiana and Arkansas was taken up and read a 2nd time and ordered to be engrossed. Resolution read a 3rd time and passed.

The bill entitled an act supplemental and amendatory of an act to establish a Penal Code was taken up, read a 2nd time, and ordered to be engrossed.

The Senate joint resolution to General Smith and the Army was taken up and read 1st time. Rule suspended, read 2nd time and 3rd time, and passed.

The bill entitled an act for the relief of Robert Pulsford was taken up and read a 2nd time, and ordered to be engrossed. Rule suspended, bill read a 3rd time and passed.

The bill entitled an act to authorize the County Court of Hunt County to examine and if necessary correct the assessment rolls of said county for the year 1864 so as to conform to the several laws of this state in relation to the assessment and collection of ad valorem taxes was taken up and read a 2nd time, and ordered to be engrossed. Rule suspended, bill read a 3rd time and passed.

The bill entitled an act to encourage the manufacture of leather was taken up and read a 2nd time. Whereupon Mr. Howard of Anderson offered to amend by striking out the words "or the Confederate Government or the State of Texas" which was lost, and Mr. McDonald moved to postpone the further consideration of the bill to 4th day in July next, which was carried.

A message from the Senate was received informing the House that the Senate had passed the following bills and resolution, to wit: bill entitled an act to regulate the manner of liquidation claims for payment under appropriations made by the Legislature as substitute for the House bill entitled an act to supply the deficiency in the State Treasury, and a joint resolution regulating to conduct of Army officers, etc.

The bill entitled an act to provide for the probate of wills in certain cases was taken up and read a 2nd time and ordered to be engrossed. Rule suspended, bill read a 3rd time and passed.

A message from the Senate was received informing the House that the Senate had passed a bill entitled an act to regulate the disposal of unappropriated specie.

The committee's report on the bill entitled an act supplemental to the several acts regulating the duties of attorneys and counsellors-at-law was taken up and adopted.

Mr. Darden offered the following resolution, to wit: "RESOLVED by the House of Representatives, That a special committee of the House consisting of five members be appointed to investigate the transactions of the State in buying and selling cotton and that said committee have power for persons and papers," which was adopted.

Mr. Lovejoy by leave introduced a bill entitled an act to repeal an act entitled an act to encourage the erection

of certain machinery by donations of land and otherwise, approved December 15, 1864. Read and referred to Committee on Public Land.

On motion House adjourned to 3 P.M. today.

3 P.M.

House met pursuant to adjournment. Roll called. Quorum present.

Mr. Kyle offered the following resolution: RESOLVED, That the Committee on the Judiciary be instructed to report to this House an answer to the following question, to wit: "Is the office of Attorney General of the State vacant and, if so, is any legislation necessary to enable the proper authority to order an election to fill said vacancy?" which was read and adopted.⁶

The Speaker appointed the following a committee to investigate the cotton operations of the State, to wit: Messrs. Darden, Baker, Keyes, Andrews, and Browne.

The joint resolution of the Senate relating to conduct of Army officers, etc., was taken up and read 1st time. Rule suspended, resolution read a 2nd time, whereupon Mr. Buckley offered the following amendment, to wit: amend by inserting "and to Major General J. B. Magruder, Commander of the District of Texas, New Mexico, and Arizona and to the Commander of the Several Sub-Military Districts of the District of Texas," which was adopted and resolution ordered to a 3rd reading. Rule further suspended and resolution read 3rd time and passed.

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

A majority of the Committee on Engrossed Bills instruct me to report the following bills as correctly engrossed, to wit:

A bill supplemental to and amendatory of an act to establish a Penal Code.

A bill to provide for the probate of wills in certain cases.

A bill for the relief of Robert Pulsford.

⁶This inquiry was caused by the fact that William Stedman was elected Attorney General on August 3, 1863. He did not qualify for office but became a major in the Confederate Army. N. G. Shelly was commissioned as Attorney General on April 11, 1862, and served until November 1, 1864, when he was succeeded by Ben E. Tarver. See Election Register No. 260, 1860-1865 (Ms., Archives Division, Texas State Library), 33-34.

A bill to authorize the County Court of Hunt County to examine and, if necessary, correct the assessment rolls of said county for the year 1864 so as to conform to the several laws of this state in relation to the assessment and collection of ad valorem taxes.

A bill to incorporate the Star State Machine and Manufacturing Company.

Respectfully submitted,
Thomas Smith, Chairman

Report received.

On motion, leave of absence was granted Mr. Hunt for the remainder of the session.

The bill entitled an act to supply the deficiency in the State Treasury reported back from the Senate substituted was taken up and the yeas and nays being called for on the question of the adoption of the substitute was taken and resulted in the rejection of the substitute by the following vote, to wit:

Yeas—Messrs. Speaker, Andrews, Barclay, Blake, Baker, Darden, Eastland, Elder, and Means—9.

Nays—Messrs. Adams, Allen, Butler, Browne, Brady, Banton, Brazier, Bush, Buckley, Bowers, Bratton, Chance, Cook, Callahan, Daniel, DeBerry, Foscue, Finley, Frazier, Gibbons, Glasscock, Howard of Anderson, Howard of Lavaca, Hays, Hart, Harrison, Holford, Jones, Kyle, Keyes, Lipscomb, Lollar, Lane, Loughridge, Lovejoy, Mabray, Marshall, McDonald, McCoy, McGuire, Maney, Perkins, Patton, Pendleton, Poag, Redding, Robinson, Reid, Russell, Shannon, Slaughter, Smith, Tyler, Thaxton, Willis, Wooten, Wilson, and Way—61.

A message from the Senate was received informing the House that the Senate had passed a bill entitled an act to repeal an act entitled an act prohibiting owners of slaves from placing them in charge of farms or stock ranches detached from the house of the owner. Also a joint resolution of thanks to Colonel Benavides.

Leave of absence was granted to Mr. Hays of Smith for the remainder of the session.

On motion the House adjourned to 8 A.M. tomorrow.

Tuesday, May 24, 1864

House met pursuant to adjournment. Prayer by Chap-

lain. Roll called, quorum present, Journal of yesterday read and adopted.

Mr. Buckley for the Judiciary Committee reported back to the House the bill entitled an act to define and punish the offense of military oppression and for the reasons set forth in the report asks to be discharged from its further consideration. Report received.

Mr. Griffith for the Committee on Military Affairs reported back to the House the bill to be entitled an act supplementary to an act to provide for the protection of the frontier and turning over the Frontier Regiment, approved December 15, 1863, and recommend its passage with the proposed amendment. Report received.

A message from the Senate was received informing the House that the Senate refuses to recede from the substitute for the House bill entitled an act to supply the deficiency in the State Treasury.

Mr. Brady for the Committee on Finance reported back to the House the bill entitled an act concerning the state and county taxes of soldiers and seamen in the Army and Navy of the Confederate States and recommend that the same do not pass. Report received.

On motion of Mr. Walker the bill from the Senate entitled an act supplementary to an act to provide for the protection of the frontier and turning over the Frontier Regiment, approved December 15, 1863, was taken up out of its order and read a 2nd time and the committee's amendment adopted whereupon Mr. Russell offered an amendment to the bill which was rejected, and bill passed to a 3rd reading.

Mr. Darden for the Committee on the Judiciary reported back to the House the bill entitled an act to reorganize the 18th Judicial District, and recommend its passage. Report received.

Mr. Bratton for the Committee on Engrossed Bills made the following report, to wit:

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

The Committee on Engrossed Bills have examined the following bills and joint resolution and beg leave to report them correctly engrossed, to wit:

A bill to be entitled an act to incorporate the West Texas Manufacturing Company.

A bill to amend Article 965 of the Code of Criminal Procedure.

Joint resolution in regard to the sick and wounded soldiers in Louisiana and Arkansas.

L. R. Bratton
for the Committee

Report received.

Mr. Keyes for the Committee on Enrolled Bills made the following report, to wit:

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

The Joint Committee on Enrolled Bills have examined the subjoined bill and joint resolution and found them correctly enrolled and properly signed and have presented the same to the Governor for his approval the first on yesterday and the latter this morning, to wit:

A bill to be entitled an act making an appropriation to defray the contingent expenses of the Extra Session of the Tenth Legislature.

Joint resolution in regard to frontier organization.

H. Keyes, Chairman

Report received.

ORDERS OF THE DAY

The Senate bill to be entitled an act to regulate the disposal of unappropriated specie was taken up and read 1st time.

The joint resolution from the Senate tendering thanks to Colonel Santos Benavides was taken up, read a 1st time. Rule suspended, resolution read a 2nd time and passed to 3rd reading. Rule further suspended, resolution read a 3rd time and passed.

The Senate bill entitled an act to repeal an act entitled an act prohibiting owners of slaves from placing them in charge of farms or stock ranches detached from the home of the owner was taken up and read 1st time.

Mr. Seele introduced a bill entitled an act to amend Article 1860 of *Oldham and White's Digest*. Read 1st time and referred to the Committee on the Judiciary.

Mr. Buckley for the Judiciary Committee by leave re-

ported back to the House the bill entitled an act amendatory of and supplemental to an act to adopt and establish a Code of Criminal Procedures and recommended that the bill be not passed. Report received and adopted.

Mr. Bowers for the Committee on Military Affairs in response to the portion of the Governor's message in relation to the transfer of the State Troops reported to the House a bill entitled an act to transfer the State Troops to the Confederate Service and to repeal an act to provide for the defense of the State, approved December 16, 1863, and recommend its passage. Report received.

Mr. Slaughter for the Finance Committee reported back to the House the resolution in regard to making Confederate money legal tender for the payment of debts, etc., and for the reasons set forth in the report, ask to be discharged from its further consideration. Report received.

The bill entitled an act to supply the deficiency in the State Treasury reported back from the Senate with the Senate's refusal to recede from its substitute to the bill, was taken up and the House adhered to its disagreement to the Senate's substitute and on motion raised a Committee of Free Conference consisting of Messrs. Poag, Bratton, Bush, Blake, and Howard of Lavaca.

The bill entitled an act to prohibit the sale of ardent or spirituous liquors within five miles of the town of Waxahachie in Ellis County was taken up, read a 3rd time, and passed.⁷

The bill entitled an act to provide for the recovery of stray animals and to prescribe the punishment for failing or refusing to comply with the requirements of said act, was taken up, read a 2nd time and refused to be engrossed.

The Senate bill entitled an act to provide for the revision of the laws was taken up and read a 2nd time and passed

⁷The date of the engrossment of this bill is not known, but it was engrossed as shown by the following undated report: The Committee on Engrossed Bills have examined and found correctly engrossed:

- 1st—A bill to incorporate the Falls of Brazos Manufacturing Company.
- 2nd—A bill to be entitled an act to amend the first section of an act entitled an act regulating juries, approved May 4, 1846.
- 3rd—An act to prohibit the sale of ardent spirits within five miles of the town of Waxahachie in Ellis County, Texas.
- 4th—Joint resolution requesting the return of the 1st, 4th, and 5th Texas Regiments.

R. English,
One of the Committee

Report received

to a 3rd reading. Rule suspended, bill read a 3rd time and passed.

The report of the Judiciary Committee on the communication of Judge Walker was taken up and adopted.

Mr. Buckley by leave introduced a bill entitled an act to authorize the Governor to purchase for the State a steamship. Read 1st time and referred to the Finance Committee.

Mr. Cook offered the following resolution, to wit: **RESOLVED**, That the Judiciary Committee be instructed to inquire into the expediency and propriety of so amending an act of the Legislature of the State of Texas, passed on the 6th of January, 1841, granting divorces in certain cases wherein either the husband or wife has fled the State and become leagued with the enemy of the Confederate States, and report by bill or otherwise. Read and adopted.

Mr. Griffith offered the following resolution, to wit: **RESOLVED**, That the Committee on Printing be instructed to have published in the Austin, Houston and San Antonio papers the resolution adopted by the House in memory of Major General Green and Brigadier Generals Scurry and Randall. Read and adopted.

Mr. DeBerry offered the following resolution, to wit: **RESOLVED**, That the Chief Clerk of this House be required to issue to the Honorable W. R. Poag a certificate for mileage to and from this regular session of the Tenth Legislature of the State of Texas, which was read and adopted.

A message from the Senate was received informing the House that the Senate had passed a joint resolution on impressment. Also the House bills entitled an act to incorporate the Dallas Manufacturing Company, an act to suspend the levy and collection of a special tax by the County Court of Comal County until one year after the close of the war between the Confederate States and the United States, an act to incorporate the Henderson Female Institute, an act to incorporate the Beaver Iron Manufacturing Company, and an act to authorize the County Court of Hunt to examine and if necessary audit the assessment rolls of said county for the year 1864 so as to conform to the several laws of this state in relation to the assessment and collection of ad valorem taxes; and also passed a substitute for the House bill entitled an act to regulate the finances of the State.

The bill entitled an act to punish unlawful interference with private property or private rights, substituted by the Judiciary Committee, was taken up and read a 2nd time. Whereupon Mr. Brady offered an amendment to the substitute which was adopted. And Mr. Baker also offered an amendment to the substitute which was also adopted, and Mr. Andrews offered a further amendment to the substitute.

Mr. Banton by leave introduced a bill entitled an act to authorize the purchase of additional machinery for the Texas State Penitentiary and the enlargement of the building, which was read 1st time.

Mr. Willis by leave introduced a bill entitled an act to provide drugs and medicines for the indigent families of officers and soldiers. Read and referred to Committee on Finance.

Mr. Brady by leave introduced a bill entitled an act to further provide for the payment of interest accruing from time to time on the Public Debt of the State. Read and referred to the Finance Committee.

Mr. Kyle by leave offered the following resolution, to wit: RESOLVED, That the Committee on Military Affairs be instructed to report to this House by bill or otherwise the propriety of giving to each person employed in the cap factory at this place one ration per day. Read and adopted.

On motion House adjourned to 3 P.M. this evening.

3 P.M.

House met pursuant to adjournment. Roll called, quorum present.

Mr. Buckley for the Committee on the Judiciary reported back to the House the resolution in relation to the election of Attorney General and having answered the interrogation propounded by the resolution ask to be discharged from its further consideration. Report received.

The bill entitled an act regulating the finances of the State reported from the Senate substituted and passed was taken up, and read, and Senate's substitute rejected.

The bill entitled an act supplemental to and amendatory of an act to establish a Penal Code was taken up, read a 3rd time and passed.

The bill entitled an act to incorporate the Star State Machine and Manufacturing Company was taken up and

read a 3rd time, and passed by the following vote, to wit:

Yeas—Messrs. Speaker, Adams, Allen, Andrews, Birdwell, Butler, Brady, Banton, Brazier, Buckley, Bowers, Bratton, Chance, Cook, Callahan, Daniel, DeBerry, Eastland, Emmert, Elder, Finley, Frazier, Griffith, Gibbons, Glasscock, Hart, Holford, Jones, Kyle, Keyes, Lipscomb, Lollar, Lane, Mabray, McDonald, McCoy, McGuire, Maney, Perkins, Patton, Pendleton, Redding, Rhea, Robinson, Reid, Ranck, Russell, Shannon, Smith, Seele, Simpson, Tyler, Thaxton, Willis, Wooten, Wilson, Walker, and Way—63.

Nays—Messrs. Lovejoy, Marshall, and Means—3.

The bill entitled an act to punish unlawful interference with private property and private rights which was under consideration at last adjournment was taken up. The question pending at last adjournment being on the adoption of the amendment offered by Mr. Andrews was taken up whereupon Mr. Bowers offered an amendment to the amendment of Mr. Andrews, which was adopted. And the question then recurring on the adoption of the amendment as amended. Mr. Buckley moved to lay the amendment on the table and the yeas and nays being called for was taken and resulted as follows, to wit:

Yeas—Messrs. Speaker, Barclay, Blake, Birdwell, Butler, Brady, Banton, Brazier, Buckley, Baker, Bowers, Bratton, Chance, Darden, Eastland, Emmert, Foscue, Glasscock, Howard of Lavaca, Harrison, Jones, Keyes, Lollar, Lipscomb, McDonald, McGuire, Maney, Means, Patton, Poag, Robinson, Reid, Ranck, Shannon, Simpson, Tyler, Wilson, Walker, and Way—39.

Nays—Messrs. Adams, Allen, Andrews, Browne, Bush, Cook, Daniel, DeBerry, Finley, Frazier, Griffith, Gibbons, Howard of Anderson, Hart, Holford, English, Kyle, Lane, Lacy, Loughridge, Lovejoy, Mabray, Marshall, McCoy, Perkins, Pendleton, Redding, Rhea, Russell, Slaughter, Smith, Seele, Thaxton, Willis, and Wooten—35.

Motion carried. Whereupon Mr. Howard of Lavaca offered as a substitute for the bill the joint resolution in regard to the clause of the Confederate Constitution which provides and declares "that no private property shall be taken for public use without just compensation" and Mr. DeBerry offered as a substitute for the bill and substitute the Senate bill entitled an act to define and punish the unlawful interference with the exportation and transportation

of cotton, and other property and the unlawful impressment of property. And Mr. McDonald moved to lay the substitute and the substitute for both the bill and substitute, on the table and the call for the yeas and nays having not been seconded the question was put and the motion carried, whereupon Mr. McCoy offered a further amendment.

On the motion of Mr. Banton the further consideration of a bill under consideration was postponed a few minutes and the bill entitled an act to provide for regulating the finances of the State, reported back from the Senate with the report that the Senate refuses to recede from its substitute for the bill, was taken and on motion the House adhered to its disagreement to the Senate's substitute, and raised a Committee of Free Conference consisting of Messrs. Banton, DeBerry, Holford, Gibbons, and Seele. The House then resumed the consideration of the bill just postponed and Mr. Reid moved the previous questions which being seconded was put and carried and the previous question, viz, the engrossment of the bill, was put and the yeas and nays being called for was taken and resulted as follows, to wit:

Yeas—Messrs. Speaker, Barclay, Browne, Brady, Banton, Brazier, Buckley, Baker, Bowers, Bratton, Chance, Cook, Callahan, Darden, Eastland, Emmert, Elder, Foscue, Frazier, Harrison, Jones, Keyes, Lipscomb, Lollar, Lacy, Loughridge, McDonald, McGuire, Maney, Means, Patton, Poag, Rhea[?], Robinson, Shannon, Seele, Simpson, Tyler, Wooten, Wilson, Walker, and Way—42.

Nays—Messrs. Adams, Allen, Birdwell, Butler, Bush, Daniel DeBerry, Finley, Griffith, Gibbons, Howard of Anderson, Howard of Lavaca, Holford, Kyle, Lane, Lovejoy, Mabray, Marshall, McCoy, Perkins, Pendleton, Redding, Rhea[?], Slaughter, Smith, Thaxton, and Willis—27.

Bill ordered to be engrossed.

A message from the Senate was received informing the House that the Senate refuses to recede from their substitute for the House bill entitled an act to provide for regulating the finances of the State.

Mr. Lovejoy for the Committee on Enrolled Bills made the following report:

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

The Committee on Enrolled Bills report that they have

examined the following joint resolutions and find the same correctly enrolled and signed, also that the same have been this day presented to the Governor for his approval, viz:

A joint resolution in relation to the conduct of Army officers, etc.

Joint resolution of thanks to Colonel Santos Benavides and the officers and men under his command.

A joint resolution of thanks to General E. Kirby Smith, officers, and men. Report received.

A message from the Senate was received informing the House that the Senate had passed the House joint resolution in regard to the sick and wounded soldiers in Louisiana and Arkansas.

The bill entitled an act to amend the 3rd section of an act to provide for the support of the families and dependents of Texas officers and soldiers, approved December 13, 1863, was taken up and read a 2nd time and ordered to be engrossed.

On motion the House adjourned to 8 A.M. tomorrow.

Wednesday, May 25, 1864

House met pursuant to adjournment. Prayer by Chaplain. Roll called. Quorum present. Journal of yesterday read and adopted.

Mr. Simpson for the Committee on Finance reported back to the House the bill entitled an act to authorize the financial agent of the State Penitentiary to purchase and export cotton for certain purposes therein named. And making appropriation for the same, with an amendment proposed by the Committee, and recommend its passage. Report received.

Mr. Russell for the Committee on Claims and Accounts reported back to the House the account of Luke A. Falwell, and for the reasons set forth in the report asked to be discharged from its further consideration. Report received.

Mr. McCoy for the Committee on State Affairs reported back to the House the bill entitled an act to incorporate the Comal County Aid Association, with an amendment, and recommend its passage. Report received.

Mr. Cook for the Committee on Finance reported back to the House the bill entitled an act to authorize the Governor to purchase for the State a steamship or an interest in a steamship and recommend its passage. Report received.

Mr. Brady for the Committee on Finance reported back to the House the bill entitled an act to repeal certain laws therein named, and for the reason set forth in the report recommend that the same be not passed. Report received.

Mr. Walker for the Committee on Public Lands reported back to the House the bill entitled an act to repeal an act entitled an act to encourage the erection of certain machinery by donations of land or otherwise, approved December 15, 1863, and recommend that any further action on this subject is inexpedient. Report received.

Mr. Bowers for the Committee on Military Affairs reported back to the House the bill entitled an act to authorize the issuance of rations to persons employed in the cap factory, and recommended its passage.

Mr. Loughridge for the special committee to examine into the condition of the Lunatic Asylum, made the following report:

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

Your committee to whom was referred the duty of examining into the condition of the inmates of the Lunatic Asylum, their number, and the number of vacancies, if any exist, would respectfully report that they have performed their duty so far as the time and circumstances would permit, and I offer the following:

The neatness and good order of the Asylum generally is highly to the credit of the Superintendent and officers.

According to the statement of the Superintendent no vacancies now exist, but with suitable and additional bedding instead of only being able to take care of fifty patients, he could immediately take in and comfortably lodge one hundred persons.

The committee would therefore recommend an appropriation of cloth from the Penitentiary, for the purpose of supplying and furnishing the rooms and also for the exchange of food for inmates.

All of which is respectfully submitted.

J. R. Loughridge, Chairman

Report received.

Mr. Bratton for the Committee on Engrossed Bills made the following report, to wit:

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

A majority of the Committee on Engrossed Bills have examined the following bills and find them correctly engrossed, to wit:

A bill to be entitled an act to punish unlawful interference with private property or private rights.

A bill to be entitled an act to amend the 3rd section of an act to provide for the support of the families and dependents of Texas officers and soldiers, approved December, 1863.

L. R. Bratton,
one of the Committee

Report received.

Mr. McGuire offered a joint resolution authorizing the Military Board to place the officers of the Tenth Legislature on the same footing with the members in the distribution of cotton and wool cards. Read 1st time.

Mr. McDonald offered a joint resolution in relation to obtaining an authentic copy of the Confederate Constitution and to make an appropriation therefor, which on motion was laid on the table.

A message from the Senate informing the House that the Senate had passed a bill entitled an act to amend the estray law.

A joint resolution on the subject of the distribution of cotton and wool cards.

The Senate bill entitled an act to repeal the 1st session of an act to suspend the location of sale of the public domain except in certain cases, approved December 14, 1863, and to provide for the sale of lands, land script, and the location of the same.

And the House bill entitled an act to prevent slaves from exercising pretended ownership over property, with some amendments to the same.

A message from the Senate was received informing the House that the Senate had passed the House bill entitled an act for the relief of Robert Pulsford, and a bill entitled an act for the relief of Robert Robson.

ORDERS OF THE DAY

Mr. Shannon moved to take up the bill entitled an act

supplemental to an act to provide for the protection of the frontier and turning over the Frontier Regiment, approved December 15, 1863, and then moved a reconsideration of the vote adopting the amendment to strike out the 4th section, which was carried. The question recurring on the adoption of the amendment was put and the amendment rejected.

The bill entitled an act supplemental to an act to regulate proceedings in the county courts pertaining to the estates of deceased persons, approved March 20, 1848, was taken up. Read 1st time, rule suspended, bill read a 2nd time and ordered to be engrossed. Rule further suspended, bill read a 3rd time and passed.

Mr. Banton for the joint Committee of Free Conference to whom was offered the bill entitled an act to provide for regulating the finances of the State, reported that they considered the same and recommend the Senate's substitute to the bill be passed with the proposed amendment by the committee. Report received and adopted.

The bill entitled an act to incorporate the West Texas Manufacturing Company was taken up, read a 3rd time, and passed by the following vote, to wit:

Yeas—Messrs. Speaker, Allen, Andrews, Barclay, Blake, Birdwell, Butler, Browne, Brady, Brazier, Bush, Buckley, Baker, Bratton, Chance, Cook, Callahan, Daniel, DeBerry, Darden, Eastland, Emmert, Elder, Foscue, Finley, Frazier, Glasscock, Howard of Anderson, Howard of Lavaca, Harrison, Holford, Jones, Kyle, Keyes, Lipscomb, Lollar, Lane, Lacy, Loughridge, Mabray, McDonald, McCoy, McGuire, Maney, Perkins, Patton, Pendleton, Redding, Rhea, Robinson, Reid, Ranck, Russell, Shannon, Seele, Simpson, Tyler, Thaxton, Willis, Wooten, Wilson, and Walker—61.

Nays—Messrs. Lovejoy and Marshall—2.

The bill entitled an act to further provide for the payment of interest accrued from time to time on the public debt was taken up and read a 2nd time and ordered to be engrossed.

The bill entitled an act making appropriation for the mileage and per diem pay of the members and per diem pay of the officers of the Extra Session of the 10th Legislature was taken up and read a 2nd time, whereupon Mr. DeBerry offered an amendment, which on motion was laid on the

table, and the bill on motion made special order for 3 P.M. tomorrow.

The joint resolution from the Senate on impressment was taken up, read 1st time, and rule suspended, and read a 2nd time and passed to a 3rd reading. Rule further suspended, read a 3rd time and passed.

The bill entitled an act to punish unlawful interference with private property or private rights was taken up and read a 3rd time, whereupon Mr. Baker moved to postpone the further consideration of the bill to 3 P.M., which was lost. And the question recurring on the passage of the bill, Mr. Slaughter moved a call of the House, which being seconded was made, Messrs. Emmert and Maney failing to answer to their names. The further consideration of the bill was postponed. And the bill from the Senate entitled an act to define and punish the unlawful interferences with the exportation and transportation of cotton and other articles and the unlawful impression of property was taken up and read a 2nd time, and the committee's amendment adopted. Whereupon the Sergeant at Arms announced a full House upon which Mr. Slaughter read a point of order, viz, that the House was not full, which was over-ruled. And the consideration of the bill suspended by the call resumed and bill passed. And the Senate bill under consideration when the House was declared full, was again taken up and passed to a 3rd reading. Rule suspended, bill read a 3rd time, whereupon Mr. Buckley offered an amendment which was rejected. And the question recurring on the passage of the bill was put and passed.

Mr. Poag for the Committee on Free Conference on the bill entitled an act to provide for the liquidation of claims against the State when there is a deficiency of funds in the Treasury, and the Senate's substitute therefor, which was read and postponed to 3 P.M.

On motion House adjourned to 3 P.M. this evening.

3 P.M.

House met pursuant to adjournment. Roll called. Quorum present.

Mr. Kyle introduced a bill entitled an act to authorize the County Court of Caldwell County to levy and collect a tax in specie to support the families and dependents of soldiers. Read and referred to the Committee on the Judi-

ciary.

Mr. Loughridge introduced a bill entitled an act authorizing the county courts to levy and collect a tax in kind for the support of soldiers' families. Read 1st time.

The bill entitled an act to authorize the Military Board to purchase drugs and medicines for the relief of the indigent families of officers and soldiers was taken up and read a 2nd time and ordered to be engrossed. Rule suspended, bill read 3rd time and passed.

A message from the Senate was received informing the House that the Senate had passed the House bill entitled an act to incorporate the Trinity Mills Manufacturing Company, with amendments, and a bill entitled an act making appropriations to pay for stationery and lighting materials purchased for the Tenth Legislature.

The report of the Committee of Free Conference on the bill to provide for liquidating claims against the State when there is a deficiency in the Treasury, and the Senate's substitute for the bill which was postponed to this hour, was taken up, the question being on the adoption of the report, and the yeas and nays being called for was taken and resulted as follows, to wit:

Yeas—Messrs. Speaker, Andrews, Barclay, Blake, Browne, Brady, Buckley, Baker, Bowers, Cook, Callahan, Daniel, Darden, Eastland, Elder, Foscue, Griffith, Glasscock, Hart, Harrison, Jones, Lacy, McCoy, McGuire, Maney, Means, Patton, Poag, Redding, Robinson, Russell, Seele, Simpson, and Way—34.

Nays—Messrs. Adams, Allen, Birdwell, Butler, Banton, Brazier, Bush, Bratton, Chance, DeBerry, Finley, Frazier, Gibbons, Howard of Anderson, Howard of Lavaca, Holford, English, Kyle, Keyes, Lipscomb, Lollar, Lane, Loughridge, Lovejoy, Mabray, Marshall, McDonald, Perkins, Pendleton, Rhea, Reid, Ranck, Shannon, Smith, Tyler, Thaxton, Willis, Wooten, Wilson, and Walker—40.

The Senate bill to amend the estray laws, etc., was taken up. Read 1st time and referred to the Committee on the Judiciary.

Mr. Russell by leave introduced a bill entitled an act for the relief of Lieutenant W. H. Cochran. Read 1st time and referred to Committee on Claims and Accounts.

Mr. McCoy for the Committee on State Affairs reported back to the House the resolution on the suspension of the

institutes for the deaf and dumb and for the reasons set forth in the report asked to be discharged from its further consideration. Report received.

Mr. Keyes for the Committee on Enrolled Bills made the following report, to wit:

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

The Joint Committee on Enrolled Bills have instructed me to report as correctly enrolled and properly signed:

A bill to be entitled an act to incorporate the Beaver Iron Manufacturing Company.

A bill to be entitled an act to authorize the county courts of Hunt and Tarrant Counties to examine and if necessary to correct their assessment rolls for the year 1864.

A bill to be entitled an act to incorporate the Henderson Female Institute.

A bill to be entitled an act to suspend the levy and collection of a special tax by the County Court of Comal County.

And that the same have been presented to the Governor today for his approval.

H. Keyes, Chairman

Report received.

On motion the House adjourned to 8 A.M. tomorrow.

Thursday, May 26, 1864

House met pursuant to adjournment. Prayer by Chaplain. Roll called, quorum present, Journal of yesterday read and adopted.

Mr. Lovejoy offered a joint resolution requesting the Governor to forward to our Senators and Representatives in Congress a copy of the acts of the Tenth Legislature, which was read 1st time.

Mr. Brady for the Committee on Finance reported back to the House the bill entitled an act to regulate the carrying on of distilleries and to impose a license thereon, and recommend that the same do not pass. Report received.

ORDERS OF THE DAY

The House bill entitled an act to prevent slaves from exercising pretended ownership over property reported back from the Senate passed with an amendment, was

taken up and Senate's amendment agreed to. Bill passed.

The bill entitled an act to incorporate the Trinity Mills Manufacturing Company, amended by the Senate, was taken up and Senate's amendment agreed to and bill passed.

The Senate bill entitled an act for the relief of Robert Robson was taken up and read 1st time.

The Senate bill entitled an act making appropriations to pay for stationery and lighting materials purchased for the Tenth Legislature, was taken up and read 1st time.

The House bill entitled an act to amend the 3rd section of an act to provide for the support of the families and dependents of Texas officers and soldiers, approved December 15, 1863, was taken up, read a 3rd time and passed.

The Senate joint resolution in relation to the distribution of wool and cotton cards to the members and officers of the Tenth Legislature was taken up and read 1st time. Rule suspended, read a 2nd time and passed to a 3rd reading. Rule suspended, bill read a 3rd time and passed.

The bill entitled an act to further provide for the payment of interest accruing from time to time on the public debt of the State was taken up and read a 3rd time. Whereupon Mr. Butler offered an amendment which was lost and the bill passed.

The Senate bill entitled an act to repeal the 1st section of an act to suspend the location and sale of the public domain except in certain cases, approved December 14, 1863, and to provide for the sale of lands, land script, and location of the same, was taken up and read and referred to the Committee on the Judiciary.

The Senate bill entitled an act supplementary to an act to provide for the protection of the frontier and turning over the frontier regiments, approved December 15, 1863, was taken up. Read a 3rd time, whereupon Mr. Jones offered an amendment and Mr. Slaughter moved the further consideration of the bill to 4 P.M. today, and Mr. Jones then moved a reconsideration of the vote passing the bill to a 3rd reading which was carried, and the further consideration thereof postponed to 4 P.M. this afternoon.

Mr. Brady by leave introduced a bill entitled an act declaratory of the meaning of an act to provide for the assessment and collection of income tax on sales of distilled and fermented liquors, etc., accompanied with a favorable report thereon from the Committee on Finance

which was read. Rule suspended, bill read a 2nd time and ordered to be engrossed.

Mr. Frazier for the Committee on Enrolled Bills made the following report:

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

The Committee on Enrolled Bills having examined the following resolutions and bills find them correctly enrolled and properly signed and have presented the same to the Governor for his approval, May 26, 1864.

An act to incorporate the Dallas Manufacturing Company.

A bill entitled an act for the relief of Robert Pulsford.

Joint resolution in regard to the sick and wounded soldiers in Louisiana and Arkansas.

George W. Frazier,
one of the Committee

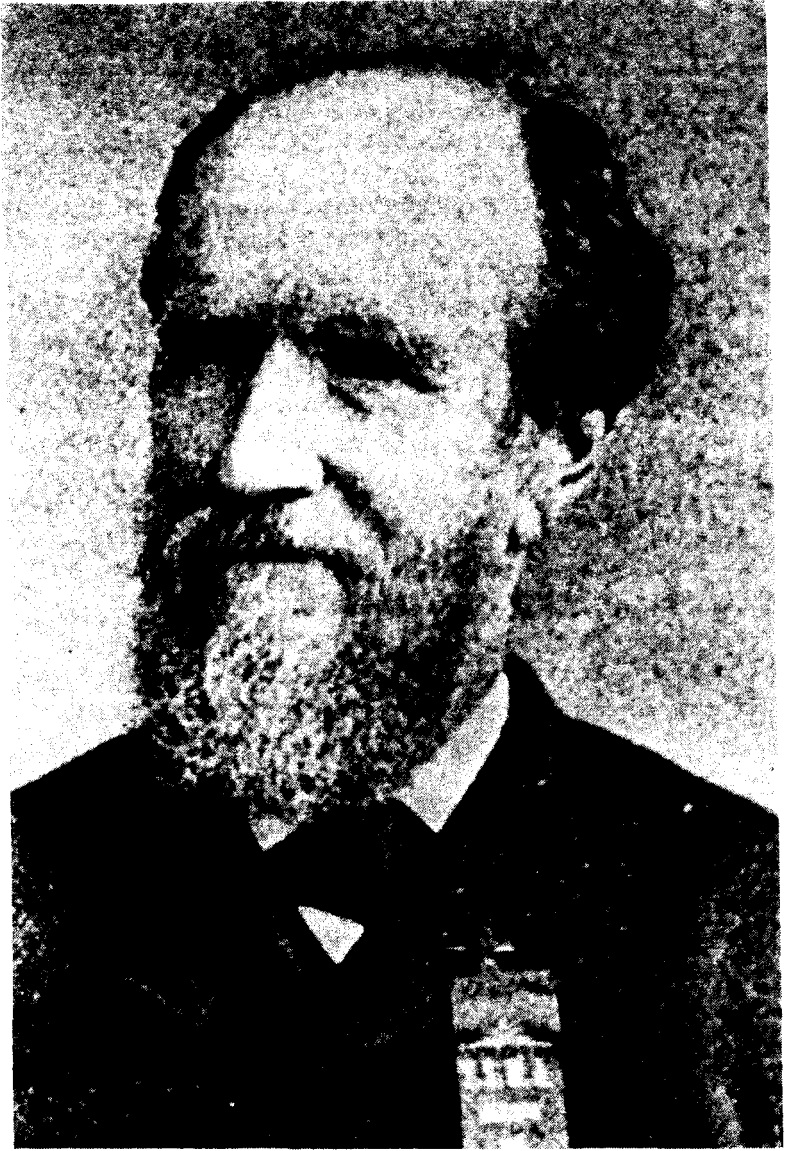
Report received.

The bill entitled an act to provide for the organization of companies in the several counties of the State for police and other purposes, was taken up and read 2nd time, and on motion was recommitted to a special committee of five. Whereupon the Speaker appointed as said committee Messrs.⁸

Mr. McCoy for the Committee on State Affairs to whom was referred the report of the Adjutant General in relation to _____ made a report which was received.

Mr. Birdwell moved to reconsider the vote taken on yesterday evening rejecting the report of the joint Committee of Free Conference on the House bill entitled an act to supply the deficiency in State Treasury and the Senate's substitute for the bill. Whereupon Mr. DeBerry moved to postpone the question of reconsideration to 2 P.M. this afternoon and Mr. Bowers moved to postpone it to 9 A.M. tomorrow, and the motions to postpone having been withdrawn, the question recurring on the question of reconsideration was put and carried. Whereupon Mr. Reid moved to recommit the bill and substitute to a Free Conference Committee of five with a request of the Senate to act with

⁸The names of the persons appointed to this committee are not listed in the manuscript journal.



A. N. Perkins
Representative from Jasper

Source: L. E. Daniell, *Types of Successful Men of Texas* (Austin: Von Boeckmann, 1890), 300.

same committee. Whereupon the Speaker appointed Messrs. Reid, Banton, Birdwell, Slaughter, and Hart, the said committee.

The bill entitled an act to authorize the Financial Agent of the State Penitentiary to purchase machinery, etc., was taken up and read a 2nd time. Whereupon Mr. Banton offered an amendment which was adopted, and on motion the bill was then laid upon the table.

The Speaker appointed Messrs. Bowers, Shannon, Ma-bray, Elder, and Perkins the Committee on the bill to provide for the organization of county police.

A message from the Senate was received informing the House that the Senate had passed a bill to authorize the Governor to appoint certain persons to represent the interests of the State at the headquarters of the Trans-Mississippi Department and at the district headquarters of Texas, New Mexico, and Arizona, and a joint resolution in relation to an organization for the frontier protection.

Mr. Buckley moved to take up the bill entitled an act to authorize the Governor to purchase a steamship, etc., out of its order, which was lost.

The bill entitled an act to authorize the Financial Agent of the State Penitentiary to purchase machinery, on motion of Mr. Banton was taken from the table, whereupon Mr. Banton moved to fill the blank with "\$100,000," and Mr. Buckley moved to fill the blank with "\$50,000" and the question being put both motions were lost. And Mr. Baker moved to amend by filling the blank by "\$75,000," and Mr. Willis moved to fill it with "\$101,000," which was lost. And the question then recurring on the adoption of Mr. Walker's amendment was put and adopted, and the question then recurring on the adoption of Mr. Banton's amendment was put and the amendment adopted and the bill ordered to be engrossed. Rule suspended, bill read a 3rd time and passed.

The Report of the Committee on Military Affairs on the resolution in relation to our express between the Capitol of the State and the Headquarters of the Trans-Mississippi Department was taken up and adopted.

The bill entitled an act to transfer the State Troops to the Confederate service and to repeal an act to provide for the defense of the State, approved December 16, 1863, was

taken up and read a 2nd time and ordered to be engrossed. Rule suspended, read a 3rd time and passed.

The Senate bill entitled an act to authorize the Governor to appoint certain persons to represent the interest of the State at the Headquarters of Trans-Mississippi Department at the District Headquarters of Texas, New Mexico and Arizona, was taken up, and read 1st time, whereupon Mr. Shannon offered an amendment.

On motion House adjourned to 3 P.M. this afternoon.

3 P.M.

House met pursuant to adjournment, roll called, quorum present.

The bill entitled an act to authorize the Governor to appoint certain persons to represent the interest of the State at Military Headquarters, which was under consideration at last adjournment. The question pending being on the adoption of the amendment offered by Mr. Shannon was taken up, and the amendment rejected. Bill read a 2nd time and passed to a 3rd reading.

The Senate joint resolution in regard to the Frontier Regiment transferred to the Confederate service was taken up, read 1st time, whereupon Mr. Buckley moved to amend by striking out the word "required" and the word "requested" be inserted in lieu thereof, which was adopted. Rule suspended a 2nd time and on motion was indefinitely postponed.

The bill entitled an act making appropriation for the mileage and per diem pay of the members and the per diem pay of the officers of the Tenth Legislature made special order for this hour was taken up and on motion was postponed to 8 A.M. tomorrow morning.

The bill entitled an act supplementary to an act to provide for the protection of the frontier and turning over the frontier regiment, approved December 15, 1864, made special order for this hour was taken up and read a 3rd time. Whereupon Mr. Bowers offered an amendment and Mr. Ranck moved to postpone the further consideration of the bill to 9 A.M. tomorrow, which was carried.

The bill entitled an act to provide for the holding of the regular term of the District Court in the different counties was taken up and read a 2nd time. Whereupon Mr. Walker offered an amendment which was adopted, and Mr. Buckley

offered a further amendment which was also adopted, and bill ordered to be engrossed.

A message from the Senate was received informing the House that the Senate had passed a bill entitled an act to amend Article 820 of the Penal Code.

Also a bill to be entitled an act to incorporate the Guadalupe Manufacturing Company.

The bill entitled an act granting land to the officers and soldiers of the Army and Navy of the Confederate States and the State of Texas, made special order for this hour was taken up and on motion of Mr. Foscue was indefinitely postponed.

Mr. Buckley moved to take up a bill entitled an act to repeal certain acts therein named, out of its order.

On motion House adjourned to 8 A.M. tomorrow.

Friday, May 27, 1864

House met pursuant to adjournment. Prayer by Chaplain. Journal of yesterday read and adopted.

Mr. Russell for the Committee on Claims and Accounts reported back to the House the bill entitled an act for the relief of Lieutenant W. H. Cochran, substituted by the committee and recommended the passage of the same which was adopted. Read a 2nd time and ordered to be engrossed. Rule suspended, bill read a 3rd time and passed.

Mr. Buckley for the Committee on the Judiciary reported back to the House the Senate bill entitled an act to amend the estray law, etc., and recommend that the same be not passed.

May 27, 1864

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

The Committee on the Judiciary to whom was referred a bill from the Senate to amend the estray law, etc. have had the same under consideration and a majority of the Committee instruct me to report that they deem it unwise to disturb the policy hitherto adopted upon the subject embraced in the bill and therefore recommend that the bill do not pass.

C. W. Buckley, Chairman

Report received.

Mr. Bowers for the special committee to whom was referred the bill to provide for the organization of county police, etc., and recommend that the same be not passed.

Mr. DeBerry for the Committee on Engrossed Bills reported correctly engrossed the bill entitled an act to authorize the purchase of additional machinery for the Texas Penitentiary and the enlargement of the building.

Mr. Frazier for the Committee on Enrolled Bills made the following report, to wit:

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

The Committee on Enrolled Bills have examined the following resolutions and bills, find the same correctly enrolled and properly signed, and have presented the same to the Governor for his approval, May 26, 1864:

An act to regulate the reception and disposal of Confederate Notes and Bonds now and hereafter in the Treasury.

An act to incorporate the Trinity Mills Manufacturing Company.

Joint resolutions concerning impressments.

Joint resolution in regard to cotton cards.

An act for the revision of the lands.

An act to prevent slaves from exercising pretended ownership over property.

Geo. W. Frazier,
one of the Committee

Report received.

Mr. Brady introduced a bill to be entitled an act to provide for the discharge of securities on official bonds in certain cases. Read and referred to the Committee on the Judiciary.

Also a bill entitled an act to prevent persons who have since the first day of January, 1863, left the State and taken up their abode in the United States from suing any citizen of this state. Read and referred to the Judiciary Committee.

A message from the Senate informing the House that the Senate had passed the following bills and resolutions, to wit:

The House bill entitled an act to prohibit the sale of ardent spirits within five miles of the town of Waxahachie in Ellis County.

The House bill entitled an act for the relief of the indigent families of Calhoun County, with an amendment.

The House bill entitled an act to incorporate the Falls of Brazos Manufacturing Company.

Also the joint resolution of thanks to Messrs. Ball, Hutchings and Company, was received.

A message from the Senate informing the House that the Senate had passed the following bills and resolutions, to wit:

A bill supplementary to an act entitled an act to regulate proceedings in the county courts pertaining to estates of deceased persons, approved March 20, 1848.

A bill entitled an act to transfer the State Troops to the Confederate service and to repeal an act to provide for the defense of the State, approved December 16, 1863, with an amendment.

A bill to incorporate the Star State Machine and Manufacturing Company, with an amendment.

The joint resolution in regard to conscription.

The joint resolution requesting the return of the 1st, 4th, and 5th Texas Regiments, substituted by the Senate.

And have adopted a resolution providing for raising a committee of two on the part of the Senate and asking that a like committee be raised on the part of the House to investigate the acts of the State Military Board.

Report received.

ORDERS OF THE DAY

The Senate bill entitled an act to authorize the Governor to appoint certain persons at the headquarters of the Trans-Mississippi Department and the District of Texas, New Mexico and Arizona, to represent the interests of the State, was taken up, read a 3rd time and passed.

The bill entitled an act making an appropriation for the mileage and per diem pay of the members and the per diem pay of the officers of the Tenth Legislature was taken up, read a 2nd time, and ordered to be engrossed. Rule suspended, bill read a 3rd time and passed.

The Senate bill entitled an act to amend Article 820 of the Penal Code was taken up, read 1st time, and referred to the Committee on the Judiciary.

The Senate bill entitled an act to incorporate the Guada-

lupe Manufacturing Company was taken up and read 1st time, and passed to a 2nd reading.

A message from the Senate informing the House that the Senate had passed a joint resolution in behalf of the Tonkawa Indians was received. Also the communication of the Governor to the Houses was also received from the Senate.⁹

The bill entitled an act supplemental to an act to provide for the protection of the frontier and turning over the frontier regiment to the Confederate Service, approved December, 1863, made special order for this hour, was taken up, whereupon Mr. Bowers offered an amendment.

By leave of the House Mr. Reid for the Committee of Free Conference on the House bill entitled an act to provide for the liquidation of claims and accounts against the State when there is a deficiency of funds in the Treasury, reported a substitute for the bill and substitute referred, which was read. Whereupon Mr. Adams moved to postpone the further consideration of the report to 3 P.M. this afternoon, which was lost. And the question recurring on the adoption of the report was put and the yeas and nays being called for was taken and resulted as follows, to wit:

Yeas—Messrs. Speaker, Andrews, Barclay, Blake, Browne, Brady, Buckley, Baker, Bowers, Cook, Callahan, Daniel, Darden, Eastland, Elder, Foscue, Frazier, Griffith, Glasscock, Hart, Harrison, Jones, Lacy, McCoy, McGuire, Maney, Means, Patton, Poag, Redding, Robinson, Reid, Russell, Slaughter, Seele, Simpson, and Way—51.

Nays—Messrs. Adams, Allen, Birdwell, Butler, Banton, Brazier, Bush, Bratton, Chance, DeBerry, Emmert, Finley, Gibbons, Howard of Anderson, Howard of Lavaca, Holford, English, Kyle, Keyes, Lipscomb, Lollar, Lane, Loughridge, Lovejoy, Mabray, Marshall, Perkins, Pendleton, Rhea, Ranck, Shannon, Smith, Tyler, Thaxton, Willis, Wooten, Wilson, and Walker—38.

Report rejected. Whereupon Mr. Ranck moved a reconsideration of the vote just taken rejecting the Committee of Free Conference's report which was carried, and Mr. Thaxton moved to postpone the further consideration of the matter before the House to 8 A.M. tomorrow, which was

⁹The Senate Journal of May 26, indicates that this message pertained to the condition of the Tonkawa Indians.

lost. And Mr. [blank] moved to postpone it to 3 P.M. this afternoon. Carried.

The bill to transfer the State Troops to the Confederate service and to repeal an act to provide for the defense of the State, approved December 16, 1863, reported back from the Senate passed with an amendment was taken up and the Senate amendment was agreed to.

The bill to incorporate the Falls of Brazos Manufacturing Company, amended and passed by the Senate, was taken up and the Senate's amendment agreed to.

The joint resolution requesting the return of the 1st, 4th, and 5th Texas Regiments, substitute and passed by the Senate, was taken up and the Senate's amendment agreed to.

The bill amending an act authorizing the Comptroller to receive from railroad companies in the State the interest that may now be due or hereafter become due on their bonds, amended and passed by the Senate, was taken up, and the Senate's amendment agreed to.

The bill for the relief of the indigent families of Calhoun County, amended and passed by the Senate, was taken up and the Senate's amendment agreed to.

The bill to incorporate the Star State Machine and Manufacturing Company, amended and passed by the Senate, was taken up and the Senate's amendment agreed to.

The Senate bill for the relief of Robert Robson was taken up and read a 2nd time and Mr. Buckley moved to amend by inserting the word "in" in the fourth line which carried and bill ordered to a 3rd reading. Rule suspended, bill read a 3rd time and passed.

The bill entitled an act supplemental to an act to provide for the protection of the frontier and turning over the frontier regiment, approved December 15, 1863, made special order for this hour was taken up and read a 3rd time whereupon Mr. Bowers offered an amendment which was adopted and bill passed.

Mr. Smith for the Committee on Engrossed Bills made the following report, viz:

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

I am instructed by a majority of the Committee on En-

grossed Bills to report as correctly engrossed the following bills:

A bill for the relief of Lieutenant W. H. Cochran.

The bill making appropriation for the mileage and per diem pay of the members and the per diem pay of the officers of the Extra Session of the Tenth Legislature.

A bill more effectually to provide for the regular holding of the terms of the several district courts of the State by the respective judges thereof.

Thomas Smith, Chairman

Report received.

A message from the Senate was received informing the House that the Senate had passed the following bills and resolutions, to wit:

A bill amending an act authorizing the Comptroller to receive from railroad companies in the State the interest that may be now due or hereafter become due on their bonds.

A bill to amend the 3rd section of an act to provide for the support of the families and dependents of Texas officers and soldiers, approved December 15, 1863.

And a joint resolution requiring the Secretary of State to publish with laws of the State, the Constitution of the State and Confederate States.

Mr. Buckley by leave for the Judiciary Committee reported back to the House the bill entitled an act to provide for the discharge of securities on official bonds in certain cases and recommend its passage.

And also the Senate bill to amend Article 820 of the Penal Code and recommend its passage with the subjoined amendments.

On motion House adjourned to 3 P.M. this afternoon.

3 P.M.

House met pursuant to adjournment. Roll called, quorum present.

The bill from the Senate making an appropriation to pay for stationery and lighting material purchased for the Tenth Legislature was taken up and read a 2nd time. Rule suspended, bill passed to a 3rd reading. Rule further suspended, bill read a 3rd time and passed.

The bill to incorporate the Comal Springs Manufactur-

ing Company was taken up, read a 2nd time and ordered to be engrossed. Rule suspended, bill read a 3rd time and passed by the following vote:

Yeas—Messrs. Speaker, Adams, Allen, Andrews, Barclay, Blake, Birdwell, Butler, Brady, Bush, Buckley, Baker, Bowers, Bratton, Chance, Callahan, Daniel, DeBerry, Darden, Eastland, Elder, Foscue, Finley, Griffith, Gibbons, Glasscock, Howard of Anderson, Howard of Lavaca, Hart, Harrison, Holford, English, Jones, Kyle, Keyes, Lollar, Lane, Lacy, Mabray, McDonald, McCoy, McGuire, Maney, Perkins, Patton, Poag, Rhea, Robinson, Redding, Ranck, Russell, Shannon, Slaughter, Smith, Seele, Simpson, Tyler, Thaxton, Willis, Wooten, Walker, and Way—60.

Nays—Messrs. Brazier, Marshall, and Means—3.

On motion of Mr. Buckley the bill to provide for furnishing the reporter of the Supreme Court with stationery was taken up and read a 2nd time. Rule suspended, bill read a 3rd time and passed.

The bill entitled an act to regulate the manner of liquidating claims for payment under appropriations made by the Legislature of the State, made special order for this hour, was taken up and Mr. Slaughter moved to postpone further action on the bill until 8 P.M. tonight, which was lost. And the question recurring on the adoption of the report, Mr. Brazier moved a call of the House which being seconded was taken and Messrs. Banton and Cook failed to answer to their names, whereupon the Sergeant at Arms was dispatched to bring in the absent members. And the bill entitled an act to provide for the holding of the regular terms of the district courts in the several counties by the judges thereof was taken up and read a 2nd time and re-committed to the Judiciary Committee.

Mr. Brady introduced a bill entitled an act to meet any deficiency that may accrue in the Comptroller's Department, and reported from the Committee on Finance the bill and recommended its passage. By suspension of the rule, the bill was taken up and read 1st time. Rule suspended, bill read a 2nd time and ordered to be engrossed. Rule further suspended, bill read a 3rd time and passed.

The Senate joint resolution in regard to publishing the Constitution of the State and Confederate States with the general laws, was taken up and read 1st time. Rule suspended, read a 2nd time and passed to a 3rd reading. Rule

suspended, read a 3rd time and passed.

The Senate joint resolution in regard to the Tonkawa Indians was taken up. Read 1st time, rule suspended and read a 2nd time and passed to a 3rd reading. Rule further suspended, read a 3rd time and passed.

The House being declared full, the bill suspended by the call of the House was taken up, the question being on the adoption of the report and the yeas and nays being called for was taken and resulted as follows, to wit:

Yeas—Messrs. Speaker, Allen, Andrews, Barclay, Blake, Browne, Brady, Buckley, Baker, Bowers, Cook, Callahan, Daniel, Darden, Eastland, Elder, Foscue, Frazier, Griffith, Glasscock, Hart, Harrison, Jones, Lacy, McCoy, McGuire, Maney, Means, Patton, Poag, Redding, Robinson, Reid, Russell, Slaughter, Seele, Simpson, Thaxton, and Way—38.

Nays—Adams, Birdwell, Butler, Banton, Brazier, Bush, Bratton, Chance, DeBerry, Emmert, Finley, Gibbons, Howard of Anderson, Howard of Lavaca, Holford, English, Kyle, Keyes, Lipscomb, Lollar, Lane, Loughridge, Lovejoy, Mabray, Marshall, McDonald, Perkins, Pendleton, Rhea, Shannon, Smith, Tyler, Thaxton, Willis, Wooten, Wilson, and Walker—36.

Report adopted.

Mr. Walker for the Committee on Public Lands reported back to the House the Senate bill entitled an act to repeal the 1st section of an act to suspend the location and sale of the public domain except in certain cases, approved December 14, 1863, and to provide for the sale of land, land scrip, and location of the same, and recommend that the same be not passed.

The joint resolution from the Senate tendering thanks to Messrs. Ball and Hutchings was taken up, read 1st time, and rule suspended. Resolution read 2nd time and passed to a 3rd reading. Rule further suspended, read a 3rd time and passed.

The bill to incorporate the San Marcos Manufacturing Company was taken up, read a 1st time. Rule suspended, read a 2nd time and passed to a 3rd reading. Rule further suspended, read a 3rd time and passed by the following vote:

Yeas—Messrs. Speaker, Adams, Barclay, Blake, Birdwell, Butler, Brady, Banton, Bush, Buckley, Baker, Bowers, Bratton, Chance, Cook, Callahan, DeBerry, Darden, Daniel, Eastland, Emmert, Foscue, Finley, Frazier, Griffith, Gib-

bons, Glasscock, Howard of Anderson, Howard of Lavaca, Hart, Harrison, Holford, English, Jones, Kyle, Keyes, Lipscomb, Lollar, Lane, Lacy, Loughridge, McDonald, McCoy, McGuire, Maney, Perkins, Patton, Poag, Pendleton, Redding, Rhea, Robinson, Reid, Russell, Shannon, Seele, Smith, Slaughter, Simpson, Tyler, Willis, and Wilson—62.

Nays—Messrs. Brazier, Howard of Anderson, Lovejoy, Marshall, and Means—5..

The bill to incorporate the Guadalupe Manufacturing Company was taken up. Read 1st time. Rule suspended, read a 2nd time and passed to a 3rd reading. Rule further suspended, read a 3rd time and passed by the following vote, to wit:

Yeas—Messrs. Speaker, Adams, Allen, Blake, Birdwell, Brady, Banton, Bush, Buckley, Baker, Bowers, Chance, Cook, Callahan, Daniel, DeBerry, Darden, Eastland, Emmert, Elder, Finley, Frazier, Griffith, Gibbons, Glasscock, Howard of Lavaca, Harrison, Holford, English, Jones, Keyes, Lipscomb, Lollar, Lane, Lacy, Loughridge, Mabray, McDonald, McCoy, McGuire, Maney, Perkins, Patton, Poag, Pendleton, Redding, Robinson, Reid, Russell, Shannon, Slaughter, Seele, Simpson, Tyler, Thaxton, Willis, and Way—57.

Nays—Foscue, Lovejoy, Marshall, Means, and Brazier—5.

A message from the Senate informing the House that the Senate had passed the House bill to provide for furnishing the reporters of the Supreme Court with stationery, and had adopted the report of the Joint Committee on Free Conference on the bill to supply the deficiency in the State Treasury.

Mr. Buckley by leave offered the following resolution, to wit: "RESOLVED, That in the opinion of the House of Representatives of the State of Texas, the fabrics manufactured and sold at the State Penitentiary should not be sold for less than the market value thereof except to counties for the families and dependents of soldiers, and that a copy of this resolution be forwarded to the Financial Agent of the Penitentiary by the Chief Clerk of this House." Whereupon Mr. Smith offered an amendment which was lost, and Mr. Howard of Lavaca offered an amendment which was adopted, and the resolution as amended was adopted.

The bill to incorporate the Independence Manufacturing

Company was taken up, read a 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed by the following vote:

Yeas—Messrs. Speaker, Adams, Andrews, Blake, Browne, Brady, Bush, Buckley, Baker, Bowers, Bratton, Chance, Cook, Callahan, Daniel, DeBerry, Darden, Eastland, Emmert, Elder, Finley, Frazier, Gibbons, Glasscock, Howard of Anderson, Howard of Lavaca, Hart, Harrison, Jones, Kyle, Keyes, Lipscomb, Lollar, Lacy, Mabray, McDonald, McCoy, McGuire, Maney, Perkins, Poag, Pendleton, Redding, Robinson, Reid, Russell, Shannon, Smith, Seele, Slaughter, Simpson, Tyler, Thaxton, Willis, and Walker—55.

Nays—Brazier, Foscue, Lovejoy, Marshall, Means, and Wooten—6.

A message from the Senate informing the House that the Senate had passed a bill entitled an act to support the Lunatic Asylum, and the House bill to incorporate the Comal Springs Manufacturing Company, with an amendment.

Mr. Buckley by leave for the Judiciary Committee reported back to the House the bill more effectually to provide the regular holding of the terms of the district courts of the State by the respective judges thereof, with a substitute by the committee, and recommend the passage of the substitute.

A bill to incorporate the Comal Springs Manufacturing Company, amended and passed by the Senate, was taken up and the Senate's amendment agreed to.

The Senate bill for the support of the Lunatic Asylum was taken up, read, and referred to Committee on the Penitentiary.

Mr. McDonald moved a reconsideration of the vote indefinitely postponing for the action on the joint resolution of the Senate in regard to the frontier, and then moved to postpone the vote of reconsideration until tomorrow morning, which was carried.

Mr. Chance offered the following resolution: "RESOLVED by the House of Representatives of the State of Texas, That we have heard with profound regret of the death of our late associate and fellow representative the Honorable J. W. Thomas, Representative from the 53rd Representative District, State of Texas, that we hold his memory in profound veneration for his patriotic devotion

to his country's cause and for his disinterested and arduous labors while associated with us for the good of his *constituents* and the country generally and for his enlarged and comprehensive views as a representative of the people.

That we sincerely sympathize with his family and tender them our heartfelt condolence in this their sad bereavement.

That the members of this House in testimony of their respect for the deceased wear the usual badge of mourning for thirty days.

That a copy of these resolutions be communicated to the family of the deceased by the Speaker of the House and that in respect to the memory of the deceased that this House stand adjourned until tomorrow morning at 8 o'clock."

Which was adopted and the House adjourned to 8 A.M. tomorrow.

Saturday, May 28, 1864

House met pursuant to adjournment. Prayer by Chaplain. Journal of yesterday read and adopted.

Mr. Poag introduced a bill entitled an act to provide for the assessment and collection of a direct tax on the distillation of spirituous and fermented liquors and wines not made for domestic use, and to appropriate the same to the support of indigents and soldiers' families. Read 1st time and referred to the Finance Committee.

Mr. Chance introduced a bill to be entitled an act to incorporate the Texas Copper Manufacturing Company, which was read and on suspension of the rule was taken up, read a 2nd time. Whereupon Mr. Shannon offered an amendment which was adopted and bill ordered to be engrossed. Bill suspended, bill read a 3rd time and passed by the following vote:

Yeas—Messrs. Adams, Allen, Andrews, Barclay, Blake, Birdwell, Butler, Browne, Brady, Banton, Buckley, Bush, Baker, Bowers, Bratton, Cook, Chance, Callahan, Daniel, DeBerry, Darden, Eastland, Emmert, Elder, Finley, Frazier, Gibbons, Howard of Anderson, Howard of Lavaca, Hart, Holford, Jones, Kyle, Keyes, Lipscomb, Lane, Lacy, Loughridge, Mabray, McDonald, McCoy, McGuire, Maney, Perkins, Poag, Redding, Rhea, Robinson, Reid, Russell, Shan-

non, Smith, Seele, Tyler, Thaxton, Wilson, Walker, and Way—57.

Nays—Messrs. Brazier, Foscue, and Lovejoy—3.

A message from the Senate was received informing the House that the Senate had passed the following bills, to wit: the bill making appropriation for the mileage and per diem pay of the members and per diem pay of the officers of the Tenth Legislature; the bill entitled an act further to provide the manner of proving a written will; the bill entitled an act for the relief of W. H. Cochran.

On motion of Mr. Bowers, the bill to authorize the Military Board of the State to sell cotton to the several counties for the use of indigent families of officers and soldiers in the Confederate and State Army for industrial purposes, was taken up, read a 2nd time. Whereupon Mr. Shannon offered an amendment which was adopted and Mr. [not given] offered an amendment which was adopted.

A message from the Senate was received informing the House that the Senate had passed a bill to incorporate the Comal Manufacturing Company.

The resolution from the Senate providing for raising a joint committee of the Houses to investigate the acts of the Military Board was taken up. Whereupon Mr. Bowers offered an amendment which was adopted, and the resolution as amended was adopted.

The Senate bill to further provide for the manner of proving a written will was taken up and read. Rule suspended, read a 2nd time. Rule further suspended, passed to 3rd reading and passed.

The Senate bill for the support of the Lunatic Asylum was taken up and the committee's report read. Whereupon Mr. Buckley moved to lay the report of the Committee of the Penitentiary on the bill on the table which was lost. And the question recurring on the adoption of the report was taken and the report rejected.

Mr. Glasscock offered a joint resolution in regard to the reception of the remains of Brigadier General William R. Scurry which was read. Rule suspended, read a 2nd time and ordered to be engrossed. Rule further suspended, read a 3rd time and passed.

The bill to amend the estray laws, etc., was taken up and the question being on the adoption of the committee's

report adverse to passing to the bill, Mr. [blank] moved to lay the report on the table, which was carried.

On motion of Mr. Kyle the bill to authorize the issuance of rations to certain employees in the cap factory was taken, read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed.

Mr. Buckley moved to take up the bill to repeal the cotton bill, which was lost.

A message from the Senate was received informing the House that the Senate had passed a bill to incorporate the Tyler County Card and Machine Factory.

Mr. McDonald introduced a bill to relinquish the right of the State to a sum of money in the hands of Colonel J. E. McCord being the proceeds of property received from the Indians, which was read. Rule suspended, read a 2nd time and ordered to be engrossed. Rule further suspended, read a 3rd time and passed.

A message from the Senate was received informing the House that the Senate had passed the House bill to punish unlawful interference with private property or private rights, and that the Senate had adopted the resolution to adjourn at 11 P.M. today.

The Senate bill to incorporate the Cairo Manufacturing Company was taken up. Read 1st time. Rule suspended, read a 2nd time and passed to a 3rd reading. Rule further suspended, bill read a 3rd time and passed by the following vote:

Yeas—Speaker, Allen, Adams, Andrews, Barclay, Blake, Birdwell, Butler, Browne, Brady, Banton, Buckley, Bowers, Bratton, Chance, Callahan, Daniel, DeBerry, Darden, Elder, Foscue, Frazier, Griffith, Glasscock, Howard of Anderson, Howard of Lavaca, Hart, Harrison, Holford, English, Jones, Kyle, Lipscomb, Lane, Lacy, Mabray, McDonald, McCoy, McGuire, Maney, Patton, Poag, Redding, Rhea, Reid, Ranck, Russell, Shannon, Smith, Seele, Tyler, Thaxton, Willis, Wilson, and Walker—56.

Nays—Brazier, Lovejoy, Marshall, and Wooten—4.

The bill to provide for the discharge of sureties on official bonds in certain cases was taken, read a 2nd time and ordered to be engrossed. Rule suspended, bill read a 3rd time and passed.

The Senate resolution on adjournment was taken up.

Whereupon Mr. Brady offered to amend by inserting "Monday morning" instead of "tonight" which was lost and the resolution was adopted.

Mr. [blank] introduced a bill for the relief of the heirs of the late John D. Stell which was read. Rule suspended, read a 2nd time and ordered to be engrossed. Rule further suspended, read a 3rd time and passed.

A message from the Senate was received informing the House that the Senate had passed _____ for the necessary funds for purchasing _____.

The bill to authorize the County Court of Caldwell County to levy and collect a tax in specie to support the families of soldiers, etc., was taken up and read a 2nd time and ordered to be engrossed. Rule suspended, read a 3rd time and passed.

The Senate bill to incorporate the Tyler County Card and Machine and Manufacturing Company was taken up and read a 2nd time and passed to a 3rd reading. Rule suspended, read a 3rd time and passed by the following vote:

Yeas—Speaker, Adams, Allen, Andrews, Blake, Birdwell, Butler, Browne, Brady, Banton, Buckley, Baker, Bowers, Bratton, Cook, Callahan, Daniel, DeBerry, Darden, Eastland, Emmert, Elder, Foscue, Finley, Frazier, Griffith, Glasscock, Howard of Anderson, Howard of Lavaca, Hart, Harrison, Holford, English, Jones, Kyle, Keyes, Lipscomb, Lane, Lacy, Loughridge, Mabray, McDonald, McGuire, McCoy, Maney, Perkins, Patton, Poag, Redding, Robinson, Rhea, Ranck, Russell, Shannon, Slaughter, Smith, Seele, Simpson, Tyler, Thaxton, Willis, Wooten, Wilson, and Walker—62.

Nays—Brazier—1.

Mr. Banton for the Committee on State Affairs reported back to the House the bill to provide for the support of the families of soldiers, etc., and recommend that the same do not pass.

On motion of Mr. Slaughter the bill to incorporate the Fort Bend Trading Company was taken up and the report thereon rejected and the bill ordered to be engrossed. Rule suspended, read a 3rd time and passed by the following vote:

Yeas—Messrs. Speaker, Adams, Allen, Andrews, Blake, Butler, Browne, Brady, Banton, Baker, Bowers, Bratton,



Ed Gibbons
Representative from Lamar

Source: William S. Speer and John Henry Brown (eds.), *The Encyclopedia of the New West* (Marshall, Texas: United States Biographical Publishing Company, 1881), 94.

Cook, Callahan, Daniel, DeBerry, Darden, Eastland, Elder, Foscue, Frazier, Griffith, Gibbons, Glasscock, Howard of Lavaca, Hart, Jones, Kyle, Lipscomb, Lane, Marshall, McDonald, McGuire, Perkins, Patton, Pendleton, Robinson, Ranck, Russell, Shannon, Slaughter, Smith, Seele, Tyler, Wooten, Wilson, and Walker—45.

Nays—Messrs. Birdwell, Brazier, DeBerry, Howard of Anderson, Harrison, Holford, English, Keyes, Lollar, Lacy, Lovejoy, Mabray, Maney, Poag, Reid, and Willis—16.

A message from the Senate was received informing the House that the Senate had passed the House bill supplemental to and amendatory of an act to establish a Penal Code, the House bill to incorporate the Texas Copper Manufacturing Company, the House bill to meet any deficiency that may occur in the Comptroller's Department, the bill to authorize the County Court of Caldwell County to levy and collect a tax in specie for certain purposes, the House bill to incorporate the Independence Manufacturing Company, the bill to relinquish the right of the state to a sum of money in the hands of Colonel James E. McCord.

Mr. Keyes for the Committee on Enrolled Bills made the following report, to wit:

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

The Joint Committee on Enrolled Bills have instructed me to report the subjoined bills and joint resolutions as correctly enrolled and properly signed and that the same have been handed to the Governor today for his approval, to wit:

A bill to be entitled an act supplementary to an act entitled an act to regulate proceedings in the county courts pertaining to estates of deceased persons, approved March 20, 1848.

Joint resolution in regard to conscription.

A bill to be entitled an act for the relief of the indigent families of Calhoun, Refugio, San Patricio and Nueces counties.

A bill to be entitled an act to define and punish the unlawful interference with the exportation and transportation of cotton and other articles, and the unlawful impressment of property.

A bill to be entitled an act to incorporate the Star State Machine and Manufacturing Company.

A bill to be entitled an act to prohibit the sale of intoxicating liquors within five miles of the town of Waxahachie, Ellis County, Texas.

A bill to be entitled an act to incorporate the Brazos Manufacturing Company.

A bill to be entitled an act to transfer the State Troops to Confederate service, etc.

The bill to incorporate the Tyler County Card and Machine Factory was taken up. Read 1st time. Rule suspended, read 2nd time and ordered to be engrossed. Rule further suspended, read 3rd time and passed.

The Senate bill to provide necessary funds for purchasing Treasury Warrants, etc., was taken up, read 1st time, and referred to the Committee on Finance with instructions to report back to 2 P.M.

Mr. [Blank] introduced a bill to authorize the Governor to apply a part of the appropriation made for the defense of the State by the Tenth Legislature to supply the deficiency if any for the pay of the Frontier Regiment and for the support of the various state asylums. Read 1st time and referred to the Committee on State Affairs.

The bill to incorporate the Comal Mutual Aid Association was taken up and read a 2nd time and ordered to be engrossed. Rule suspended, read a 3rd time and passed by the following vote, to wit:

Yeas—Messrs. Speaker, Adams, Allen, Andrews, Barclay, Blake, Butler, Banton, Bush, Buckley, Baker, Bowers, Bratton, Cook, Chance, Callahan, Daniel, DeBerry, Darden, Eastland, Emmert, Elder, Finley, Frazier, Gibbons, Glasscock, Howard of Anderson, Howard of Lavaca, Hart, Harrison, English, Jones, Kyle, Keyes, Lipscomb, Lollar, Lane, Lacy, Mabray, McDonald, Maney, Perkins, Patton, Poag, Pendleton, Redding, Robinson, Reid, Ranck, Russell, Shannon, Slaughter, Smith, Simpson, Tyler, Willis, Wooten, Wilson, and Walker—58.

Nays—Messrs. Holford, Lovejoy, Marshall, and Thaxton—4.

Mr. McDonald introduced a bill to declare forfeiture of property in certain cases therein named, and for the Committee on the Judiciary recommended its passage. Rule suspended, bill taken up and read 1st time. Rule suspend-

ed, bill read 2nd time and ordered to be engrossed. Rule further suspended, bill read a 3rd time and passed.

The Senate bill entitled an act to regulate the disposal of unappropriated specie was taken up, read a 2nd time, and ordered to a 3rd reading. Rule suspended, bill read a 3rd time and passed.

The Senate bill to amend Articles 743 and 744, Chapter 8, Title 1 of the Penal Code was taken up, read 2nd time and referred to the Committee on the Judiciary.

On motion the House adjourned to 2½ P.M. this afternoon.

2½ P.M.

House met pursuant to adjournment. Roll called. Quorum present.

Mr. Buckley for the Committee on the Judiciary reported as follows:

May 28, 1864

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

The Committee on the Judiciary to whom was referred a bill to be entitled an act to prevent persons who have since the 1st day of January, 1863, left the State and taken up their abode in the United States from suing any citizen of this State, etc., have had the same under consideration and instruct me to report.

That the provisions of the bill seek to deprive citizens of the State of the right secured them by the 11th Section, Article 1, of the Constitution of the State of Texas, which provides that "no citizen of this state shall be deprived of life, liberty, property, or privileges, outlawed, exiled, or in any manner disfranchised, except by due course of the law of the land."

"Due course of the law of the land" has by the Supreme Court of the State been adjudged to be by indictment, trial, and conviction in the manner prescribed in Section 8, Article 1 of the Constitution, and not otherwise. Leaving the State even in time of war has not been determined to amount to a loss of citizenship and the question of the right of expatriation is too prolific, abstruse, and difficult to enable us to look into the subject in the limited time allowed ere the Legislature will adjourn.

In view therefore of the constitutional difficulties which lie in the way, the bill is returned to the House and the Committee ask to be discharged from the further consideration thereof.

C. W. Buckley, Chairman

Mr. Simpson for the Judiciary Committee reported back the bill to amend Article 1860 of *Oldham and White's Digest* with a substitute from this committee, and recommend the passage of the substitute. Which was read, whereupon Mr. Howard of Anderson offered an amendment which was adopted, and bill ordered to be engrossed. Rule suspended, bill read a 3rd time and passed.

Mr. Howard of Lavaca for the Committee on State Affairs reported back to the House the bill to authorize the Governor to apply a part of the appropriation made for the defense of the State by the Tenth Legislature to supply the deficiency if any for the pay of the Frontier Organizations, and for the reasons set forth in the report cannot recommend its passage.

A message from the Senate was received informing the House that the Senate had passed a bill to define and punish the unlawful introduction, pasturage, and running at large within this State of horses, cattle, sheep, goats, and hogs, and the House bill to provide for the discharge of sureties on official bonds in certain cases, and the bill for the relief of the minor heirs of the late John D. Stell, and the House bill entitled an act to provide for the distribution of cloth manufactured at the State Penitentiary with amendment. And the joint resolution in regard to the reception of the remains of Brigadier General William R. Scurry, and a bill to relinquish the rights of the State to a sum of money in the hands of Colonel James E. McCord as the proceeds of property captured from Indians, and the bill to authorize the issuance of rations to certain employees in the cap factory, with an amendment, and the Senate has adopted the House amendment to the Senate resolution in regard to raising a Committee to investigate the operations of the Military Board, and the bill entitled an act to provide for the payment of interest accruing from time to time on the public debt of the State with amendments, and the bill to incorporate the Comal County Mutual Aid Association.

Mr. Brady for the Finance Committee reported as follows:

May 28, 1864

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

The Committee on Finance have duly considered a bill to be entitled an act to provide for the assessment and collection of a direct tax on the distillation of spirits, etc., and recommend that the same do not pass.

All of which is respectfully submitted.

J. T. Brady, Chairman

Mr. Darden for the Judiciary Committee reported back to the House the Senate bill to define and punish offenses committed within this State by persons under the protection of the enemy and recommend its passage. Rule suspended, bill read a 2nd time and passed to a 3rd reading.

Mr. Simpson for the Judiciary Committee reported back to the House the joint resolution in regard to the County Court of Calhoun County, and recommend that the same be not passed. Rule suspended, report adopted.

Mr. Slaughter introduced a bill to provide for the families of soldiers, which was read 1st time.

Mr. Brady for the Finance Committee reported back to the House the bill to provide necessary funds for purchasing Treasury Warrants, etc., and recommend the passage of the same. Bill read a 2nd time whereupon Mr. Buckley offered an amendment which was adopted.

On motion House adjourned to 8 P.M. this evening.

8 P.M.

Honorable M. D. K. Taylor, Speaker:

The Committee on Enrolled Bills having examined the following bills and resolutions find them correctly enrolled and properly signed and have presented the same to the Governor for his approval, May 28th, 1864.

A bill to be entitled an act supplemental to and amendatory of an act to adopt and establish a Penal Code.

A bill to be entitled an act for the relief of Lieutenant W. H. Cochran, A.A.C.S., of the Mounted Regiment, Texas State Troops.

Joint resolutions requesting the return of the 1st, 4th, and 5th Texas Regiments.

An act entitled an act amending an act authorizing the Comptroller of State to receive from railroad companies in this state the interest that may be due or hereafter become due on their bonds.

A bill to be entitled an act further to provide the manner of proving a written will.

A bill to be entitled an act making an appropriation to pay for stationery and lighting materials purchased for the Tenth Legislature.

Joint resolutions in regard to the Tonkawa Indians.

A bill to authorize the Governor to appoint certain persons to represent the interest of the State at Headquarters of the Trans-Mississippi Department and at the District Headquarters of Texas, New Mexico and Arizona.

A bill to meet any deficiency that may accrue in the Comptroller's Department.

A bill to be entitled an act to authorize the County Court of Caldwell County to levy and collect a special tax.

Joint resolution of thanks to the firm of Ball, Hutchings and Company.

A bill to punish unlawful interference with private property or private rights.

Joint resolution requiring the Secretary of State to have published the general laws of this State with the Constitution of the State and Confederate States.

An act to incorporate the Comal Manufacturing Company.

A bill to amend the 3rd section of an act to provide for the support of soldiers' families.

A bill to be entitled an act to furnish the reporter of the Supreme Court with stationery.

A bill to be entitled an act to incorporate the San Marcos Cotton and Woolen Manufacturing Company.

George W. Frazier,
one of said Committee

8 P.M.

House met pursuant to adjournment.

The bill to provide funds for purchasing Treasury Warrants, etc., which was pending at last adjournment was taken up, the questions being on the adoption of the Amendment No. 2 offered by Mr. Buckley. And the yeas and

nays being called for were taken and resulted as follows, to wit:

Yeas—Messrs. Adams, Blake, Birdwell, Buckley, Brazier, Butler, Bratton, Chance, Cook, Callahan, DeBerry, Darden, Eastland, Elder, Foscue, Finley, Gibbons, Howard of Anderson, Howard of Lavaca, English, Kyle, Lipscomb, Lollar, Lacy, Loughridge, Lovejoy, Mabray, McDonald, Means, Perkins, Patton, Poag, Redding, Rhea, Robinson, Reid, Russell, and Smith—38.

Nays—Messrs. Allen, Andrews, Browne, Brady, Banton, Bush, Baker, Bowers, Daniel, Griffith, Glasscock, Hays, Harrison, Holford, Jones, Lane, McGuire, Maney, Pendleton, Ranck, Shannon, Slaughter, Simpson, Thaxton, Willis, Wooten, Wilson, Walker, and Way—30.

Mr. Buckley then offered amendment No. 3 which was adopted and then offered Amendment No. 4 whereupon Mr. [blank] moved to lay it on the table which was lost. And the questions recurring on its adoption was put and carried and Mr. Buckley then offered Amendment No. 5 which was adopted, and Mr. Bowers offered an amendment which was lost and bill passed to a 3rd reading.

The Senate bill entitled an act for support of the Lunatic Asylum was taken up and the substitute of the Committee on State Affairs adopted. Rule suspended, bill read, passed to a 3rd reading and passed.

The bill to authorize the issue of rations to certain employees in the cap factory amended and passed by the Senate was taken up and Senate amendment agreed to.

The joint resolution in regard to the writ of habeas corpus was taken up. Read 2nd time and substitute adopted, and resolution ordered to be engrossed.

The bill entitled an act to provide for the payment of the interest accruing from time to time on the debt of the State, amended and passed by the Senate, was taken up and the Senate's amendment agreed to.

The bill entitled an act to provide for the distribution of cloth manufactured in the Texas State Penitentiary, amended and passed by the Senate, was taken up and agreed to the Senate's Amendment Nos. 1 and 2, and rejected No. 3.

Honorable M. D. K. Taylor, Speaker of the House of Representatives:

The joint Committee on Enrolled Bills have instructed me to report the subjoined bills as correctly enrolled and properly signed and that the same have been presented to the Governor today for his approval, to wit:

A bill to be entitled an act to incorporate the Independence Manufacturing Company.

A bill to be entitled an act to incorporate the Texas Copper Manufacturing Company.

A bill to be entitled an act supplementary to an act to provide for the protection of the frontier and turning over the Frontier Regiment to Confederate States service, approved December 5, 1863.

A bill to be entitled an act to incorporate the Guadalupe Manufacturing Company.

A bill to be entitled an act to incorporate the Tyler County Card and Machine Factory.

A bill to be entitled an act for the relief of Robert Robson.

A bill to be entitled an act to regulate the disposal of unappropriated specie.

A bill to be entitled an act to incorporate the Cairo Manufacturing Company.

A bill to be entitled an act to relinquish the right of the State to funds in the hands of Colonel James E. McCord, etc.

Joint resolution in regard to the death of General William R. Scurry.

A bill to further provide for the payment of the interest of the Public Debt on the State of Texas.

An act to incorporate the Comal County Mutual Aid Association.

A bill to be entitled an act to authorize the issuance of rations to certain employees in the cap factory.

George W. Frazier,
one of said Committee

An act to make an additional appropriation for the support of the Lunatic Asylum for the years 1864 and 1865.

George W. Frazier,
one of said Committee

Report received.

Under the resolution adopted by the Houses the Speaker appointed Messrs. Baker and Gibbons a committee on the part of the House to act conjunctly with a like committee on the part of the Senate to investigate the acts of the State Military Board.

The Speaker on motion of Mr. Banton appointed Messrs. Banton, McDonald, and Finley to meet with a committee from the Senate on the Governor and inform him that the Houses are about to adjourn this session.

A message from the Senate was received informing the House that the Senate had appointed Senators Hord and Ford a committee to investigate the acts of the Military Board.

The committee appointed to wait on the Governor reported that they had performed the duty assigned them and that His Excellency the Governor reported that he has no further communication to make to the Houses and tendered through the committee his thanks to the Speaker and members of the House for their uniform kindness and courtesy during the session.

On motion of Mr. Foscue a committee of three consisting of Messrs. Foscue, Lane and Lacy to inform the Senate that the House was about to adjourn its session.

A message from the Senate was received informing the House that the Senate was about to adjourn its session.

The Committee of the House appointed to inform the Senate that the House was about to adjourn its session reported that they had performed the duty assigned them. Whereupon after an appropriate address by the Speaker to the House, the House adjourned without delay.

Approved

M. D. K. Taylor

Speaker of the House of
Representatives

APPENDIX IV

MEMBERS AND OFFICERS

OF THE

HOUSE OF REPRESENTATIVES

OF THE

TENTH LEGISLATURE

FIRST CALLED SESSION

APPENDIX IV
MEMBERS AND OFFICERS OF THE HOUSE OF REPRESENTATIVES OF THE
TENTH LEGISLATURE, FIRST CALLED SESSION

Name	Dist.	Resident County	Post Office	Counties Represented
Foscue, F. F.	1	Liberty	Grand Cane	Jefferson, Chambers, Liberty, Orange
Adams, E. B.	2	Polk	Moscow	Liberty, Polk
Barclay, James	3	Tyler	Woodville	Tyler, Hardin
Perkins, A. N.	4	Jasper	Jasper	Jasper, Newton
Slaughter, R. F.	5	San Augustine	San Augustine	San Augustine, Sabine
Ramsey, Jesse Middleton	6	Shelby	Buena Vista	Shelby
Blake, Bennett	7	Nacogdoches	Nacogdoches	Nacogdoches
Guinn, J. W. ¹⁰	8	Angelina	Homer	Nacogdoches, Angelina
Brazier, G. M.	9	Houston	Crockett	Trinity, Houston, Anderson
Howard, George R.	10	Anderson		Anderson
Wooten, J. C.	11	Houston		Trinity, Houston, Anderson
Robertson, R. ¹⁰			Larissa	
	12	Cherokee		Cherokee
Daniel, W. C.			Rusk	
Birdwell, Allen			Mt. Enterprise	
	13	Rusk		Rusk
Smith, Thomas			Henderson	
DeBerry, A. W.	14	Panola	Carthage	Panola
Haynes, R. R. ¹⁰	15	Harrison	Marshall	Harrison
Poag, W. R.	16	Panola	Carthage	Harrison, Panola
Hays, F. M.			Troupe	
	17	Smith		Smith
Butler, Lovick Pearce			Tyler	

APPENDIX IV
MEMBERS AND OFFICERS OF THE HOUSE OF REPRESENTATIVES OF THE
TENTH LEGISLATURE, FIRST CALLED SESSION

Name	Dist.	Resident County	Post Office	Counties Represented
Willis, J. M.	18	Davis		Davis
Finley, B.	19	Titus	Lone Star	Titus
Patton, N. B.		Bowie	DeKalb	
	20			Davis, Titus, Marion, Bowie
Taylor, M. D. K., Speaker		Marion	Jefferson	
Hart, W. H.			Gilmer	
	21	Upshur		Upshur
Emmert, A.			Coffeeville	
Harrison, William M.	22	Red River	Clarksville	Red River
Gibbons, Edward	23	Lamar	Paris	Lamar
Lollar, L. A.	24	Hopkins	White Oak	Hopkins
Redding, A. J.	25	Lamar	Paris	Lamar, Hopkins
Keyes, Howard	26	Wood	Quitman	Wood
Griffith, John		Kaufman	Rockwall	
	27			Van Zandt, Kaufman, Henderson
Mabray, D. M.		Henderson	Athens	
Lane, W. R.	28	Hunt	Ladonia	Hunt
English, R.	29	Fannin	Bonham	Fannin
Marshall, J. W.	30	Hunt	Greenville	Fannin, Hunt
Holford, W.	31	Grayson	Sherman	Grayson
Rhea, W. A.	32	Collin	McKinney	Collin
Browne, Thomas J.	33	Collin	McKinney	Collin, Grayson
Andrews, H. B.	34	Galveston	Galveston	Galveston

APPENDIX IV

**MEMBERS AND OFFICERS OF THE HOUSE OF REPRESENTATIVES OF THE
TENTH LEGISLATURE, FIRST CALLED SESSION**

Name	Dist.	Resident County	Post Office	Counties Represented
Hill, T. E. ¹⁰ Brady, J. T.	35	Brazoria	Columbia	Galveston, Brazoria
Frazier, George W. McDonald, J. G.	36	Harris	Houston	Harris
	37	Grimes	Anderson	Montgomery, Grimes, Brazos
Lipscomb, Abner S. Banton, J. H.	38	Montgomery Walker	Montgomery Huntsville	Walker
Lacy, Robert, 39 Moores, W. B.		Leon Freestone	Clapp's Creek Fairfield	Leon, Madison
	40			Freestone, Limestone, Falls
Prendergast, D.M. Loughridge, J. R. Pendleton, E.	41	Limestone Navarro Ellis	Springfield Corsicana Milford	Navarro, Hill
	42			Ellis, Johnson, Parker
Shannon, W. R. Allen, J. H. Wilson, George	43	Parker Tarrant	Weatherford Fort Worth Cedar Hill	Tarrant
	44	Dallas		Dallas
McCoy, J. C. Lovejoy, J. L.	45	Denton	Denton	Denton

APPENDIX I
MEMBERS AND OFFICERS OF THE HOUSE OF REPRESENTATIVES OF THE
TENTH LEGISLATURE, FIRST CALLED SESSION

Name	Dist.	Resident County	Post Office	Counties Represented
Jones, Wiley	46	Cooke	Gainesville	Cooke, Montague, Wise, Jack, Young, Clay, Wichita, Archer, Wilbarger, Baylor, Throckmorton, Hardeman, Knox, Haskell
Buckley, C. W.	47	Fort Bend	Sugar Land	Matagorda, Wharton, Fort Bend
Bush, N. W.	48	Austin	Hempstead	Austin
Darden, W. J.	49	Colorado	Columbus	Colorado
Hunt, William	50	Fayette	La Grange	Fayette
McGuire, F. W.	51	Washington	Yegua	Washington
Baker, M. W.	52		Chappel Hill	Washington, Fayette
Chance, E. J.	53	Burleson	Lexington	Burleson, Robertson
Eastland, N. W.	54	Bastrop	Bastrop	Bastrop
Bowers, Marmion Henry	55	Travis	Austin	Travis
Glasscock, George W.	56	Travis	Austin	Travis, Williamson
Robinson, L.	57	Milam	Cameron	Williamson, Milam
Kyle, Claiborne	58	Hays	Mountain City	Caldwell, Hays, Blanco
Walker, E.	59	Bell	Belton	Bell, Lampasas
Way, C. B.	60	McLennan	Waco	McLennan, Bosque
Tyler, O. T.	61	Coryell	Coryell	Coryell, Hamilton, Comanche, Erath, Brown, Palo Pinto, Stephens, Eastland, Shackelford, Callahan, Coleman, Jones, Taylor, Runnels

APPENDIX I

**MEMBERS AND OFFICERS OF THE HOUSE OF REPRESENTATIVES OF THE
TENTH LEGISLATURE, FIRST CALLED SESSION**

Name	Dist.	Resident County	Post Office	Counties Represented
Reid, J. B.	62	Victoria	Victoria	Calhoun, Victoria, Jackson, DeWitt
Cook, William M.		Calhoun	Indianola	
Howard, W. H.	63	Lavaca	Oakland	Lavaca
Bratton, L. R.	64	Gonzales	Gonzales	Gonzales
Maney, H.	65	Guadalupe	Seguin	Guadalupe
Seele, Hermann	66	Comal	New Braunfels	Comal
Ranck, J. E.	67	Mason	Fort Mason	Gillespie, Kerr, Bandera, Mason, Menard, Kimble, Edwards
Thaxton, W.	68	San Saba	San Saba	Burnet, Llano, San Saba, McCulloch, Concho
Means, H.	69	San Patricio	San Patricio	Goliad, Refugio, San Patricio
Russell, C. A.	70	Karnes	Helena	Karnes, Bee, Live Oak, Atascosa, McMullen, Frio, LaSalle, Zavala, Dimmit, Bexar
Simpson, I. P.	71	Bexar	San Antonio	Bexar, Medina, Uvalde, Dawson, Kinney
Sampson, S. ¹⁰	72	Wilson	Southerland Springs	Maverick, Wilson
Elder, Felix T.				
Beldon, Samuel A. ¹⁶	73	Cameron	Brownsville	Cameron

APPENDIX IV
MEMBERS AND OFFICERS OF THE HOUSE OF REPRESENTATIVES OF THE
TENTH LEGISLATURE, FIRST CALLED SESSION

Name	Dist.	Resident County	Post Office	Counties Represented
Ingalls, John ¹⁰	74	Cameron	Brownsville	Cameron, Hidalgo
Cole, S. G. ¹⁰	75	Starr	Roma	Starr, Zapata
Callahan, Charles	76	Webb	Laredo	Webb, Nueces, Duval, Encinal, McMullen
McCarthy, J. L.	77	El Paso	El Paso	El Paso, Presidio

¹⁰This member of the House did not appear at the Capitol during this called session.

OFFICERS OF THE HOUSE OF REPRESENTATIVES

Miller, W. D.	Chief Clerk
Campbell, A. G.	First Assistant Clerk
Lambert, W.	Second Assistant Clerk
Carlton, Fred	Third Assistant Clerk
Hollander, William	Sergeant at Arms
Haynes, George E.	Assistant Sergeant at Arms
Thomas, J. M.	Doorkeeper (resigned May 14, 1864)
Raven, E.	Doorkeeper (elected May 14, 1864)
Phillips, J. W.	Chaplain

INDEX

All entries higher than page 128 refer to the Journal of the House of Representatives. Those before that number refer to the Senate proceedings.

— A —

- Ad valorem tax: 57, 65, 66
Adams, E. B.: 129, 142, 143, 147, 150, 151, 155, 163, 168, 169, 170, 176, 180, 186, 187, 193, 202, 205, 206, 207, 208, 209, 211, 212, 214, 219, 223
Adjutant and Inspector General of Texas: 12, 13, 17, 18, 19, 34, 41, 44, 125, 131, 140, 141, 143, 147, 159, 162, 174, 196
Adkisson, John T.: 108
Adkisson, William: 108
Alimony: 3, 42
Allbright, Jacob: 122
Allen, Clement: 122
Allen, J. H.: 129, 142, 143, 147, 150, 151, 155, 164, 166, 168, 170, 176, 177, 180, 186, 187, 191, 193, 202, 205, 206, 207, 209, 211, 212, 214, 219, 225
Allen, Texas: 151
Alston, W. A.: 11
Anders, F.: 108
Anders, P. L.: 108
Anders, William: 126
Anderson, Texas: 115, 225
Anderson County: 115, 223
Andrews, H. B.: 129, 130, 132, 134, 141, 142, 143, 147, 150, 151, 155, 164, 166, 168, 169, 170, 172, 173, 175, 176, 179, 180, 185, 186, 191, 193, 202, 205, 206, 208, 209, 211, 212, 214, 219, 224
Angelina County: 61, 62, 115, 223
Appropriation: 78, 83, 84, 100, 139, 143, 145, 205, 214, 216
Archer County: 116, 226
Arizona: 8, 10, 11, 179, 197, 198, 201, 218
Arkadelphia, Arkansas: 15
Arkansas: 29, 69, 71, 73, 82, 86, 149, 153, 172, 177, 182, 188, 196
Arms: 27, 32, 104, 105
Army: 23, 28, 34, 149, 152, 168, 170, 175, 176, 181, 199
Army officers: 54, 55, 60, 62, 64, 178, 179, 198
Assessment of 1860 or 1861: 7
Assessor and Collector: 160
Assistant Secretary of Senate: 117
Assistant Sergeant-at-Arms of House: 228
Associate Justices of the Supreme Court: 49, 55, 70
Asylums: 214
Atascosa County: 117, 227
Athens, Texas: 224
Attorney General: 135, 179, 185
Attorneys: 149, 155, 158, 178
Austin, Texas: 1, 12, 16, 119, 139, 143, 151, 154, 226
Austin County: 116, 122, 147, 226

— B —

- Bagging: 26, 28
Bail bonds: 78, 99
Baird, A. J.: 127
Baker, M. W.: 85, 129, 132, 134, 142, 143, 146, 147, 150, 151, 155, 156, 159, 164, 165, 166, 168, 169, 170, 172, 176, 179, 180, 185, 186, 187, 191, 192, 193, 197, 202, 205, 206, 207, 208, 209, 212, 214, 219, 221, 226
Ball, Hutchings and Company: 83, 87, 94, 97, 102, 201, 206, 218
Bandera County: 117, 227
Bank bills: 65
Banton, J. H.: 87, 129, 131, 138, 140, 142, 147, 149, 150, 151, 153, 155, 157, 159, 162, 164, 165, 166, 167, 168, 169, 170, 172, 174, 175, 176, 180, 185, 186, 187, 190, 193, 197, 202, 205, 206, 207, 209, 211, 212, 214, 219, 221, 225
Barnes, Brigadier General: 13
Barclay, James: 129, 142, 143, 147, 150, 151, 155, 164, 166, 168, 176, 180, 186, 187, 191, 193, 202, 205, 206, 209, 211, 214, 223
Barkley, D. McD.: 108
Barnett, A. J.: 108

- Barrett, C. P.: 108
 Barziza, Philip J., Jr.: 108
 Bastrop, Texas: 116, 226
 Bastrop County: 70, 116, 226
 Batson, Raber T.: 108
 Battalion camp: 12
 Battle of Sabine River: 172
 Baylor County: 116, 226
 Beasley, S. W.: 42, 49, 50, 51, 55,
 56, 57, 60, 65, 66, 69, 70, 71,
 74, 76, 78, 79, 80, 82, 94, 96,
 98, 100, 101, 103, 107, 109, 110,
 111, 115
 Beaty, John: 122
 Beaver Iron Manufacturing Com-
 pany: 45, 70, 77, 139, 143, 145,
 147, 194
 Bee County: 116, 227
 Beldon, Samuel A.: 227
 Bell County: 116, 138, 226
 Belton, Texas: 226
 Benavides, Colonel Santos: 68, 71,
 80, 182, 188
 Bennett, Calvin: 108
 Bexar County: 116, 157, 227
 Bibb, J. H.: 108
 Birdwell, Allen: 87, 129, 133, 142,
 143, 147, 150, 151, 155, 164,
 166, 168, 169, 170, 176, 177,
 186, 187, 191, 193, 196, 197,
 202, 205, 206, 207, 209, 211,
 212, 213, 219, 223
 Black, E. W.: 108
 Black, Webb: 108
 Blake, Bennett: 129, 131, 134,
 142, 163, 166, 169, 171, 176,
 180, 183, 186, 191, 193, 202,
 205, 206, 207, 208, 209, 211,
 212, 214, 219, 223
 Blanco County: 117, 226
 Blind Asylum: 20, 58, 76, 89, 99,
 175
 "Bona fide" citizen: 17, 19
 Bonds: 5, 7, 23-29, 61, 64, 71, 84,
 93, 103, 109, 113, 124, 125,
 159, 176, 200, 204, 211, 216,
 218
 Bonham, Texas: 115, 224
 Bosque County: 116, 226
 Bowers, J. A.: 108
 Bowers, Marmion Henry: 129,
 134, 135, 140, 142, 143, 144,
 150, 151, 152, 155, 159, 160,
 161, 164, 166, 168, 169, 170,
 171, 176, 180, 183, 186, 187,
 189, 193, 196, 197, 198, 200,
 202, 203, 205, 206, 207, 208,
 209, 210, 211, 212, 214, 219,
 226
 Bowie County: 115, 224
 Boynton, George S.: 126
 Braden, G. H.: 108
 Brady, J. T.: 129, 132, 133, 134,
 139, 141, 142, 144, 145, 146,
 147, 151, 154, 155, 160, 162,
 164, 168, 169, 170, 171, 172,
 176, 180, 181, 185, 186, 187,
 189, 191, 193, 194, 195, 200,
 202, 205, 206, 207, 208, 209,
 211, 212, 217, 219, 225
 Bratton, L. R.: 129, 142, 143, 145,
 147, 149, 150, 151, 155, 163,
 164, 166, 168, 169, 170, 174,
 176, 180, 181-2, 183, 186, 187,
 189-90, 191, 193, 202, 205, 206,
 208, 209, 211, 212, 214, 219,
 227
 Brazier, G. M.: 129, 142, 143,
 147, 150, 151, 155, 164, 166,
 168, 169, 170, 176, 177, 180,
 186, 187, 191, 193, 202, 205,
 206, 207, 208, 210, 211, 212,
 213, 219, 223
 Brazoria County: 70, 115, 122,
 225
 Brazos County: 115, 133, 225
 Brazos Manufacturing Company:
 214
 Brenham, Texas: 116
 Brigade districts: 11, 12, 14
 Brigadier generals: 40, 52
 Brown County: 116, 226
 Browne, Thomas J.: 129, 139,
 142, 143, 147, 150, 151, 155,
 166, 168, 169, 170, 176, 179,
 180, 186, 187, 191, 193, 202,
 206, 208, 209, 211, 212, 219,
 224
 Brownsville, Texas: 117, 227, 228
 Bryan, Colonel William: 131
 Buchanan, _____: 136
 Buckley, C. W.: 151, 152, 155,
 156, 157, 159, 161, 164, 165,
 166, 168, 169, 170, 172, 173,
 174, 176, 179, 180, 181, 182,
 185, 186, 187, 191, 192, 193,
 197, 198, 199, 202, 203, 204,
 205, 206, 207, 208, 209, 210,
 211, 212, 214, 215, 216, 217,
 218, 219, 226
 Buena Vista, Texas: 223
 Burleson, D. G.: 108
 Burleson County: 118, 144, 226
 Burnet County: 116, 227
 Burney, George E.: 42, 49, 50,
 51, 56, 57, 58, 66, 68, 69, 70,
 74, 76, 78, 79, 80, 94, 98, 100,
 101, 103, 107, 109, 110, 116
 Bush, J. W.: 122
 Bush, N. W.: 129, 142, 143, 147,
 150, 151, 155, 163, 166, 168,
 169, 171, 176, 177, 180, 183,
 186, 187, 191, 193, 202, 205,
 206, 207, 208, 209, 214, 219,
 226
 Butler, _____ Messrs: 119

Butler, Lovick Pearce: 129, 139,
 141, 142, 143, 147, 148, 150,
 151, 155, 163, 166, 168, 169,
 170, 176, 180, 186, 187, 191,
 193, 195, 202, 205, 206, 209,
 211, 212, 214, 219, 223
 Buttons, John Long: 108
 Byrd, Colonel William E.: 162

— C —

Cairo Manufacturing Company:
 100, 102, 112, 211, 220
 Caldwell, W. S.: 122
 Caldwell County: 3, 116, 226
 Caldwell County Clerk: 76
 Caldwell County Court: 84, 102,
 106, 192, 212, 213, 218
 Calhoun County: 71, 83, 91, 93,
 96, 116, 146, 162, 171, 174,
 201, 203, 213, 227
 Calhoun County Court: 159, 162,
 217
 Callahan, Charles: 149, 150, 163,
 164, 166, 168, 169, 170, 176,
 180, 186, 187, 191, 193, 202,
 205, 206, 207, 208, 209, 211,
 212, 213, 214, 219, 228
 Callahan County: 116, 226
 Cameron, Texas: 116, 226
 Cameron County: 117, 227
 Cammer, B. N.: 108
 Campbell, A. G.: 228
 Cap factory: 85, 103, 109, 113,
 185, 199, 211, 216, 219, 220
 Capital and labor: 30, 31, 32
 Capital punishment: 43
 Capitol: 1
 Carleton, Dell: 108
 Carlton, Fred: 228
 Carthage, Texas: 115, 223
 Cattle: 76, 112, 216
 Cedar Hill, Texas: 225
 Centerville, Texas: 115
 Chambers County: 115, 223
 Chance, E. J.: 144, 150, 151, 155,
 164, 166, 168, 169, 170, 176,
 180, 186, 187, 191, 193, 202,
 205, 206, 207, 208, 209, 211,
 214, 219, 226
 Chaplain (House): 228
 Chaplain (Senate): 117
 Chappel Hill, Texas: 226
 Charlton, N. B.: 42, 49, 50, 51,
 56, 60, 66, 69, 70, 74, 76, 78,
 79, 80, 83, 94, 96, 100, 101,
 103, 107, 109, 110, 111, 115
 Cheek, William L.: 108
 Chenault, John R.: 127
 Cherokee County: 115, 223
 Cherokee Furnace Company: 3,
 39, 53, 58, 63, 150, 155, 168,
 175
 Chief Clerk (House): 130, 228
 Chief Justice of the Supreme
 Court: 1, 49, 55, 70, 103, 169
 Chiucke, I. G.: 108
 Clapp's Creek, Texas: 225
 Clark, Edward: 131
 Clarksville, Texas: 115, 224
 Clay County: 116, 142, 226
 Clements, R. H.: 117
 Cloth: 21, 57, 64, 71, 103, 112,
 113, 131, 157, 167, 168, 169,
 170, 172, 174, 176, 216, 219
 Cochran, Lieutenant W. H.: 84,
 93, 96, 97, 98, 193, 199, 204,
 210, 217
 Code of Criminal Procedure: 42,
 44, 62, 69, 71, 91, 94, 97, 149,
 153, 157, 177, 182, 183
 Coffeerville, Texas: 224
 Cole, S. G.: 228
 Coleman County: 116, 226
 Coley, D. P.: 108
 Collin County: 115, 142, 224
 Collins, T. B.: 108
 Colorado County: 3, 70, 74, 116,
 122, 149, 226
 Columbia, Texas: 225
 Columbus, Texas: 116, 226
 Columbus Tap Railroad Com-
 pany: 166, 167
 Colv, Gabriel: 108
 Comal County: 117, 123, 227
 Comal County Court: 53, 72, 77,
 130, 136, 140, 141, 147, 194
 Comal County Mutual Aid Asso-
 ciation: 83, 103, 113, 154, 188,
 214, 216, 220
 Comal Springs Manufacturing
 Company: 84, 97, 99, 175, 204-
 205, 208, 210, 218
 Comanche County: 116, 138, 226
 Committee of Conference (Joint):
 71, 72, 77, 80, 87, 88, 95, 97,
 98, 183, 187, 191, 192, 193,
 196, 202, 207
 Committee of the Whole (Sen-
 ate): 61, 92, 97
 Committee on Claims and Ac-
 counts (House): 132, 188, 193,
 199
 Committee on Confederate Rela-
 tions (House): 134, 154, 174
 Committee on Confederate Rela-
 tions (Senate): 38, 54
 Committee on Contingent Ex-
 penses (Senate): 79, 81
 Committee on Counties and
 County Boundaries (House):
 131
 Committee on Education
 (House): 165, 168

- Committee on Engrossed Bills (House): 137, 141, 145, 150, 153, 164, 167, 174, 179, 181-182, 183, 189-190, 200, 203-204
- Committee on Engrossed Bills (Senate): 44, 47, 49, 59, 97
- Committee on Enrolled Bills (House): 163, 175, 182, 187, 194, 196, 200, 213, 217, 218, 220
- Committee on Enrolled Bills (Senate): 63, 64, 70, 77, 83, 86, 88-89, 91, 92, 100, 112
- Committee on Finance (House): 131, 134, 138, 143, 145, 146, 150, 154, 157, 158, 159, 162, 165, 166, 171, 172, 175, 181, 183, 185, 188, 189, 194, 195, 205, 209, 214, 217
- Committee on Finance (Joint): 38
- Committee on Finance (Senate): 2, 38, 40, 44, 46, 49, 51, 54, 58, 61, 64, 66, 68, 69, 71, 72, 73, 78, 85, 86, 89, 91, 92, 98, 99, 100, 101, 107, 108-109, 112, 113
- Committee on General Land Office (Senate): 66
- Committee on the Judiciary (House): 130, 131, 132, 133, 136, 137, 138, 140, 144, 146, 147, 148, 149, 150, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 165, 168, 174, 175, 179, 181, 182, 185, 192-3, 193, 195, 199, 200, 201, 204, 205, 208, 214, 215-16, 217
- Committee on the Judiciary (Senate): 3, 38, 39, 40, 41, 42, 43, 45, 46, 47, 49, 54, 55, 56, 57, 58, 59, 60, 61, 68, 69, 70, 71, 72, 73, 75, 76, 78, 79, 89, 91, 94, 96, 109
- Committee on Military Affairs (House): 134, 141, 146, 148, 149, 151, 153, 156, 157, 162, 166, 171, 173, 174, 181, 183, 185, 189, 197
- Committee on Military Affairs (Senate): 2, 38, 39, 40, 44, 47, 49, 51, 52, 53, 54, 55, 56, 68, 86, 87, 91, 92, 94, 95, 107
- Committee on Printing (House): 130, 132, 133, 134, 136-7, 152, 153
- Committee on Printing (Senate): 39, 41, 88, 97
- Committee on the Penitentiary (House) 134, 145, 210
- Committee on the Penitentiary (Senate): 38
- Committee on Private Land Claims (House): 134, 136, 142
- Committee on Public Lands (House): 149, 152, 179, 189, 206
- Committee on Public Lands (Senate): 53, 59, 66
- Committee on Roads, Bridges, and Ferries (House): 166, 167
- Committee on State Affairs (House): 134, 135, 145, 146, 148, 149, 153, 154, 156, 158, 161, 162, 165, 168, 171, 174, 175, 177, 188, 193, 196, 212, 214, 216, 219
- Committee on State Affairs (Senate): 2, 3, 38, 40, 45, 46, 47, 48, 54, 55, 56, 58, 61, 67, 68, 69, 70, 71, 72, 76, 79, 87, 88, 91, 92, 93, 94, 95, 96, 97, 98, 99, 104-106, 111-112
- Committee on Stockraising (House): 146, 157
- Committee to Inform the Governor and the House on Organization of Senate (Senate): 2, 130
- Committee to Inform the Governor and the Senate on the Organization of the House (House): 3, 130, 131
- Committee to Inform the Governor of the Adjournment of the Legislature (Senate): 85
- Committee to Investigate the Report of the Regimental Quartermaster of the Mounted Regiment of State Troops (House): 135
- Committee to Wait on the Governor (Joint): 3
- Common School Fund: 5
- Comptroller: 34, 57, 64, 71, 84, 93, 102, 133, 139, 144, 159, 175, 203, 204, 205, 213, 218
- Concho County: 117, 227
- Confederacy: 4, 8, 10, 11, 18, 19, 27, 32, 33, 81; vice president of, 33
- Confederate Army: 16, 45, 46, 55, 58, 83, 94, 132, 136, 140, 171, 174
- Confederate bonds: 7
- Confederate Congress: 4, 5, 7, 14, 15, 16, 23, 26, 33, 34, 35, 36, 37, 38, 40, 59, 91, 95, 134, 140, 148, 194
- Confederate Congressmen: 194
- Confederate Constitution: 35, 36, 48, 83, 88, 97, 102, 110, 130, 154, 174, 186, 190, 204, 205, 218
- Confederate government: 6, 14, 33, 56
- Confederate law: 15, 16
- Confederate money: 6, 20, 25, 58, 61, 62, 70, 140, 143, 183
- Confederate Treasury: 5, 19

- Confederate Treasury Notes: 5, 6, 7, 42, 57, 60, 65, 89, 119, 137, 145, 150, 160, 165, 168, 171, 200
 Conscript Act: 14, 15
 Conscript Bureau: 34, 54
 Conscription: 10, 11, 48, 56, 64, 71, 79, 89, 133, 139, 152, 163, 170, 201, 213
 Contingent expenses: 45, 46, 52, 61, 64, 134, 144, 145, 168, 177, 182
 Convicts: 107, 136
 Cook, F. J.: 122
 Cook, William M.: 142, 143, 146, 147, 150, 151, 155, 159, 163, 166, 168, 169, 171, 176, 180, 186, 187, 188, 191, 193, 202, 205, 206, 207, 208, 209, 212, 213, 214, 219, 227
 Cooke County: 116, 142, 226
 Cooley, A. O.: 42, 49, 50, 51, 56, 57, 58, 61, 66, 69, 70, 74, 79, 80, 82, 93, 96, 98, 100, 101, 107, 109, 110, 111, 117
 Coroner: 91
 Corporations: 80
 Corpus Christi, Texas: 54
 Corsicana, Texas: 225
 Coryell, Texas: 226
 Coryell County: 116, 138, 226
 Cotton: 8, 21, 23-29, 30, 31, 32, 40, 41, 42, 44, 45, 47, 49, 56, 86, 100, 104, 107, 119, 120, 123, 124, 125, 126, 134, 140, 141, 143, 148, 155, 158, 160, 161, 171, 172, 174, 178, 187, 188, 192, 210, 211, 213
 Cotton bonds: 105, 106
 Cotton bureau: 23, 28
 Cotton cards: 69, 76, 78, 87, 91, 190, 195, 200
 County commissioners: 1
 County courts: 21, 34, 45, 46, 55, 63, 83, 86, 89, 132, 133, 137, 143, 145, 154, 158, 167, 172, 175, 191, 201, 213
 County police: 197, 200
 County treasury: 92
 Court martial: 45, 46, 140
 Craig, H. G.: 108
 Crawford, Thomas: 123
 Crockett, Texas: 223
 Cumby, Colonel R. H.: 14
 Currency: 4-8, 38, 51, 65, 134
 Cushing, E. H.: 153

— D —

- Dallan, William D.: 122
 Dallas County: 115, 147, 225
 Dallas Manufacturing Company: 53, 72, 86, 146, 150, 153, 196
 Daniel, W. C.: 129, 140, 142, 143, 147, 150, 151, 155, 163, 166, 167, 168, 169, 171, 176, 180, 186, 187, 191, 193, 202, 205, 206, 207, 208, 209, 211, 212, 213, 214, 219, 223
 Darden, W. J.: 129, 130, 142, 143, 147, 149, 150, 151, 155, 156, 162, 164, 165, 166, 168, 169, 170, 178, 179, 180, 181, 186, 187, 191, 193, 202, 205, 206, 207, 208, 209, 211, 212, 213, 214, 217, 219, 226
 Davis, D. G.: 122
 Davis, David H.: 127
 Davis, James G.: 42, 49, 50, 51, 54, 56, 57, 60, 66, 68, 69, 70, 74, 76, 78, 79, 82, 93, 94, 96, 98, 100, 101, 103, 107, 110, 111, 115
 Davis, Lydia: 58, 61, 62, 70
 Davis, R. J.: 122
 Davis, Westly: 61-2
 Davis County: 115, 224
 Dawson County: 117, 227
 Deadman, D. M.: 123
 Deaf and Dumb Asylum: 20, 58, 76, 89, 99, 175, 194
 De Berry, A. W.: 129, 136, 142, 143, 146, 147, 148, 149, 150, 151, 152, 155, 158, 159, 160, 163, 166, 168, 169, 171, 175, 176, 177, 180, 186, 187, 191, 193, 202, 205, 207, 208, 209, 211, 212, 213, 214, 219, 223
 Debt: 7, 56, 68, 69, 85, 219
 de Cordova, Phineas: 117
 De Kalb, Texas: 224
 Denton, Texas: 225
 Denton County: 116, 142, 151, 225
 Deserters: 13, 17, 18, 19, 36, 45, 46, 58, 132, 136, 140, 141
 De Witt County: 116, 227
 Dickson, David Catchings: 2, 3, 38, 42, 46, 47, 49, 50, 51, 54, 57, 58, 60, 61, 63, 64, 65, 66, 69, 70, 72, 74, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 89, 91, 92, 94, 95, 98, 100, 101, 103, 107, 109, 110, 111, 113, 115
 Dimmit County: 116, 227
 Dinelly, L.: 108
 Distilleries: 166, 194
 District Attorney: 63
 District Court: 50, 60, 76, 161, 198, 204, 205, 208
 District of Texas, New Mexico, and Arizona: 8, 10, 11, 83, 96, 179, 218
 Divorce: 3, 39, 42, 44, 58, 61, 62
 Doorkeeper (House): 139, 141, 142, 228

- Doorkeeper (Senate): 117
 Douglas, Captain _____ Bat-
 tery: 68
 Drugs: 86, 91, 107
 Dunn, J. W.: 108
 Durant, J. W.: 40, 42, 44, 49, 50,
 51, 54, 56, 57, 60, 66, 67, 68,
 69, 70, 74, 78, 79, 80, 94, 96,
 98, 100, 101, 103, 107, 109,
 110, 111, 113, 115
 Duval County: 117, 228

— E —

- Eagle Pass, Texas: 26, 124
 Eastland, N. W.: 129, 142, 143,
 147, 150, 151, 155, 164, 166,
 168, 169, 170, 176, 180, 186,
 187, 191, 193, 202, 205, 206,
 207, 209, 208, 212, 213, 214,
 219, 226
 Eastland County: 116, 226
 Ector, General M. D.: 68
 Edwards County: 117, 227
 Eighteenth Judicial District:
 175, 181
 Elder, Felix T.: 157, 163, 168,
 169, 171, 175, 176, 177, 180,
 186, 187, 191, 193, 197, 202,
 205, 206, 207, 208, 209, 211,
 212, 213, 214, 219, 227
 Elections: 1
 Ellis County: 115, 122, 149, 155,
 183, 200, 214, 225
 El Paso, Texas: 228
 El Paso County: 70, 117, 228
 Emmert, A.: 129, 142, 143, 147,
 150, 151, 155, 167, 169, 176,
 186, 187, 191, 192, 202, 206,
 207, 208, 209, 212, 214, 224
 Encinal County: 117, 228
 Enfield rifles: 27, 124
 England: 35
 Engrossing Clerk (House): 117
 Enrolling Clerk (House) 117
 Enrolling officers: 154
 Erath, George: 17
 Erath County: 79, 116, 226
 Estates: 83, 86, 89, 201, 213
 Estrays: 53, 70, 78, 79, 80, 131,
 133, 137, 142, 146, 147, 157,
 183, 193, 199, 210
 Evans, Edward: 108
 Evans, William: 108
 Exemptions: 33, 120
 Exports: 21, 23, 24, 26

— F —

- Fairfield, Texas: 225
 Falls County: 116, 133, 225
 Falls of the Brazos Manufacur-
 ing Company: 53, 72, 79, 83,
 92, 95, 131, 134, 146, 151, 183,
 201, 202
 Falwell, Luke A.: 132, 188
 Families of Texas soldiers: 20,
 21, 41, 47, 51, 55, 56, 63, 76,
 84, 87, 91, 94, 97, 107, 133,
 143, 146, 149, 162, 174, 188,
 190, 192, 193, 195, 204, 207,
 209, 210, 212, 217, 218
 Fannin County: 115, 224
 Farms: 53, 56, 68
 Farrar, A. J.: 122
 Fayette County: 55, 70, 111, 116,
 122, 226
 Felony: 39, 40, 42
 Field officers: 12
 Fifth Texas Regiment: 53, 55,
 56, 67, 86, 148, 183, 201, 203,
 217
 Files, D. S.: 122
 Finley, B.: 129, 142, 143, 147,
 150, 151, 155, 163, 164, 166,
 168, 169, 171, 176, 180, 186,
 187, 191, 193, 202, 205, 206,
 207, 208, 209, 212, 214, 219,
 221, 224
 Finnin, Captain Edward: 119, 125
 First Assistant Clerk of House:
 228
 First Texas Regiment: 53, 55, 56,
 67, 84, 86, 148, 183, 201, 203,
 217
 Fleming, W. H.: 122
 Forage: 13
 Ford, John S.: 14
 Ford, Spencer: 2, 3, 38, 41, 42,
 49, 50, 51, 57, 61, 65, 66, 69,
 70, 74, 76, 77, 78, 79, 80, 82,
 85, 87, 92, 94, 95, 96, 98, 100,
 101, 103, 107, 109, 110, 111,
 116, 221
 Foreign commerce: 38
 Forfeiture of property: 103
 Fort Bend County: 70, 115, 226
 Fort Bend Trading Company: 82,
 103, 165, 177, 212
 Fort Mason, Texas: 227
 Fort Smith, Arkansas: 15
 Fort Worth, Texas: 225
 Foscue, F. F.: 129, 130, 132, 139,
 140, 142, 143, 146, 147, 149,
 151, 155, 163, 166, 167, 168,
 169, 171, 176, 180, 186, 187,
 191, 193, 199, 202, 205, 206,
 207, 208, 210, 211, 212, 213,
 219, 221, 223
 Fourth Texas Regiment: 53, 55,
 56, 67, 84, 86, 148, 183, 201,
 203, 217
 Francis, James C.: 122

- Frazier, George W.: 129, 130, 135, 142, 143, 147, 150, 151, 154, 155, 164, 166, 168, 169, 171, 176, 180, 186, 187, 191, 193, 196, 200, 202, 206, 207, 208, 209, 211, 212, 213, 214, 217-18, 225
 Fredericksburg, Texas: 117
 Freestone County: 115, 133, 225
 Frio County: 117, 227
 Frontier protection: 17-19, 27, 44, 46, 47, 48, 59, 64, 70, 84, 96, 97, 98, 154, 157, 167, 171, 181, 182, 198, 202, 203, 216
 Frontier regiment: 17, 18, 48, 59, 88, 167, 181, 191, 195, 198, 202, 203, 214, 220
 Furlough: 11, 12, 13

— G —

- Gainesville, Texas: 116, 226
 Gaither, James C.: 122
 Galloway, C. C.: 123
 Galveston, Texas: 27, 115, 224
 Galveston County: 93, 115, 122, 123, 147, 224
 Gardner, A. S.: 108
 Garner, Thomas N.: 108
 Gathings, Philip: 122
 General Land Office Commissioners: 72, 89-90, 94
 General Laws: 130, 148, 218
 General Orders No. 1: 16
 General Orders No. 7: 9, 10
 General Orders No. 13: 11, 13, 14
 General Orders No. 14: 9, 10
 General Orders No. 15: 16
 General Orders No. 16: 11, 12, 13
 General Statutes: 144
 Gibbons, Edward: 85, 129, 142, 143, 147, 150, 151, 155, 164, 166, 168, 169, 171, 176, 180, 186, 187, 193, 202, 205, 206, 207, 208, 209, 213, 214, 219, 221, 224
 Gilleland, William M.: 117
 Gillespie County: 18, 117, 227
 Gilmer, Texas: 115, 225
 Gilmore, John G.: 108
 Glasscock, George W.: 139, 142, 143, 147, 150, 151, 164, 166, 168, 169, 171, 176, 180, 186, 191, 193, 202, 205, 206, 207, 208, 210, 211, 212, 213, 214, 219, 226
 Goats: 76, 112, 216
 Gold: 6
 Goliad, Texas: 116
 Goliad County: 116, 227
 Gonzales, Texas: 227
 Gonzales County: 116, 227
 Governor of Texas: 4-37, 44, 82, 129, 139, 143, 151, 152, 154
 Governor's message: 38, 39, 41, 42, 51, 53, 56, 121-127, 132, 133, 134, 136, 139, 146, 151, 152, 153, 158, 183
 Governor's private secretary: 132
 Granbury, General H. B.: 68
 Grand Caney, Texas: 223
 Grayson County: 115, 142, 224
 Green, General Tom: 82, 144
 Greenville, Texas: 224
 Gregg, General John: 68, 156
 Griffith, Brigadier General _____: 13
 Griffith, John: 150, 151, 153, 154, 157, 164, 168, 169, 171, 174, 176, 181, 186, 187, 193, 202, 205, 206, 207, 211, 212, 213, 219, 224
 Grimes County: 115, 116, 133, 225, 227
 Guadalupe Manufacturing Company: 67, 68, 102, 112, 199, 201-202, 207, 220
 Guardians: 54, 62, 70
 Guenther, Henry: 123
 Guinn, J. W.: 223
 Guinn, Robert Henry: 2, 3, 41, 42, 44, 45, 49, 50, 51, 54, 57, 58, 61, 66, 69, 70, 72, 73, 74, 76, 78, 79, 80, 82, 85, 87, 88, 94, 95, 96, 98, 100, 101, 103, 107, 109, 110, 111, 115

— H —

- Hailey, W. B.: 108
 Hale, H. P.: 122
 Hamblin, William: 122
 Hamilton County: 116, 138, 226
 Handley, Samuel: 123
 Hanging: 43
 Harcourt, John T.: 3, 38, 39, 40, 41, 42, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 59, 60, 61, 62, 66, 67, 68, 69, 70, 74, 75, 76, 78, 79, 80, 82, 85, 91, 92, 94, 95, 96, 98, 100, 101, 102, 103, 107, 109, 110, 111, 116
 Hardeman County: 116, 226
 Hardin County: 115, 223
 Harris County: 115, 126, 147, 225
 Harris County Court: 135, 145, 157
 Harrison, J. E.: 123
 Harrison, Colonel Thomas: 68

- Harrison, William M.: 129, 142, 143, 147, 150, 151, 164, 166, 168, 171, 176, 180, 186, 187, 191, 193, 202, 205, 206, 207, 208, 211, 212, 213, 214, 219, 224
- Harrison County: 115, 223
- Hart, W. H.: 129, 139, 142, 147, 150, 151, 155, 166, 168, 169, 171, 176, 177, 180, 186, 193, 197, 202, 205, 206, 207, 208, 209, 211, 212, 213, 214, 220, 224
- Hartley, Rufus K.: 42, 44, 49, 50, 51, 54, 57, 60, 61, 62, 65, 66, 72, 73, 74, 75, 76, 78, 79, 80, 82, 89, 90, 92, 94, 95, 96, 97, 98, 100, 101, 103, 107, 111, 115
- Haskell, J. A.: 49, 50, 51, 56, 57, 61, 65, 66, 69, 70, 74, 76, 79, 80, 82, 94, 95, 96, 98, 100, 101, 103, 107, 109, 110, 116
- Haskell County: 116, 226
- Haynes, George E.: 228
- Haynes, G. W. S.: 122
- Haynes, R. R.: 223
- Haynes, Thomas N.: 134, 136, 142
- Hays, F. M.: 142, 143, 145, 146, 147, 150, 151, 155, 156, 164, 166, 168, 169, 171, 176, 177, 180, 219, 223
- Hays County: 70, 116, 226
- Heard, E. F.: 108
- Helena, Texas: 227
- Hempstead, Texas: 226
- Henderson, Texas: 115, 223
- Henderson County: 115, 224
- Henderson Masonic Female Institute: 45, 71, 77, 139, 143, 145, 194
- Hidalgo County: 117, 228
- Hill, T. E.: 225
- Hill, W. D.: 122
- Hill County: 116, 122, 133, 225
- Hogs: 76, 216
- Holeman, F.: 120
- Holford, W.: 129, 142, 143, 147, 150, 151, 155, 163, 166, 168, 169, 171, 176, 177, 180, 186, 187, 191, 202, 205, 206, 207, 209, 211, 212, 213, 214, 219, 224
- Holland, Spearman: 115
- Hollander, William: 228
- Homer, Texas: 223
- Hopkins, S. M.: 108
- Hopkins County: 115, 224
- Hord, Edward R.: 3, 22, 39, 46, 47, 49, 50, 51, 54, 56, 57, 59, 61, 66, 67, 68, 69, 70, 74, 76, 78, 79, 80, 85, 88, 94, 95, 96, 98, 101, 103, 104-106, 107, 109, 110, 111, 116
- Horses: 76
- Hospital fund: 65, 69, 100, 113
- Houston, Texas: 10, 14, 16, 23, 26, 27, 28, 115, 137, 153, 225
- Houston County: 115, 122, 223
- Howard, George R.: 129, 138, 142, 143, 147, 149, 150, 151, 155, 163, 166, 168, 169, 171, 176, 177, 178, 180, 186, 187, 191, 193, 202, 205, 206, 207, 208, 209, 211, 212, 213, 214, 216, 219, 223
- Howard, W. H.: 142, 143, 147, 148, 150, 151, 154, 155, 161, 164, 166, 168, 169, 170, 171, 176, 180, 183, 186, 187, 191, 193, 202, 205, 206, 207, 208, 209, 211, 212, 213, 214, 216, 219, 227
- Hunt, E. P.: 122
- Hunt, N. E.: 108
- Hunt, William: 87, 129, 142, 143, 147, 150, 169, 180, 226
- Hunt County: 64, 72, 115, 133, 221
- Hunt County Court: 77, 178, 180, 194
- Hunter, James M.: 17, 18
- Huntley, _____: 94
- Huntsville, Texas: 225
- Hutchins, Lt. Col. W. J.: 28

— I —

- Impressment: 3, 23, 49, 50, 67, 69, 86, 91, 192, 200
- Income tax: 63, 195
- Independence Manufacturing Company: 84, 102, 103, 172, 207-208, 213, 220
- Indianola, Texas: 227
- Indians: 17, 211, 216
- Indigent families: 71, 83, 133, 139, 144, 171, 174, 193, 201, 213
- Ingalls, John: 228
- Inglish, R.: 129, 137, 141, 142, 143, 147, 151, 153, 155, 163, 166, 168, 169, 171, 176, 183, 186, 193, 202, 205, 206, 207, 211, 212, 213, 214, 219, 224
- Iron: 30, 104
- Irwin, Judge _____: 3

— J —

Jack County: 116, 142, 226
 Jackson County: 116, 227
 Jasper, Texas: 223
 Jasper County: 115, 223
 Jefferson, Texas: 224
 Jefferson County: 115, 223
 Johnson County: 116, 225
 Johnston, Robert B.: 108
 Johnston, W. A.: 108
 Jones, Wiley: 142, 143, 147, 150,
 151, 155, 163, 166, 168, 169,
 171, 176, 177, 180, 186, 187,
 191, 193, 195, 202, 205, 206,
 207, 208, 209, 211, 212, 213,
 214, 219, 226

Jones County: 116, 226
 Jordan: A. N.: 42, 49, 50, 51,
 61, 66, 69, 70, 74, 75, 78, 79,
 80, 88, 94, 95, 96, 97, 98, 100,
 101, 103, 107, 109, 110, 111,
 115
 Jowers, William George Wash-
 ington: 38, 42, 49, 50, 51, 56,
 61, 66, 69, 70, 74, 75, 76, 78,
 79, 80, 82, 85, 86, 92, 94, 95,
 96, 97, 98, 100, 101, 103, 107,
 109, 110, 111, 113, 115
 Judiciary: 34, 62
 Juries: 72, 75, 89, 156, 183

— K —

Karnes County: 116, 227
 Kaufman County: 115, 224
 Kelgoin, William: 108
 Keller, H.: 108
 Kerr County: 117, 227
 Keyes: Howard: 129, 142, 143,
 147, 150, 151, 155, 163, 164,
 166, 168, 169, 171, 175, 176,
 179, 180, 182, 186, 187, 191,
 193, 194, 202, 205, 206, 207,
 208, 209, 212, 213, 214, 224
 Killough, Isaac: 122
 Kimble County: 117, 227
 Kincaid, William: 122
 King, John: 108
 Kinney County: 117, 227
 Kinsey, H. M.: 42, 49, 50, 51, 57,
 59, 61, 63, 64, 66, 69, 70, 74,

75, 76, 78, 79, 80, 82, 93, 94,
 95, 96, 98, 100, 101, 103, 107,
 109, 110, 111, 112, 115
 Knox, W. B.: 2, 42, 49, 50, 51,
 52, 56, 57, 61, 66, 69, 70, 73,
 74, 78, 79, 80, 82, 94, 95, 96,
 98, 100, 101, 103, 107, 110,
 111, 116
 Knox County: 116, 226
 Koos, R. B.: 108
 Kyle, Claiborne: 129, 130, 135,
 142, 143, 147, 150, 155, 164,
 166, 168, 169, 171, 176, 179,
 180, 185, 186, 187, 191, 192,
 193, 202, 205, 206, 207, 208,
 209, 211, 212, 213, 214, 219,
 226

— L —

Laberlick, Louis: 122
 Laborers: 16, 30
 Lacy, Robert: 129, 142, 143, 147,
 150, 151, 155, 163, 166, 168,
 176, 186, 187, 191, 193, 202,
 205, 206, 207, 208, 209, 211,
 212, 213, 214, 219, 221, 225
 Ladonia, Texas: 224
 La Grange, Texas: 226
 Lake Risteno: 54
 Lamar County: 115, 127, 224
 Lambert, W.: 228
 Lampasas County: 116, 226
 Lancaster, Texas: 115
 Land: 89-90, 190
 Land grants: 149, 152, 176
 Land scrip: 53, 66, 72, 74, 94,
 190, 195, 206
 Lane, W. R.: 129, 142, 143, 147,
 150, 151, 154, 155, 164, 166,
 168, 169, 171, 176, 177, 180,
 186, 187, 191, 193, 202, 205,
 206, 207, 209, 211, 212, 213,
 214, 219, 221, 224

Langford, Rev. Mr. _____: 2, 17
 Laredo, Texas: 228
 Larissa, Texas: 223
 La Salle County: 116, 227
 Lavaca County: 116, 227
 Laws: 17, 37, 42, 44, 55, 88
 Lea, Pryor: 38, 42, 49, 50, 51, 54,
 57, 58, 59, 60, 61, 64, 65, 66,
 67, 70, 72, 74, 77, 78, 79, 80,
 81, 82, 85, 86, 95, 96, 97, 98,
 99, 100, 101, 102, 103, 107,
 109, 110, 111, 112, 113, 116
 Leather: 159, 178
 Leavell, R. G.: 108
 Leaves of absence: 12
 Legislature: 85, 139, 154
 Leon County: 40, 108, 115, 133,
 225
 Lexington, Texas: 226
 Liberty County: 115, 223
 Lieutenant Governor: 1, 36, 37,
 48, 63, 69, 83, 85, 111
 Liles, Thomas W.: 108

- 207, 208, 213, 214, 219, 224
 Lone Star, Texas: 224
 Long, J. J.: 108
 Long, William C.: 108
 Lookingbill, N.: 108
 Looms: 21
 Loughridge, J. R.: 129, 141, 142, 143, 147, 148, 150, 151, 155, 162, 163, 164, 166, 168, 169, 170, 171, 176, 177, 180, 186, 187, 189, 191, 193, 202, 206, 207, 209, 212, 219, 225
 Louisiana: 8, 15, 29, 69, 71, 73, 82, 86, 149, 153, 177, 182, 188, 196
 Lovejoy, J. L.: 129, 130, 139, 142, 143, 150, 155, 163, 166, 168, 169, 171, 176, 177, 178, 180, 186, 187, 188, 191, 193, 194, 202, 206, 207, 208, 210, 211, 213, 214, 219, 225
 Lubbock, Francis R.: 10
 Lunatic Asylum: 20, 58, 76, 89, 113, 162, 189, 208, 210, 219, 220
 Lynn, B. F.: 123
 Limestone County: 115, 122, 123, 133, 225
 Linden, Texas: 115
 Lindsbone, Nicholas D.: 122
 Lindsey, Harvey: 123
 Lipscomb, Abner S.: 142, 143, 147, 151, 155, 164, 166, 168, 169, 171, 176, 177, 180, 186, 187, 191, 193, 202, 206, 207, 208, 209, 211, 212, 213, 214, 219, 225
 Lipscomb, Judge _____: 40
 Liquors: 41, 108-9, 149, 155, 183, 195, 209, 214, 217
 Lisman, Benjamin S.: 126
 Little, A. D.: 108
 Live Oak County: 116, 227
 Llano County: 117, 227
 Lloyd, Isaac: 108
 Loan: 65, 66
 Lockhart, Texas: 116
 Lollar, John: 123
 Lollar, L. A.: 129, 136, 142, 143, 147, 150, 151, 155, 163, 164, 166, 169, 171, 176, 180, 186, 187, 191, 193, 202, 205, 206,

— Mc —

- McAdoo, Brigadier General J. D.: 13, 167, 168, 169, 171, 173, 174, 176, 178, 180, 186, 187, 190, 191, 193, 205, 206, 207, 208, 209, 211, 212, 213, 214, 219, 221, 225
 McCall, John: 117
 McCarthy: J. L.: 228
 McCord, Colonel J. E.: 103, 106, 113, 211, 213, 216, 220
 McCoy, J. C.: 129, 131, 140, 142, 143, 146, 147, 155, 158, 166, 168, 169, 171, 176, 180, 186, 187, 188, 191, 193, 196, 202, 205, 206, 207, 208, 209, 211, 212, 225
 McCulloch County: 117, 227
 McDonald: J. G.: 129, 130, 138, 142, 143, 147, 149, 150, 151, 154, 155, 157, 160, 164, 165, 167, 168, 169, 171, 173, 174, 176, 178, 180, 186, 187, 190, 191, 193, 205, 206, 207, 208, 209, 211, 212, 213, 214, 219, 221, 225
 McGuire, F. W.: 129, 136-7, 142, 143, 149, 150, 151, 152, 153, 155, 163, 166, 168, 169, 175, 176, 180, 186, 187, 190, 191, 193, 202, 205, 206, 207, 208, 209, 211, 212, 213, 219, 226
 McKinney, Texas: 115, 224
 McLain, A. W.: 3, 56, 73, 149
 McLennan County: 116, 226
 McMullen County: 116, 227, 228
 McNair, James: 3, 56, 73, 149

— M —

- Mabin, W. P.: 141, 142
 Mabray, D. M.: 129, 131, 142, 143, 147, 150, 151, 155, 163, 166, 168, 169, 171, 176, 180, 186, 187, 191, 193, 197, 202, 205, 206, 207, 208, 209, 211, 212, 213, 214, 219, 224
 Machinery: 25, 27, 28, 30, 31, 105, 179, 189
 Madison County: 115, 133, 225
 Magistrates: 34
 Magoffin, James Wiley: 1, 39, 42, 49, 50, 51, 56, 57, 61, 66, 69, 70, 74, 78, 79, 80, 82, 94, 95, 96, 98, 100, 101, 103, 107, 109, 110, 111, 116
 Magruder, John B.: 8, 9, 10, 11, 13, 14, 15, 16, 28, 32, 87, 179
 Maney, H.: 134, 142, 143, 147, 150, 151, 155, 164, 166, 168, 169, 171, 176, 177, 180, 186, 187, 191, 192, 193, 202, 205, 206, 207, 208, 209, 211, 212, 213, 214, 219, 227
 Marion County: 224
 Marshall, J. W.: 129, 142, 143, 147, 150, 151, 155, 163, 166, 168, 169, 171, 176, 177, 180, 186, 187, 191, 193, 202, 205, 206, 207, 208, 211, 213, 214, 224
 Marshall, Texas: 223
 Mason County: 117, 227
 Matagorda County: 70, 116, 226

- Maverick County: 117, 157, 227
 Maxey, Rice: 115
 Means, H.: 129, 142, 143, 147,
 150, 151, 155, 163, 166, 168,
 176, 177, 180, 186, 187, 193,
 202, 205, 206, 207, 208, 219,
 227
 Mechanics: 30
 Medicine: 21, 56, 87, 91, 107, 162,
 185, 193
 Medina County: 117, 157, 227
 Menard County: 117, 227
 Mexico: 21
 Middleton, W. B.: 108
 Milam County: 116, 122, 226
 Mileage and per diem: 83, 85,
 96, 98, 171, 191, 198, 201, 204,
 210
 Milford, Texas: 225
 Military Board: 26, 27, 30, 31,
 41, 45, 53, 58, 82, 85, 86, 87,
 91, 92, 103, 104-106, 118-120,
 123, 125, 134, 141, 156, 159,
 171, 174, 190, 193, 201, 210,
 216, 221
 Militia law: 13
 Miller, W. D.: 130, 228
 Miller, William: 108
 Minute companies: 16
 Mississippi River: 4, 29
 Missouri: 29
 Mitchell, N. A.: 43
 Montague, Daniel: 42, 50, 51, 56,
 57, 61, 66, 69, 70, 74, 76, 78,
 79, 82, 88, 94, 95, 96, 98, 100,
 101, 103, 107, 109, 110, 111,
 115
 Montague County, 116, 142, 226
 Montgomery, Texas: 225
 Montgomery County: 115, 133,
 225
 Moore, A. W.: 2, 42, 49, 50, 51,
 57, 60, 61, 69, 70, 74, 76, 78,
 79, 80, 82, 94, 95, 98, 100, 101,
 103, 107, 109, 110, 111, 116
 Moore, John W.: 42, 49, 50, 51,
 57, 61, 66, 74, 75, 76, 79, 80,
 81, 115
 Moores, W. B.: 129, 131, 133, 134,
 142, 143, 150, 155, 162, 163,
 166, 171, 225
 Morrison, T. B.: 108
 Moscow, Texas: 223
 Mt. Enterprise, Texas: 223
 Mountain City, Texas: 226
 Mueller, J.: 108
 Munitions of war: 25, 27, 124
 Murders: 17, 21
 Murrah, Pendleton: 1, 4-37, 120,
 122-127
 Murray, William: 123
 Muster rolls: 11, 12, 17
 Mustering officer: 12

— N —

- Nacogdoches County: 115, 223
 Nash, James P.: 123
 Navarro County: 115, 119, 126,
 133, 225
 Navy: 149, 152, 175, 176, 181, 199
 Negro: 76, 131, 146
 Nelson, Francis C.: 122
 New Braunfels, Texas: 227
 New Mexico: 8, 10, 11, 179, 197,
 198, 201, 218
 Newton County: 115, 223
 Nichols, E. B.: 27, 124, 125
 Nine Pin Alley: 165, 174
 Ninth Judicial District: 60, 68
 Ninth Legislature: 129
 Noble, J. H.: 108
 Norris, J. M.: 132, 138, 143
 Norton's Grove, Texas: 116
 Notaries public: 122, 123, 126, 127
 Nueces County: 83, 93, 116, 213,
 228

— O —

- Oakland, Texas: 227
 Officers of the law: 22
 Oldham's and White's Digest:
 2, 130, 182, 216
 Orange County: 115, 223
 Ordinances of the Convention: 2
 Ordinance: 32, 71, 78
 Ousterhout, J. P.: 122

— P —

- Palestine, Texas: 115
 Palo Pinto County: 79, 116, 226
 Panola County: 115, 223
 Paris, Texas: 115, 224
 Parker County: 116, 225
 Parsons, Jesse H.: 49, 50, 51, 57,
 61, 65, 66, 67, 69, 70, 74, 76,
 78, 79, 80, 82, 94, 95, 96, 98,
 100, 101, 103, 107, 109, 110,
 111, 115
 Patrick, Alex: 108
 Patrick, George M.: 108
 Patrick, T. D.: 108
 Patterson, James: 127
 Patterson, John M.: 123
 Patton, N. B.: 130, 142, 143, 147,
 150, 151, 155, 164, 166, 168,
 169, 171, 167, 180, 186, 187,
 191, 193, 202, 205, 206, 207,
 211, 212, 213, 214, 219, 224

- Payne, Dan F.: 122
 Payne, W. H.: 123
 Pearce, W. B.: 120
 Peck, William M.: 46, 49, 50,
 51, 57, 58, 61, 65, 66, 69, 70,
 72, 74, 76, 78, 79, 80, 82, 88,
 94, 95, 96, 98, 99, 100, 101,
 103, 107, 110, 111, 115
 Penal Code: 40, 42, 43, 46, 55,
 57, 64, 69, 77, 79, 84, 91, 92,
 94, 106, 149, 152, 163, 164,
 165, 174, 177, 179, 185, 199,
 201, 204, 213, 215, 217
 Pendleton, E.: 129, 142, 143, 147,
 149, 150, 151, 155, 163, 166,
 168, 169, 171, 176, 177, 180,
 186, 187, 191, 193, 202, 206,
 207, 208, 213, 214, 219, 225
 Penitentiary: 19-21, 38, 43, 45,
 46, 57, 64, 71, 76, 97, 103, 107,
 112, 113, 132, 134, 136, 140,
 141, 145, 157, 167, 168, 169,
 170, 172, 174, 176, 185, 188,
 189, 197, 200, 207, 216, 219
 Pennington, _____: 139
 Perkins, A. N.: 129, 142, 147,
 155, 163, 166, 168, 171, 176,
 180, 186, 187, 191, 193, 197,
 202, 205, 207, 208, 209, 212,
 213, 214, 219, 223
 Phillips, J. W.: 228
 Physicians: 21, 75, 91
 Poag, W. R.: 81, 129, 142, 143,
 144, 148, 150, 155, 158, 164,
 166, 168, 169, 171, 176, 180,
 183, 186, 187, 192, 193, 202,
 205, 206, 207, 208, 209, 211,
 212, 213, 214, 219, 223
 Police force: 17, 157, 196
 Polk County: 115, 223
 Pope, J. J.: 108
 Postmaster of Austin: 130
 Post mortem: 91
 Prendergast, D. M.: 129, 132,
 137, 142, 143, 147, 150, 151,
 155, 156, 159, 161, 163, 164,
 166, 167, 225
 President of Senate: 1, 36, 37,
 48, 63, 83, 85, 111
 Presidio County: 117, 228
 Price regulation: 53
 Private business: 39, 49, 54
 Private property: 79, 84, 86, 89,
 96, 100, 154, 159, 161, 185,
 186, 190, 192, 211, 218
 Pruitt, G. L.: 108
 Public debt: 87, 91, 113, 185,
 191, 195, 216, 220
 Public domain: 53, 59, 66, 72, 73,
 76, 90, 190, 195, 206
 Public dues: 138
 Public enterprise: 30-33
 Public land: 72, 79
 Public safety: 35
 Pulsford, Robert: 64, 75, 86, 141,
 147, 152, 178, 179, 190, 196

— Q —

- Quartermasters: 11, 12, 13, 159
 Quayle: William: 17, 18, 19, 39,
 42, 49, 50, 51, 56, 57, 66, 69,
 70, 72, 74, 78, 79, 80, 82, 94,
 95, 96, 98, 100, 101, 103, 107,
 109, 110, 116
 Quitman, Texas: 224

— R —

- Railroads: 71, 159, 164, 203, 204,
 218
 Ramsey, Jesse Middleton: 147,
 223
 Ranck, J. E.: 142, 143, 146, 147,
 150, 155, 164, 166, 168, 169,
 171, 176, 177, 186, 191, 193,
 198, 202, 205, 211, 212, 213,
 214, 219, 227
 Randal, General Horace: 82, 172,
 173
 Raven, E.: 141, 142, 228
 Raybun, Hodge: 108
 Raymond, N. C.: 117
 Real estate: 87
 Reavis, S. A.: 108
 Reavis, William: 108
 Reavis, W. O., Jr.: 108
 Recognizances: 78, 99
 Red River: 15
 Red River County: 115, 122, 224
 Redding, A. J.: 142, 143, 155,
 163, 166, 168, 169, 171, 176,
 180, 186, 187, 191, 193, 202,
 205, 206, 207, 208, 209, 211,
 212, 214, 219, 224
 Reed, William C.: 108
 Refugio County: 83, 93, 116, 213,
 227
 Reid, J. B.: 87, 96, 129, 142, 146,
 147, 151, 155, 159, 160, 164,
 166, 168, 169, 171, 176, 180,
 186, 187, 191, 193, 196, 197,
 202, 206, 207, 208, 209, 211,
 213, 214, 219, 227
 Representative districts: 1
 Reserve corps: 8, 14, 16
 Rhea, W. A.: 129, 139, 142, 143,
 146, 147, 150, 151, 155, 164,
 166, 168, 169, 171, 173, 176,
 186, 187, 191, 193, 202, 205,
 206, 207, 209, 211, 212, 219,
 224
 Richardson, _____: 153

Richmond, Virginia: 6, 7, 29
 Rigby, R. E.: 108
 Riley, Sanders: 108
 Rio Grande: 15, 24, 25, 26, 27,
 119, 120, 124
 Robberies: 17, 21, 43
 Robertson, R.: 223
 Robertson County: 115, 144, 226
 Robinson, A. M.: 108
 Robinson, L.: 142, 143, 147, 150,
 151, 155, 163, 166, 168, 169,
 171, 176, 180, 186, 187, 191,
 193, 202, 205, 206, 207, 208,
 209, 212, 213, 214, 219, 226
 Robinson, S.: 108
 Robson, Robert: 59, 75, 96, 112,
 190, 195, 203, 220
 Rockwall, Texas: 224

Roma, Texas: 228
 Rope: 26, 28
 Ross, General L. S.: 68
 Rucker, W. M.: 108
 Runnels County: 116, 226
 Rusk, Texas: 115, 223
 Rusk County: 115, 223
 Rusk County Iron Company: 45,
 58, 63, 131, 133, 137, 142, 167,
 175
 Russell, C. A.: 142, 143, 147, 149,
 150, 154, 155, 164, 166, 168,
 171, 176, 177, 180, 181, 186,
 188, 191, 193, 199, 202, 205,
 206, 207, 208, 209, 211, 212,
 213, 214, 219, 227
 Ryan, J. J.: 108

— S —

Sabine County: 115, 223
 Sabine River, Battle of: 172
 Salt: 53, 54, 150, 159
 Somms, James S.: 108
 Sampson, S.: 227
 San Antonio, Texas: 6, 26, 116,
 227
 San Augustine, Texas: 115, 223
 San Augustine County: 115, 223
 San Marcos Manufacturing Com-
 pany: 76, 83, 87, 88, 97, 102,
 206, 218
 San Patricio, Texas: 99, 227
 San Patricio County: 83, 93, 116,
 213, 227
 San Saba, Texas: 227
 San Saba County: 117, 227
 Sayles, John: 13
 Scarborough, S. R.: 108
 School fund: 164
 Scurry, Col. James E.: 220
 Scurry, General William R.: 82,
 83, 102, 113, 172, 173, 210,
 216
 Second Assistant Clerk of
 House: 228
 Secretary of the Senate: 43, 81,
 85, 117
 Secretary of State: 1, 2, 34,
 204, 218
 Secretary of War: 36
 Seele, Hermann: 123, 129, 130,
 140, 142, 143, 147, 150, 151,
 154, 155, 165, 166, 168, 169,
 171, 175, 176, 177, 182, 186,
 187, 191, 193, 202, 205, 206,
 207, 208, 210, 211, 212, 213,
 227
 Seele, W. G.: 108
 Seguin, Texas: 227
 Selman, B. T.: 38, 42, 46, 49, 50,
 51, 55, 60, 61, 65, 66, 68, 70,
 72, 74, 75, 76, 79, 80, 84, 94,
 95, 96, 98, 100, 101, 109, 110,

111, 115
 Selman, Willis L.: 108
 Senatorial districts: 1
 Sequestration laws: 130, 148,
 156, 164
 Sergeant-at-Arms (House): 130,
 192, 205, 228
 Sergeant-at-Arms (Senate): 117
 Settle, John: 123
 Seven Percent Bonds: 25
 Seventeenth Judicial District: 45,
 46, 59, 63, 132, 139, 142, 145,
 168, 175
 Shackelford County: 116, 226
 Shannon, J. T.: 122
 Shannon, W. R.: 165, 166, 168,
 169, 171, 180, 186, 187, 190,
 191, 193, 197, 198, 202, 205,
 206, 207, 208, 209, 210, 211,
 212, 213, 214, 219, 225
 Sheep raising: 55, 76, 111, 216
 Shelby County: 115, 223
 Shelly, N. G.: 179
 Shepard, Chauncy B.: 116
 Sheriff: 34
 Sherman, Texas: 224
 Simpson, I. P.: 138, 141, 142,
 143, 147, 150, 151, 155, 159,
 162, 163, 166, 169, 171, 176,
 177, 186, 187, 188, 191, 193,
 202, 205, 206, 207, 208, 212,
 214, 216, 217, 219, 227
 Simpson, W. D.: 108
 Six Percent Bonds: 25
 Sixteenth Judicial District: 45,
 46, 55, 131, 137, 140, 141, 160
 Slaughter, R. F.: 87, 129, 142,
 143, 147, 150, 151, 157, 158,
 159, 164, 166, 168, 169, 171,
 173, 176, 177, 180, 183, 186,
 187, 191, 192, 195, 197, 202,
 205, 206, 207, 208, 212, 213,
 214, 217, 219, 223

- Slaves: 17, 53, 56, 60, 68, 69, 76,
77, 92, 146, 152, 161, 164, 165,
180, 182, 190, 194, 200
- Smith, General E. Kirby: 10, 23,
28, 29, 32, 44, 46, 49, 60, 71,
87, 120, 168, 177, 188
- Smith, Thomas: 129, 130, 131,
142, 143, 147, 150, 151, 155,
156, 158, 159, 163, 164, 166,
167, 168, 169, 171, 173, 176,
177, 179-180, 180, 186, 187,
193, 202, 203, 204, 205, 206,
207, 208, 210, 211, 212, 213,
214, 219, 223
- Smith County: 115, 123, 180, 223
- Sneed, A. W.: 122
- Soldiers: 4, 18, 59, 90, 131, 149,
153, 176
- Southerland Springs, Texas: 227
- Speaker of the House: 63
- Specie: 5, 6, 21, 23, 25, 66, 102,
112, 124, 178, 182, 192, 215,
220
- Speedy public trial: 35
- Spinning jennies: 32, 104
- Springfield, Texas: 225
- Staff officers: 12
- Star State Machine and Manu-
facturing Company: 77, 88,
94, 95, 154, 177, 180, 185, 201,
203, 214
- Starr County: 117, 228
- State finances: 44, 60, 66, 68, 71,
74, 77, 146, 154, 159, 164, 185,
187, 191
- State Gazette: 41
- State laws: 13, 16, 204
- State troops: 8-17, 31, 83, 87, 94,
151, 162, 183, 197, 201, 203,
214
- Stay laws: 42, 76
- Steamship: 188, 197
- Stedman, William: 179
- Steele, _____: 15
- Stell, John D.: 103, 109, 113,
212, 216
- Stell, R. M.: 108
- Stephens County: 116, 226
- Stock ranches: 53, 56, 68, 88, 94
- Stockdale, Fletcher S.: 1, 36, 37,
48, 63, 83, 85, 111
- Strickland, J. R.: 123
- Strowd, S. C.: 108
- Struemore, Thomas T.: 108
- Sugar Land, Texas: 226
- Supreme Court: 39, 97, 159, 162,
205, 207, 215, 218
- Surveys: 73-4, 76, 79
- Swindler, L. L.: 100

— T —

- Tarrant County: 51, 72, 116, 147,
225
- Tarrant County Chief Justice:
58, 68
- Tarrant County Court: 77, 194
- Tarver, Ben C.: 179
- Taxes: 3, 5, 7, 22, 53, 71, 76, 77,
87, 102, 106, 108, 130, 136,
140, 141, 145, 150, 154, 158,
165, 175, 192, 193, 194, 213,
217, 218
- Tax rolls: 72, 178, 180, 194
- Taylor, C. C.: 122
- Taylor, M. D. K.: 129, 130, 142,
143, 147, 150, 151, 155, 156,
164, 166, 168, 169, 170, 176,
180, 186, 187, 191, 193, 202,
205, 206, 207, 208, 211, 212,
214, 221, 224
- Taylor County: 116, 226
- Teamsters: 41
- Tellers: 130, 139, 142
- Tenth Judicial District: 163
- Terry, S.: 58
- Terry's Regiment: 68
- Texas Brigade: 141, 155
- Texas coast: 8, 9, 15
- Texas Constitution: 2, 33, 34, 35,
83, 88, 97, 102, 138, 204, 205,
215, 218
- Texas Copper Manufacturing
Company: 84, 102, 106, 209,
213, 220
- Thaxton, W.: 129, 132, 142, 143,
147, 150, 151, 155, 157, 164,
166, 168, 169, 171, 176, 177,
180, 186, 187, 191, 193, 202,
205, 206, 207, 208, 210, 211,
212, 214, 219, 227
- Third Assistant Clerk of House:
228
- Thirteenth Judicial District: 156
- Thirtieth Senatorial District: 43
- Thomas, Henry: 117
- Thomas, J. M.: 139, 141, 228
- Thomas, J. W.: 208
- Thomason, D. B.: 108
- Thompson, A. L.: 108
- Throckmorton, Jas. W.: 13, 42, 44,
46, 47, 49, 50, 51, 53, 57, 61,
66, 69, 70, 72, 73, 74, 76, 78,
79, 80, 82, 87, 88, 94, 95, 96,
98, 99, 100, 101, 103, 107,
110, 111, 115
- Throckmorton County: 116, 226
- Tilley, E. M.: 108
- Tithe: 26
- Titus County: 115, 122, 133, 224
- Tonkawa Indians: 84, 92, 95, 102,
202, 206, 218
- Townes, R. J.: 1

- Trans - Mississippi Department:
4, 7, 14, 15, 16, 29-30, 34, 36,
47, 83, 96, 166, 173, 197, 198,
201, 218
Transportation: 11, 24
Travis County: 70, 116, 226
Travis County Court: 161, 177
Treason: 19, 35, 110
Treasurer: 34, 57
Treasury: 5, 21, 22, 60, 61, 64,
69, 71, 72, 80, 81, 87, 88, 89,
95, 97, 98, 157, 165, 166, 167,
170, 171, 178, 180, 181, 183,
192, 193, 196, 200, 202
Treasury Warrants: 5, 6, 7, 46,
58, 65, 78, 81, 84, 99, 102, 137,
160, 164, 214, 217, 218
Trinity County: 115, 223
Trinity Mills Manufacturing
Company: 53, 72, 79, 92, 146,
150, 153, 155, 193, 195, 200
Trinity River: 25
Troupe, Texas: 223
Turner, W. W.: 123
Tyler, O. T.: 129, 138, 142, 143,
147, 150, 151, 155, 164, 166,
168, 176, 177, 180, 186, 187,
191, 193, 202, 205, 206, 207,
208, 210, 211, 212, 213, 214,
226
Tyler, Texas: 115, 223
Tyler County: 115, 122, 223
Tyler County Card and Machine
Manufacturing Factory: 101,
103, 113, 211, 212, 214, 220

— U —

- Ufford, Edward L.: 123
United States: 81, 138
Upshur County: 115, 123, 133,
224
Uvalde County: 117, 157, 227

— V —

- Vallandingham, J. B.: 122
Van Zandt County: 55, 60, 68,
115, 123, 224
Vann, J. J.: 10
Vaughn, T. S.: 108
Victoria, Texas: 116, 227
Victoria County: 116, 227
Virginia: 141, 155

— W —

- Waco, Texas: 116, 226
Walker, E.: 129, 142, 143, 147,
150, 152, 155, 164, 166, 168,
169, 171, 176, 177, 181, 186,
187, 189, 191, 193, 197, 198,
202, 205, 206, 208, 210, 211,
212, 213, 214, 219, 226
Walker, Judge James C.: 156,
157
Walker, John: 108
Walker County: 115, 122, 133,
165, 168, 225
Warrants for arrest: 35, 36
Warren, D. D.: 108
Warren, H. M.: 108
Washington County: 116, 147,
226
Waxahachie, Texas: 71, 81, 91,
93, 96, 149, 155, 183, 200, 214
Way, C. B.: 129, 137, 142, 143,
147, 150, 151, 152, 155, 164,
166, 168, 169, 171, 176, 177,
180, 186, 187, 193, 202, 205,
206, 207, 210, 219, 226
Weatherford, Jefferson: 42, 49,
50, 51, 56, 57, 61, 66, 69, 70,
73, 74, 75, 76, 78, 79, 80, 82,
94, 95, 96, 98, 99, 100, 101,
103, 107, 110, 111, 115
Weatherford, Texas: 225
Webb, John M.: 108
Webb County: 117, 228
Welet, Alex: 108
West Texas Manufacturing Com-
pany: 86, 94, 146, 153, 177,
182, 191
Wharton County: 70, 116, 226
Wheelock, W. H.: 108
White, Sam Addison: 38, 40, 41,
42, 44, 49, 50, 51, 56, 57, 60,
61, 66, 67, 69, 70, 74, 75, 76,
78, 79, 82, 83, 94, 95, 96, 98,
100, 101, 103, 107, 109, 110,
111, 116
White, William H.: 122
White Oak, Texas: 224
Wichita County: 116, 226
Wilbarger County: 116, 226
Williamson County: 116, 226
Willis, J. M.: 129, 134, 139, 142,
143, 147, 150, 151, 155, 163,
166, 168, 169, 171, 176, 177,
180, 185, 186, 187, 197, 202,
205, 206, 207, 208, 211, 212,
213, 214, 219, 224
Wills: 64, 71, 78, 89, 102, 149,
158, 178, 179, 210, 218

- Wilson, George: 129, 142, 143, 147, 150, 155, 163, 166, 168, 169, 171, 176, 177, 180, 186, 187, 191, 193, 202, 206, 207, 210, 211, 212, 213, 214, 219, 225
- Wilson County: 157, 227
- Winn, William: 108
- Wise County: 116, 142, 226
- Wood County: 115, 224
- Woodruff, George D.: 122
- Woodville, Texas: 115, 223
- Woodward, H.: 108
- Wool cards: 190, 195
- Woolen goods: 30, 107
- Wooten: J. C.: 129, 141, 143, 147, 150, 151, 155, 164, 168, 169, 176, 177, 180, 186, 187, 191, 193, 202, 205, 206, 208, 211, 212, 213, 214, 219, 223
- Wootten, G. H.: 39, 42, 49, 50, 51, 52, 53, 54, 56, 57, 61, 76, 78, 79, 80, 85, 94, 95, 96, 98, 100, 101, 103, 107, 109, 110, 115
- Worstead, John S.: 108
- Wright, J. W.: 123
- Writ of habeas corpus: 35-37, 59, 75, 92, 97, 107, 110, 111, 132, 134, 165, 219

— Y —

Yegua, Texas: 226

Young County: 116, 147, 226

— Z —

Zapata County: 117, 228

Zavala County: 117, 227