

Walker County which was read first time and referred to the Committee on Counties and County Boundaries.

Mr. Andrews presented the memorial of the citizens of Galveston County which was without reading referred to the Committee on Finance.

Mr. Simpson presented the memorial of citizens of San Antonio which was without reading referred to the Committee on State Affairs.

Mr. Lacy presented the memorial of citizens of Leon County which was without reading referred to the Committee on Finance.

Mr. Banton made the following report to the Speaker of the House of Representatives:

The Committee on Penitentiary to whom was referred to Senate bill to be entitled an act to provide for the employment of additional labor in the State Penitentiary have had the same under consideration and instruct me to report the same back to the House without amendment and recommend its passage.

J. H. Banton
Chairman

Report received.

On motion of Mr. Banton the bill was taken up out of its order. Read a second time and ordered to a third reading. The Constitutional rule was then suspended. Bill read a third time and passed.

ORDERS OF THE DAY

The bill entitled an act for relief of the heirs of Benjamin Nobles was taken up, read a third time and passed.

The bill to be entitled an act to suspend the operation of the estray laws was taken for a third reading whereupon Mr. DeBerry offered an amendment which was adopted. Bill read a third time and passed.

The bill to be entitled an act to amend the 23rd section of the act to organize the district courts and to define their powers and jurisdiction, approved May 11, 1846, was taken up, read a third time and passed.

The bill entitled an act to suspend the location and survey of public lands except in certain cases was taken up, read a third time and passed.

The bill entitled an act to incorporate the San Saba

Masonic College was taken up, read a third time and passed by the following vote, to wit:

Yeas: Messrs. Speaker, Adams, Allen, Andrews, Barclay, Blake, Butler, Brady, Banton, Brazier, Bush, Buckley, Baker, Bowers, Bratton, Cook, Daniel, DeBerry, Darden, Eastland, Emmert, Foscue, Finley, Frazier, Griffith, Gibbons, Glasscock, Howard of Anderson, Howard of Lavaca, Haynes, Hays, Hart, Harrison, Holford, Hunt, English, Jones, Kyle, Keyes, Lipscomb, Lollar, Lane, Lacy, Lovejoy, Ma-bray, Marshall, McDonald, Moores, McGuire, Maney, Mc-Carthy, Prendergast, Prince, Pendleton, Robertson, Redding, Rhea, Robinson, Reid, Russell, Ramsey, Smith, Seele, Sampson, Simpson, Thomas, Tyler, Thaxton, Willis, Wooten, Wilson, Walker, Way. Total—72.

Nays: none.

The bill entitled an act to prohibit the sale of intoxicating liquors in the neighborhood of San Saba Masonic College was taken up, read a third time and passed.

The Joint Resolution in relation to Confederate money was taken up, read a second time and ordered to be engrossed.

The bill entitled an act to incorporate the Parsons Female Seminary was taken up, read a second time and ordered to be engrossed.

The bill entitled an act to amend the 28th section of an act to regulate proceedings in the county courts pertaining to estates of deceased persons was taken up, read a second time and ordered to be engrossed.

The bill entitled an act to punish commission merchants for misappropriating produce or merchandise, or failing to pay over the net proceeds thereof when sold, was taken up. Read a second time and referred to the Committee on the Judiciary.

The bill to prevent the sale of intoxicating liquors in or near the town of Dallas was taken up. Read second time and ordered to be engrossed.

A message was received from the Senate informing the House that the Senate has passed the following bills and resolutions, viz:

A bill for the relief of Peter Norton.

A bill entitled an act to provide for the manufacture of spinning jennies.

A bill entitled an act for the relief of John Murchison, assignee of John Carroll.

A bill entitled an act for the relief of Henry K. Harrison.

The joint resolution authorizing the Military Board to cancel a contract made by them with Short, Briscoe and Company for the manufacture of arms.

Also the following House Bills, viz: A bill entitled an act to relieve Carro M. Quarles of the disabilities of minority.

The bill entitled an act defining the boundary line between the counties of Harrison and Marion.

The joint resolution soliciting the action of our delegation in Congress for the appreciation of our currency was taken up. Read a second time and ordered to be engrossed. The Constitutional rule was then suspended. Resolution was then read a third time. Mr. Banton offered an amendment which was adopted. Mr. Wooten moved to lay the resolution on the table which was lost. The question then recurring on the passage of the resolution as amended and the ayes and naves being called for was taken and resulted as follows, to wit:

Yeas: Messrs. Speaker, Adams, Allen, Andrews, Barclay, Blake, Birdwell, Browne, Brady, Banton, Brazier, Bush, Buckley, Baker, Bowers, Bratton, Cook, Daniel, DeBerry, Darden, Eastland, Emmert, Foscue, Finley, Frazier, Guinn, Griffith, Gibbons, Glasscock, Howard of Anderson, Howard of Lavaca, Haynes, Hays, Hart, Harrison, Holford, Hill, Hunt, English, Jones, Kyle, Lipscomb, Lacy, Lovejoy, Mabray, McDonald, McGuire, Maney, McCarthy, Perkins, Prendergast, Prince, Pendleton, Robertson, Redding, Rhea, Reid, Robinson, Russell, Ramsey, Seele, Sampson, Simpson, Thomas, Tyler, Thaxton, Willis, Wilson, Walker, Way. Total—70.

Nays: Messrs. Butler, Keyes, Moores, Slaughter, Smith, Wooten. Total—6

Mr. Buckley by leave offered a joint resolution in regard to impressments by the military authorities which was read first time and referred to the Judiciary Committee.

Mr. Banton with leave made the following report, viz: To the Speaker of the House of Representatives:

The select committee to whom was referred a bill to

be entitled an act to amend the 12th section of the road law and several amendments thereto have had the same under consideration and instructed me to report the same back to the House, and also the accompanying substitute entitled an act to amend an act entitled an act authorizing and requiring the county courts to regulate roads, appoint overseers, approved February 8, 1858, and recommend the passage of substitute.

Respectfully submitted
J. H. Banton
Chairman

Report received.

Mr. Smith made the following report:

To the Speaker of the House of Representatives:

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

A bill to provide for the organization of McMullen County.

A bill to provide for the protection of the frontier.

A bill for the relief of Ayres Moody.

A bill for the relief of Q. A. Nichols.

Respectfully submitted
Thomas Smith
Chairman

Report received.

By leave Mr. Bowers presented the memorial of Wm. Henderson which was referred to the Committee on the Judiciary.

The bill entitled an act to organize home guards and police force in the state of Texas, made special order for 11 A.M., today was taken up, whereupon Mr. Howard of Lavaca offered a substitute for the substitute presented by the committee, which was adopted. Mr. Foscue offered a further amendment which was also adopted. Mr. Bowers offered a further amendment which was also adopted. Mr. Hunt offered a further amendment which Mr. Howard of Lavaca moved to lay on the table which carried. Mr. Finley offered a further amendment which was rejected. Mr. McDonald offered a further amendment which was adopted. Mr. Willis offered a further amendment which was also adopted. Mr. Russell offered a further amendment which was also adopted. Mr. Slaughter offered a further amend-

ment and Mr. McDonald offered an amendment to Mr. Slaughter's amendment which was lost; whereupon Mr. Willis offered an amendment to Mr. Slaughter's amendment which was adopted as substitute for the amendment. Mr. Hays offered a further amendment which was adopted. Mr. DeBerry offered a further amendment as an additional section which on motion was laid on the table. Whereupon Mr. Hunt offered a further amendment which was rejected. Mr. Banton offered a further amendment which on motion was laid on the table. Whereupon, Mr. Banton offered a further amendment which was adopted and the question then recurring on the engrossment of the bill was put and the bill ordered to be engrossed.

On motion of Mr. Hays the Senate bill and resolutions reported this day from the Senate were taken up with a view to their reference, viz:

A bill to provide for the families of Texan soldiers was taken up. Read first time. Constitutional rule suspended, bill read second time whereupon Mr. Maney offered an amendment and Mr. Bowers offered a further amendment. On motion of Mr. Hays the further consideration of the bill and amendments to the time of 10 A.M. tomorrow, which carried.

A joint resolution authorizing the Military Board to cancel the contract made with Short, Briscoe and Company for the manufacture of arms was taken up. Read first time. The Constitutional rule was then suspended. Bill was read second time. Mr. Finley offered an amendment which was rejected and bill ordered to a third reading. Bill read a third time and passed.

Mr. Slaughter moved a reconsideration of the vote inserting the word "cavalry" in the bill entitled an act to provide for the organization of home guard and police force for the state of Texas as passed this morning. Mr. Howard of Lavaca moved to strike out the word "cavalry" which was carried.

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

Tuesday, December 1, 1863

House met pursuant to adjournment. Prayer by Chaplain. Roll called. Quorum present. Journal of yesterday read and adopted. On motion of Mr. Buckley, the Speaker was authorized to employ additional clerical labor.

Mr. Moores presented the memorial of James A. Walker which was read first time and referred to the Committee on the Judiciary.

Mr. Buckley made the following report:

To the Speaker of the House of Representatives:

The Committee on the Judiciary to whom was referred the memorial of the citizens of Galveston have had the same under consideration and believing that the prayer of the petitioners is not only reasonable under the circumstances, but will subserve the best interests of our people have instructed me to report the accompanying bill and recommend its passage.

C. Buckley
Chairman

Report received.

On the motion of Mr. Buckley the report was taken up and adopted and bill was read first time. Constitutional rule was then suspended. Bill was read a second time and ordered to be engrossed. The Constitutional rule was further suspended. Bill read a third time and passed.

Mr. Kyle made the following report:

To the Speaker of the House of Representatives:

Your Committee on Private Land Claims to whom was referred a bill for the relief of the heirs of Joseph Shepherd have instructed me to report the bill back to the House and recommend that it do pass.

C. Kyle
Chairman

Report received.

Also the following report:

To the Speaker of the House of Representatives:

Your Committee on Private Land Claims to whom was referred a bill for the relief of the heirs of William Berryman have considered the same and have instructed me to report the bill back to the House and recommend that it do not pass.

C. Kyle
Chairman

Report received.

Mr. Buckley made the following report:

To the Speaker of the House of Representatives:

The Committee on the Judiciary to whom was referred the petition of John Dunn praying the passage of a law to

confer jurisdiction upon the county court to adjudicate upon matters pertaining to the estates of George Dean, deceased, which have arisen under the will of said decedent, have had the same under consideration and instruct me to report that such a law as the one designed by the petitioner would be in violation of the provisions of the Constitution which prohibits the passage of a retroactive law, and would confer no benefit on the petitioner.

The district courts have ample power and jurisdiction to confer all the relief to petitioner which he seeks hereby bringing his case before it in a proper manner wherefore the committee ask to be discharged from any further consideration of the same.

C. W. Buckley
Chairman

Report received.

Also the following report:

To the Speaker of the House of Representatives:

The Committee on Judiciary to whom was referred the petition of Amos Martin praying for a divorce have instructed me to report that said petitioner has mistaken the *Forum* clothed with jurisdiction of such causes, and however much they sympathize with one whose "lady love" has proven so false and unkind ask to be discharged from the further consideration of the same.

C. W. Buckley
Chairman

Report received.

Also the following report:

To the Speaker of the House of Representatives:

Your Committee on the Judiciary to whom was re-committed a bill entitled an act to prescribe the punishment for encouraging desertion from the army or navy of the Confederate States or the State of Texas have had the same under consideration and a majority of the Committee instructed me to report that in our present struggle for independence and existence as a nation of free men, the crime sought to be punished by the bill is not inferior to treason itself, and no civilized nation has ever excused even the wife of a traitor from guilt. The present bill as originally reported by the committee exempted the wife from criminality and they believe that no other member of the family should be justified in giving aid to those who are evading

the service by desertion. They therefore recommend the passage of the bill with the subjoined amendments.

C. W. Buckley

Chairman

Amend by striking out the words "or sister, mother, son or brother" in fifth line from bottom of section second and strike out the word "son or brother" in last line of same section.

Report received.

Mr. Moores made the following report.

To the Honorable Speaker of the House of Representatives:

The select committee to which was referred a bill to encourage the manufacture of iron have had the same under consideration and have instructed me to report the following bill as a substitute and recommend its passage.

W. B. Moores

Chairman

Report received.

Mr. DeBerry made the following report.

To the Speaker of the House of Representatives:

The Committee on the Judiciary to whom was referred a bill to be entitled an act more effectually to suppress the evil of gaming and to reduce into one all the gaming acts, having had the same under consideration have instructed me to report the accompanying substitute for same bill and recommend its passage.

A. W. DeBerry

One of the Committee

Report received.

Also the following report:

To the Speaker of the House of Representatives:

The Committee on the Judiciary to whom was referred the petition of James Majors, assessor and collector for Anderson County, also a bill to be entitled an act for the relief of assessors and collectors, also a substitute for said bill having had said petition, bill and substitute under consideration, a majority of said committee have instructed me to report the same back to the House and recommend that no relief of the kind prayed for be parted and they further recommend that neither the bill nor the substitute

pass. They therefore respectfully ask to be discharged from any further consideration of the same.

Respectfully submitted.

A. W. DeBerry

One of the Committee

Report received.

Mr. Way made the following report:

To the Speaker of the House of Representatives:

The Committee on Indian Affairs to whom was referred a Senate Bill defining the duties of agents for the Alabama Coushatta and Muscogee Indians have had the same under consideration and a majority of the committee have instructed me to report the same back to the House without amendment and recommend its passage.

C. B. Way

Chairman

Report received.

Mr. Banton made the following report:

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

Your Committee on State Affairs to whom was referred a resolution requiring them to inquire into the propriety of passing a law upon the subject of impressing property by Confederate officers by leave report that the Judiciary Committee have the same subject matter under consideration, and that therefore they report the same back to the House and recommend its reference to that committee.

Respectfully submitted.

J. H. Banton

One of the Committee

Report adopted.

Mr. Hays made the following report.

To the Speaker of the House of Representatives:

The Committee on State Affairs to whom was referred a bill to be entitled an act to relieve J. A. Black from the disability of minority have considered the same and beg leave to return the same to the House and recommend its passage.

F. M. Hays

Chairman

Report received.

Mr. Brady made the following report:

The Committee on Finance have had under considera-

tion the laws providing for the assessment and collecting of taxes, and upon the multiplicity of acts and amendatory acts upon the subject. Your committee find the law very obscure and in many particulars deficient in providing for the proper assessment and prompt collecting of the taxes.

Your committee unanimously instruct me to report a bill entitled an act to provide for the assessment and collection of taxes, and recommend its passage. This bill contains all the executive provisions of the former laws omitting such as have been found impractical and presents such new provisions as experience suggests to make the laws efficient.

All of which is respectfully submitted

J. T. Brady

Chairman

Report received.

On motion the report and bill was made special order for the hour of 10 A.M. tomorrow.

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

A bill for the relief of Carey Watson and her assignees.

A bill entitled an act to incorporate the Waco Manufacturing Company.

A joint resolution in relation to the contract with Bil-lips and Hassell.

A House Bill entitled an act making appropriation for the mileage and per diem of the members and the per diem of the officers of the Tenth Legislature.

And that the Senate have concurred in the House amendments to the Senate Bill to incorporate the Sulphur Fork Iron Company.

Mr. Brady made the following report:

To the Speaker of the House of Representatives:

The Committee on Finance to whom have been referred sundry measures and suggestions touching the subject of revenue have carefully considered the same and a majority of said committee instructed me to report a bill entitled an act to raise revenue by taxation and recommend the passage of the same.

Which is respectfully submitted

J. T. Brady

Chairman

Report received.

A minority of the Committee on Finance made the following report:

To the Speaker of the House of Representatives:

The undersigned minority of the Committee on Finance beg leave to descent from the report of a majority of said committee recommending the passage of a bill entitled an act to raise revenue by taxation. We fully concur with the majority of said committee in regard to all of the provisions of said bill except so much of the third section as proposes to make the treasury notes of the Confederate States the basis of property valuation in making assessments of taxes. Our objection to this species of valuation are as follows: first, that Confederate Treasury Notes are greatly depreciating and are but credits being only the promises of the government to pay money at some future time and therefore cannot be correctly made the basis of value; second, that Treasury Notes have a different value in almost every county in the state which will necessarily cause the assessment of property to vary according to the value of the currency in each locality, thereby rendering taxation unequal; third, that it is a great innovation upon established principles of long standing, radical in its character and unexpected to the great mass of the people; fourth, that the revenue which can be raised from an assessment upon the old basis at the rate of taxation proposed in the bill will be ample to meet the financial wants of the state for the next two years. In conclusion we recommend that the third section of said bill be stricken out and that the following be adopted as a substitute for said section: That an ad valorem tax of one half of one per cent shall be levied and collected on the value of all property real, personal and mixed including all credits within this state except such property as may be used exclusively for government, religious or charitable purposes and two hundred and fifty dollars worth of house and kitchen furniture and other property not taxed in kind to each family.

Respectfully submitted,
J. T. Brady, Chairman
F. M. Hays

Report received.

I. P. Simpson

Mr. English made the following report.

To the Speaker of the House of Representatives:

The Committee on Engrossed Bills to whom was re-

ferred the following bills, viz: a bill entitled an act to incorporate the Parsons Female Seminary; a bill entitled an act to amend the 54th section of an act to regulate proceedings in the county courts pertaining to the estates of deceased persons; a bill to prevent the sale of intoxicating liquors in the town of Dallas; a joint resolution for the impressment of Confederate money; and a joint resolution in relation to Confederate money; have examined the same and the committee have instructed me to report the same as correctly engrossed.

R. English

One of the Committee

Report received.

Mr. Bowers made the following report:

To the Speaker of the House of Representatives:

The Judiciary Committee to whom was referred the memorial of Wm. Henderson have had the same under consideration and believing the matters referred to require immediate legislation have instructed me to report the accompanying bill and recommend its passage.

M. H. Bowers

One of the Committee

Report received.

On motion of Mr. Bowers the report on the matter of Wm. H. Henderson was taken up and adopted. Bill read first time. The Constitutional rule was then suspended. Bill read a second time and ordered to be engrossed. The Constitutional rule was further suspended. Bill read a third time and passed.

ORDERS OF THE DAY

The Senate bill entitled an act to amend the first section of an act approved January 14, 1862, to fix salaries of officers and clerks therein named was taken up. Read a third time whereupon Mr. Hays offered an amendment which was rejected and the ayes and nays being called for on the passage of the bill was taken and resulted as follows, to wit:

Yeas: Messrs. Speaker, Adams, Allen, Andrews, Barclay, Blake, Butler, Banton, Buckley, Baker, Cook, Daniel, Darden, Frazier, Guinn, Griffith, Glasscock, Howard of Lavaca, Haynes, Harrison, Hill, English, Jones, Kyle, Lollar, Lovejoy, Moores, McGuire, McCarthy, Perkins, Prendergast,

Prince, Pendleton, Robertson, Redding, Robinson, Ranck, Russell, Slaughter, Seele, Sampson, Simpson, Tyler, Wooten, Wilson, Way. Total 46.

Nays: Messrs. Birdwell, Brazier, Bowers, Bratton, DeBerry, Darden, Emmert, Finley, Gibbon, Howard of Anderson, Hays, Holford, Hunt, Keyes, Lipscomb, Lane, Ma-bray, Marshall, McDonald, Maney, Patton, Rhea, Reid, Ramsey, Smith, Thomas, Thaxton, Willis. Total 28.

Bill passed.

The Senate bill entitled an act to provide for the manufacture of iron by the Military Board was taken up. Read first time and referred to the Committee on State Affairs.

The Senate bill for the relief of Peter Norton was taken up. Read first time and referred to the Committee on Private Land Claims.

The Senate bill entitled an act to provide for the manufacture of spinning jennies was taken up. Read first time. The Constitutional rule was then suspended. Bill read a second time, whereupon Mr. Hays offered an amendment which was lost. Mr. Prendergast offered a further amendment which was adopted. Mr. Haynes offered a further amendment which was rejected. Mr. DeBerry offered a further amendment and Mr. Rhea offered an amendment to the last amendment. Mr. Kyle moved to lay both the amendments on the table which was carried. Mr. Slaughter moved to take the amendment offered by Mr. Rhea from the table. Mr. Slaughter withdrew his motion and Mr. Banton offered an amendment which was adopted. Mr. Haynes offered an amendment and Mr. Kyle moved to lay it on the table which was carried. The Constitutional rule was then further suspended. Bill read third time and passed.

The Senate bill entitled an act to provide for the support of the families of dependents of Texan soldiers, made special order for the hour was taken up and the question pending at the last consideration being on the adoption of the amendment offered by Mr. Bowers. Mr. Russell offered a substitute for the entire bill whereupon Mr. Bowers withdrew his amendment. Whereupon Mr. Slaughter moved that the bill and amendments be referred to a Select Committee of Nine which carried.

The Senate bill entitled an act for the relief of John Murchison, assignee of John Carver, was taken up. Read

first time. The Constitutional rule was then suspended. Bill read a second time and ordered to a third reading. The Constitutional rule was then further suspended. Bill read a third time and passed.

A message from the Governor informing the House that he returned the act prescribing the duties of district attorneys in certain cases without his approval, was received.¹⁵ On motion it was made special order for the hour of 11 A.M. Saturday next.

The report of the Committee on Claims and Accounts on the claim of Eli Kirk was taken up and adopted.

The Speaker announced the following a select committee to consider the bill for the support of Texan soldiers, viz: Slaughter, Harrison, Foscue, Thomas, Smith, Howard of Lavaca, Hunt, Daniel, and Russell.

The bill entitled an act for the relief of Q. A. Nichols was taken up. Read a third time and the ayes and nays being called for on the passage of the bill was taken and resulted as follows:

Yeas: Messrs. Andrews, Barclay, Blake, Birdwell, Browne, Brady, Banton, Bush, Buckley, Baker, Bowers, Daniel, Darden, Eastland, Emmert, Foscue, Finley, Frazier, Griffith, Glasscock, Howard of Lavaca, Hays, Hunt, Kyle, Lipscomb, Lollar, Lacy, Lovejoy, McGuire, Patton, Prendergast, Prince, Robertson, Ranck, Russell, Slaughter, Seele, Sampson, Simpson, Tyler, Thaxton, Willis, Wilson and Way. Total 43.

Nays: Messrs. Speaker, Adams, Allen, Brazier, Bratton, DeBerry, Emmert, Gibbons, Howard of Anderson, Haynes, Hart, Harrison, Holford, Inglish, Jones, Keyes, Lane, Ma-bray, Marshall, McDonald, Moores, Maney, McCarthy, Perkins, Pendleton, Redding, Rhea, Robinson, Reid, Ramsey, Smith, Thomas, Wooten, Walker. Total 35.

The bill entitled an act to organize the county of McMullen and to attach it to the 14th Judicial District was taken up, read a third time, and passed.

The bill entitled an act to provide for ascertaining conflicts in surveys and county boundaries was taken up. Read second time and ordered to be engrossed. The Constitutional rule was then suspended, bill read third time and passed.

¹⁵Governor Murrah's veto message was dated November 30, 1863. It is included in Appendix V.

On motion House adjourned to 7 P.M. this evening.

7 P.M.

House met pursuant to adjournment. Quorum present.

The report of the Committee on Public Land on the resolution in regard to donating a portion of the public land to Texas soldiers was taken up and adopted.

The bill to be entitled an act to incorporate the Seguin Mutual Aid Association was taken up and read a second time and ordered to be engrossed. The Constitutional rule was then suspended. Bill read a third time and passed by the following vote, to wit:

Yeas: Messrs. Speaker, Allen, Andrews, Blake, Birdwell, Brazier, Banton, Brady, Bush, Buckley, Baker, Bowers, Bratton, Daniel, DeBerry, Darden, Emmert, Eastland, Foscue, Finley, Frazier, Gibbons, Howard of Anderson, Howard of Lavaca, Haynes, Harrison, Holford, Hunt, English, Jones, Kyle, Keyes, Lipscomb, Lane, Lacy, Lovejoy, Mabray, Marshall, McDonald, Moores, McGuire, Maney, McCarthy, Perkins, Patton, Prendergast, Prince, Pendleton, Robertson, Redding, Robinson, Reid, Ranck, Russell, Ramsey, Slaughter, Smith, Seele, Sampson, Simpson, Thomas, Tyler, Thaxton, Willis, Wooten, Wilson. Total 62.

The bill to be entitled an act to provide for the defense of the state of Texas was taken up and read a second time. Mr. McDonald moved to recommit the bill to the Committee on the Judiciary. Mr. Foscue moved that the motion to recommit be laid on the table, which carried. Mr. Buckley then moved that the bill be referred to a Select Committee of Seven which carried.

The bill entitled an act to incorporate the Gonzales Mutual Aid Association was taken up. Read second time and ordered to be engrossed. The Constitutional rule was then suspended. Bill read a third time and passed by the following vote:

Yeas: Messrs. Speaker, Allen, Andrews, Barclay, Blake, Birdwell, Bratton, Cook, Daniel, DeBerry, Eastland, Foscue, Finley, Frazier, Griffith, Gibbons, Glasscock, Howard of Anderson, Howard of Lavaca, Haynes, Hays, Harrison, Holford, Hunt, English, Jones, Kyle, Keyes, Lipscomb, Lollar, Lane, Lacy, Lovejoy, Marshall, Moores, Maney, McCarthy, Perkins, Patton, Prendergast, Pendleton, Robertson, Rhea, Reid, Ranck, Russell, Ramsey, Slaughter, Smith,

Seele, Sampson, Simpson, Thomas, Tyler, Willis, Wooten, Wilson. Total 63.

The Speaker appointed the following a Select Committee to consider the bill entitled an act to provide for the further defense of the State, viz: Messrs. Buckley, Foscue, Slaughter, McDonald, Haynes, Hunt, Way.

Mr. Buckley moved to reconsider the vote taken this day adopting the report of the Committee on Public Lands on a resolution in regard to donating a portion of the public lands to the Texas soldiers and immediately moved to lay the motion to reconsider on the table and the yeas and nays being called for were taken and resulted as follows:

Yeas: Messrs. Speaker, Allen, Blake, Brady, Bush, Buckley, Baker, Bowers, Bratton, Cook, Daniel, Darden, Eastland, Foscue, Finley, Frazier, Gibbons, Glasscock, Haynes, Harrison, Holford, Hunt, Kyle, Keyes, Lipscomb, Lollar, Lacy, McDonald, McGuire, McCarthy, Patton, Robertson, Robinson, Reid, Russell, Seele, Simpson, Tyler. Total 41 [38].

Nays: Messrs. Andrews, Birdwell, Banton, Brazier, DeBerry, Emmert, Howard of Anderson, Howard of Lavaca, Hays, Jones, English, Lane, Lovejoy, Marshall, Moores, Maney, Perkins, Prendergast, Prince, Pendleton, Ranck, Ramsey, Slaughter, Smith, Thomas, Willis, Wooten, and Wilson. Total 26 [27].

The bill entitled an act to validate the official acts of Joseph Waller as notary public of Washington County was taken up. Read a second time and ordered to be engrossed. The Constitutional rule was then suspended. Bill read third time and passed.

The bill entitled an act for the relief of Wm. D. Dillon was taken up and read a second time and ordered to be engrossed.

The Senate bill entitled an act to require district attorneys to report to the Comptroller in certain cases was taken up. Read second time and passed to a third reading. The rule was then suspended. Bill read a third time and passed.

The Senate bill entitled an act defining the duties of the agents for the Alabama Coushatta and Muscogee Indians was taken up and read a second time and ordered to a third reading. The Constitutional rule was then suspended. Bill read a third time and passed.

The bill entitled an act to define and punish sedition etc., was taken up. Read a second time and ordered to be engrossed. The Constitutional rule was then suspended. Bill read a third time and passed.

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

Wednesday, December 2, 1863

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

Mr. Buckley presented the memorial of sundry citizens of Walker County. Read first time and referred to Committee on Penitentiary.

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

A bill for the relief of the heirs of M. B. Crawford.

A bill for the relief of James P. Dumas.

A bill to authorize the Comptroller to issue a duplicate ten per cent Treasury Warrant.

A bill to authorize the Quartermaster of the State to dispose of a certain number of percussion caps.

A joint resolution concerning the disposal of cloths made at the penitentiary.

A House bill entitled an act to amend an act concerning common carriers, etc.

A bill to establish and define the boundary of the counties of Live Oak and McMullen and to repeal certain acts therein named.

Mr. Bush made the following report.

To the Speaker of the House of Representatives:

The Committee on State Affairs to whom was referred a proposition to donate to the state of Texas two pieces of artillery captured in Arizona by Cal Pryor's Regiment have had the same under consideration and have instructed me to report the accompanying joint resolution and recommend its adoption.

Respectfully submitted,

N. W. Bush

One of the Committee

Report received.

Mr. McCarthy made the following report:

To the Speaker of the House of Representatives:

The Committee on Military Affairs to whom was re-

ferred a resolution of the House requiring them to inquire into the expediency of providing for the defense, etc., have had the same under consideration and finding the objects therein referred to embraced in the measures now before the House beg leave to be discharged from the further consideration of the same.

J. L. McCarthy
One of the Committee

Report received.

Mr. Lollar made the following report.

To the Speaker of the House of Representatives:

The Committee on Counties and County Boundaries to whom was referred the petition of sundry citizens of Walker County asking that the name of same be changed to that of Hood have had the same under consideration and return the same together with a bill and ask its passage.

Respectfully submitted
L. A. Lollar
Chairman

Report received.

Mr. Ranck made the following report.

To the Speaker of the House of Representatives:

The Select Committee to whom was referred the report of the Quartermaster of the Mounted Regiment of State Troops have had the same under consideration and instruct me to report that in their opinion the general good would be subserved by the adoption of the accompanying resolution.

Your committee have further instructed me to recommend that the accompanying estimate for funds to meet the requirements of the Quartermaster's Department of the Mounted Regiment of State Troops to December 31, 1863, be allowed and this amount appropriated at once.

Your committee beg to be discharged from all further consideration of the Regimental Quartermaster's reports.

J. E. Ranck
Chairman

Report received and the following resolution was made special order for the hour of 11 A.M. Friday next:

RESOLVED, that a Committee of Five be appointed and instructed to institute an investigation in regard to all matters pertaining directly or indirectly to the report of

the Regimental Quartermaster of the Mounted Regiment of State Troops.

That the same committee be empowered to employ a clerk, compel the attendance of members, administer oaths and do all things else which in their opinion be necessary to secure a full, fair and impartial investigation of the matter under consideration.

That the said Select Committee shall have power to continue their investigation after the legislature shall have adjourned *sine die* and shall continue to secure their per diem as members of this body until their work shall have been accomplished.

That the committee be required to make their report to the Comptroller of the State who shall be governed by the said report in the settlement and adjustment of this same Regimental Quartermaster account.

Mr. DeBerry made the following report.

To the Speaker of the House of Representatives:

The undersigned, one of the Committee on the Judiciary, to whom was referred a bill to be entitled an act to prescribe the punishment for encouraging desertion from the army and navy of the Confederate States or the State of Texas. Being unable to concur with the opinion of the majority of the Committee in their report on same bill, I respectfully submit to the House the accompanying substitute for the bill referred to said committee and recommended by them. The substitute offered by the undersigned is substantially the same as the original bill with this exception: that the features in said bill which are by the undersigned deemed objectionable are omitted.

Respectfully submitted

A. W. DeBerry

One of the Committee

Mr. Griffith made the following report:

To the Speaker of the House of Representatives:

The Committee on Military Affairs to whom was referred back by the House, the bill to be entitled an act to amend the second section of and supplementary to an act to perfect the organization of the State Troops, and place the same upon a war footing with several amendments by the Committee on the Whole. Feeling that they were instructed by the action of the Committee of the Whole, the

committee have inserted the clause in reference to "licensed ministers of the Gospel," yet they feel in duty bound to report that in their opinion the leave taken to exemption of this class of persons provided for by Section 3, Article 6 of the Constitution will be inoperative and in violation of that Constitutional provision. For the same reasons we have inserted the clause restricting the price of ship fare to 25 cents per mile.

Your committee beg leave to differ from the Committee of the Whole on this matter believing as they do that it is impolitic and unjust to legislate upon and restrict one branch of industry, labor or employment while all other pursuits are left un[trammeled?].

John Griffith
Chairman

Report received.

Mr. Smith made the following report:

To the Speaker of the House of Representatives:

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

A bill to incorporate the Powder Horn Bayou & Matagorda Bay Dredging Company.

A bill for the organization of the Home Guards and etc.

A charter for the city of Galveston.

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

A bill to provide for ascertaining conflicts in surveys and county boundary, etc.

Respectfully submitted
Thomas Smith
Chairman

Report received.

Mr. Keyes made the following report.

To the Speaker of the House of Representatives:

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

A bill to be entitled an act to relieve Carro M. Quarles of the disability of minority.

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

A bill to be entitled an act to provide for the employment of additional labor in the State Penitentiary.

A bill defining the boundary line between the counties of Marion and Harrison.

A joint resolution requesting our Senators and Representatives in Congress to increase the wages of the new commissioned officers and soldiers of the Confederate army and navy of the Confederate States of America.

Respectfully submitted

H. Keyes

Report received.

Mr. Foscue introduced a bill to be entitled an act to extend the term of service of the State Troops which was read first time and referred to a Select Committee of Five.

ORDERS OF THE DAY

The bill entitled an act to raise revenue by taxation was taken up and on motion of Mr. Buckley was made special order for Thursday evening next at 7 P.M. and 125 copies thereof was ordered to be printed.

The bill entitled an act making an appropriation for the mileage and per diem of the members and per diem of the officers of the Tenth Legislature reported back from the Senate passed with an amendment, was taken up and the Senate's amendment concurred on and bill passed.

The bill entitled an act for the relief of George W. Glasscock was taken up whereupon Mr. McDonald moved a call of the House which being made, the following members, viz: Browne, Hill, Andrews, and Slaughter, being absent. The Sergeant-at-Arms was ordered to proceed and conduct them to the House.

Pending the call the bill entitled an act to provide for the assessment and collection of taxes was taken up whereupon Mr. Hays offered an amendment and Mr. Banton offered an amendment to the amendment and Mr. Buckley moved to postpone the further consideration of the bill to Monday next and be made special order for that day.

The Sergeant-at-Arms having announced a full House, the bill for the relief of George W. Glasscock suspended by the call of the House was taken up whereupon Mr. McDonald moved to lay the bill on the table and the ayes and nays being called for was taken and resulted as follows, to wit:

Yeas: Messrs. Adams, Allen, Blake, Birdwell, Brazier, Bratton, DeBerry, Emmert, Finley, Guinn, Howard of Anderson, Howard of Lavaca, Hart, Harrison, Holford, English, Kyle, Keyes, Lipscomb, Lacy, Mabray, Marshall, McDonald, Moores, Maney, McCarthy, Perkins, Prendergast, Prince, Pendleton, Rhea, Redding, Robinson, Reid, Ramsey, Smith, Thomas, Wooten, and Walker. Total 39.

Nays: Messrs. Speaker, Andrews, Barclay, Butler, Browne, Brady, Banton, Bush, Buckley, Baker, Bowers, Cook, Daniel, Darden, Eastland, Foscue, Frazier, Griffith, Gibbons, Haynes, Hays, Hill, Hunt, Lollar, Lane, Lovejoy, McGuire, Patton, Robertson, Ranck, Russell, Slaughter, Seele, Sampson, Simpson, Tyler, Thaxton, Willis, Wilson, and Way. Total 40.

Motion lost, whereupon Mr. Guinn offered an amendment which was adopted, and Mr. Kyle moved to recommit the bill back to committee and that the committee be authorized to send for person and papers. Whereupon Mr. Hays moved the previous question which being seconded was put and carried and the yeas and nays being called for on the main question was put and resulted as follows:

Yeas: Messrs. Speaker, Andrews, Butler, Browne, Brady, Banton, Bush, Buckley, Baker, Bowers, Cook, Daniel, Darden, Eastland, Foscue, Frazier, Griffith, Haynes, Hays, Hill, Hunt, Hollar, Lane, Lovejoy, McGuire, Patton, Robertson, Ranck, Slaughter, Seele, Sampson, Simpson, Tyler, Thaxton, Willis, and Way. Total 36.

Nays: Messrs. Adams, Allen, Barclay, Blake, Birdwell, Brazier, Bratton, DeBerry, Emmert, Finley, Guinn, Gibbons, Howard of Anderson, Howard of Lavaca, Hart, Harrison, Holford, English, Kyle, Keyes, Lipscomb, Lacy, Mabray, Marshall, McDonald, Moores, Maney, McCarthy, Perkins, Prendergast, Prince, Pendleton, Redding, Rhea, Robinson, Reid, Russell, Ramsey, Smith, Thomas, Wooten, Wilson, and Walker. Total 43.

Bill not passed.

The Speaker announced the following a select committee to consider the bill to be entitled an act to extend the term of service of the state troops: Foscue, Andrews, Howard of Lavaca, Perkins, and Lovejoy.

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

3 P.M.

House met pursuant to adjournment. Quorum present.

The bill entitled an act to provide for the assessment and collection of taxes which was under consideration at last adjournment was taken up and the question pending at adjournment being on the motion to postpone the further consideration of the bill to Monday next was lost.

Mr. Prendergast moved to reconsider the vote on the bill for the relief of George W. Glasscock which was carried.

By leave of the House Mr. Prendergast introduced a substitute for the bill which was adopted and the ayes and nays being called for on the passage was taken and resulted as follows, to wit:

Yeas: Messrs. Allen, Andrews, Barclay, Blake, Birdwell, Butler, Browne, Brady, Banton, Bush, Buckley, Bowers, Baker, Bratton, Cook, Daniel, DeBerry, Darden, Eastland, Foscue, Frazier, Griffith, Gibbons, Howard of Lavaca, Haynes, Hays, Hart, Harrison, Kyle, Keyes, Lipscomb, Lane, Lacy, Lovejoy, Mabray, McDonald, Moores, McGuire, Maney, McCarthy, Perkins, Patton, Prendergast, Prince, Pendleton, Robertson, Redding, Rhea, Robinson, Ranck, Russell, Ramsey, Slaughter, Smith, Seele, Simpson, Thomas, Tyler. Total 63.

Nays: Messrs. Adams, Brazier, Finley, Guinn, Howard of Anderson, Holford, English, Marshall, Reid, Wooten. Total 10.

Bill passed.

Mr. Hays moved that the House go into a Committee of the Whole to consider the bill to provide for the assessment and collection of taxes which was carried. Whereupon, Mr. Hays took the chair and the Committee of the Whole entered upon the consideration of the bill and after spending some time in deliberation. On motion the committee arose and the Speaker resumed the chair whereupon the chairman of this committee reported progress and asked leave to meet again which was granted.

A message from the Senate was received transmitting to the House a communication from the Governor accompanied by a communication from Major General Magruder which was received and read and returned to the Senate.

Upon application, leave of absence was granted to Mr. Reid.

Upon motion of Mr. Banton the Senate bill entitled an

act concerning the disposal of cloth made at the State Penitentiary which was read first time and referred to Committee on Penitentiary.

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

Thursday, December 3, 1863¹⁶

House met at 9 A.M. After reading the journal of yesterday, reports from several committees were received.

The Joint Resolution in relation to Confederate money was passed.

The following bills were passed: incorporating Parson's Female Seminary; to regulate proceedings in the County Courts; relating to estates of deceased prsons; to prevent the sale of intoxicating liquor, and the bill to provide for a reserve and police force.

The Senate joint resolution in regard to the contract of Billips & Hassell and the Military Board was ordered to third reading.

The Senate bill to suspend the location and survey of public lands was referred to Committee on Land Office.

A bill to provide for the importation of machinery by the Military Board was referred to Joint Committee on Military Board.

A communication from the Governor, in relation to some arrests, and the transfer of the Mounted Regiment of Texas Troops to the Confederate Government, which was referred to the Committee on Military Affairs.

The House went into Committee of the Whole on the assessment and collection of taxes bill. After some time the committee rose, and the House adjourned to 7 P.M. this evening.

7 P.M.

House met and discussed the revenue bill at considerable length, and then adjourned to 9 A.M. tomorrow.

Friday, December 4, 1863¹⁷

House met at 9 A.M. After reading the journal of yesterday, the memorial of sundry citizens of Montgomery

¹⁶The manuscript journals from December 3, 1863, to the end of the session cannot be located. The journals inserted here are from the *Tri-Weekly State Gazette* of Austin. This day's proceedings are from the *Gazette* of December 4, 1863.

¹⁷*Ibid.*, December 7, 1863.

County was referred to the Penitentiary Committee.

Reports from several committees were then received.

The revenue bill was then taken up and discussed. Pending the discussion of the substitute of the minority committee, the House adjourned to five minutes after 3 P.M.

3 P.M.

House met and considered several amendments to the revenue bill, and having adopted a substitute for section third, adjourned to 9 A.M. tomorrow.

Saturday, December 5, 1863¹⁸

House met at 9 A.M. After reading the journal of yesterday, reports from several committees were received.

A committee substitute for the bill to extend the time of service of the State Troops was adopted, and, with amendments, was referred to a select committee of twelve.

A bill donating arms to the state troops and the Finance Committee's report on the bill to suspend the collection of taxes in certain localities was referred to a select committee.

A bill was introduced to prescribe the kind of currency in which officers of the state shall receive their salaries and fees.

Several reports of committees were then received.

The bill permitting the State Quartermaster to dispose of some percussion caps made at the State Works was passed.

Several Senate bills were then referred to their appropriate committees.

The amendment of the Senate was concurred in to the bill creating a charter for the city of Galveston.

The Senate bill for the relief of Joseph Bounds was passed.

Senate bill to change the time of commencing the fiscal year was read first time.

The Senate bill amending the penal code was made special order for Tuesday next. The bill granting lands to soldiers permanently disabled was passed.

The joint resolution in regard to Billips & Hassell was passed.

¹⁸Ibid.

The resolution amended by the Senate to adjourn on the 16th was concurred on.

The Senate bill to incorporate the Waco Manufacturing Company was passed, and also the bill to provide for the support of the families of Texas soldiers, with several amendments.

The House adjourned to 3 P.M.

3 P.M.

The bill granting lands to disabled Texas soldiers was referred to the Committee on Military Affairs, and made special order for 3 o'clock Monday.

The message of the Governor relating to the bill prescribing the duties of district attorneys in certain cases, and the bill were laid on the table.

A bill was introduced and passed, prescribing the duties of district attorneys in certain cases.

Pending the consideration of the revenue bill, the House adjourned to 9 A.M. Monday.

Monday, December 7th, 1863¹⁹

House met at 9 A.M. After reading the journal of yesterday, the passage of several bills by the Senate was announced, when the Committee on Private Lands recommended the passage of the bill for the relief of William B. Burns.

Other bills were then announced as having passed the Senate, when the Committee on Private Land Claims recommended the passage of a bill for the relief of the heirs of M. B. Crawford, and also recommended that the bill for the relief of Carey Watson and his assignees do not pass.

The Committee on the General Land Office recommended a substitute for the Senate bill, suspending the location and survey of the public lands. The House having already passed a bill on the same subject, the substitute was made to conform in principal to the House bill omitting only such portions of both as were deemed unimportant.

The Committee on Finance recommended the passage of the Senate bill authorizing the Comptroller to issue duplicate ten per cent Treasury Warrants.

A majority of the select committee to whom was referred a bill donating the state tax for 1863 and during the

¹⁹Ibid., December 9, 1863.

present war in certain localities to the owners thereof, recommended its passage.

A bill for the relief of W. Berryman was referred to the Committee on the Judiciary.

The joint resolution requesting Major General Magruder to detail certain persons therein named was passed.

The bill for the relief of Wm. D. Dillon was passed.

The revenue bill was then taken up, and after various amendments to different sections of the bill, and substitutes to amendments, some of which were carried and others lost, the bill was finally ordered to be engrossed.

Several bills were then amended as having passed the Senate.

The report of the committee on the returns and accounts of the chief quartermaster of the Frontier Regiment, with the proposed resolution, was read, and after various amendments and substitutes for amendment being offered, some of which were carried, was finally adopted.

The bill to regulate publication notices in certain cases was passed, whereupon the House adjourned to 7 P.M. this evening.

7 P.M.

House met pursuant to adjournment. The committee's report on the joint resolution to amend the Constitution was adopted.

The bill to amend Article 752, Oldham & White's Digest, was laid on the table.

The Senate bill for the relief of George Burney was passed, and ordered to be paid in Confederate money.

The bill to require the Comptroller to receive certain funds in payment of university lands, was, with the committee's substitute, ordered to be engrossed.

The bill for the protection of the frontier was made the special order for 3 P.M. Thursday next.

The bill amending an act for the disposition of runaway slaves, approved April 8th, 1861, was ordered to be engrossed.

The bill to amend the operation of the estray laws was referred to a select committee of five.

After a call of the House, on a bill to establish a Penal Code, and a message from the Governor reporting back a

House bill without approval, the House adjourned to 9 A.M. tomorrow.

Tuesday, December 8, 1863²⁰

House met at 9 A.M. After reading the journal of yesterday, some select committees were announced, when a message was received from the Senate announcing the passage of several bills and a joint resolution concerning the manufacture of salt.

A petition of the citizens of Karnes County was referred to a select committee.

The Judiciary Committee reported a substitute in lieu of the report from the Military Committee on the subject of exemptions from military service on account of conscientious scruples and suggested that in order to place rich and poor all on the same footing certain services be required of all such persons as shall not conflict with their conscientious scruples, whereupon the rule was suspended, report taken up and adopted, and under a further suspension of the rule the bill was passed.

The Committee on Indian Affairs recommended the passage of the Senate bill for the relief of the Tonkaway Indians.

The Committee on Claims and Accounts recommended the passage of the Senate bill for the relief of James P. Dunning.

A bill to punish persons who may remove or destroy any timber, rails, or lumber belonging to the several asylums of the state, was passed under a suspension of the rule.

The Committee on State Affairs recommended the passage of a bill amending an act relating to the Lunatic Asylum.

The Committee on the Judiciary recommended the passage of a bill for the relief of William Berryman.

Several other reports were received and acted upon.

The bill to prevent the trade in cotton on our western frontier was made the special order for the House at 7 P.M. tomorrow.

The bill to incorporate the San Saba Masonic College was passed with the Senate's amendment.

The bill to aid enrolling officers in the discharge of

²⁰Ibid.

their official duties was passed with the Senate's amendment.

The House refused to concur in one amendment passed by the Senate to the bill amending an act to regulate proceedings in county courts pertaining to the estates of deceased persons.

The bill to prevent the sale of intoxicating liquors in or near the town of Dallas was passed with the Senate's amendment.

The Senate substitute for the joint resolution in relation to two Yankee flags was adopted and the resolution passed.

The Senate's bill to incorporate the Bastrop Iron Company was passed by 60 yeas to 3 nays.

The Senate's bill to incorporate the Chappell Hill Manufacturing Company was passed by 69 yeas to 6 nays.

A bill to increase the military force of the state was read for the first time.

The bill to encourage the manufacture of iron, after being amended and certain blanks filled was passed.

The further consideration of the bill to suspend the location and survey of public lands was postponed to Thursday next.

The bill amending an act to adopt and establish a Penal Code was taken up and sundry amendments offered, which were all lost, whereupon the bill passed under a suspension of the rule, and the House adjourned to 3 o'clock this afternoon.

3 P.M.

House met pursuant to adjournment, when a motion to reconsider the vote on the passage of the bill to encourage manufactures was carried, and the bill and amendments were referred to a select committee of seven.

The bill to provide for the defense of the frontier reported back from the Senate passed with several amendments was taken up and discussed, whereupon the House adjourned to 7 P.M. this evening.

7 P.M.

House met pursuant to adjournment, and after discussing the Frontier Regiment bill, refused to concur in the Senate's amendment to the 12th section which, in ef-

fect, would transfer the regiment to the Confederacy.

Adjourned to 9 A.M. tomorrow.

Wednesday, December 9, 1863²¹

House met at 9 A.M. After reading the journal of yesterday, a message was received from the Senate, informing the House of the passage of several bills by that body.

Reports from several committees were then received.

The resolution in regard to the setting of the House was, after discussion, postponed to 11 P.M. on December 16.

The Senate Bill to incorporate San Saba College was passed.

Sundry Senate bills were then taken up and read in their order.

A Senate joint resolution in regard to the manufacture of salt, was referred to Committee on State Affairs.

The Senate bill providing for the election of members of the Eleventh Legislature in counties occupied by the enemy, and the Senate joint resolution requesting the commanding general to detail men for the Texas Iron Works were passed.

A Senate bill for the relief of Samuel J. Galbraeth, was referred to the Committee on Private Land Claims.

The bill to authorize the Governor to dispose of certain unserviceable goods was passed.

The bill to raise revenue by taxation, not being correctly engrossed, was returned to the Engrossing Clerk.

The Senate substitute for the bill to regulate the distillation of spirituous liquors, was adopted, and the bill passed.

Pending the discussion of the bill to extend the time of service of the State Troops, the House adjourned to 3 P.M.

3 P.M.

House met pursuant to adjournment.

The bill to extend the term of service of the state troops, was postponed till tomorrow morning.

A resolution was introduced that no member shall hereafter speak more than fifteen minutes on any pending question.

Adjourned to 7 P.M.

²¹*Ibid.*, December 14, 1863.

7 P. M.

House met, when the bill to extend the term of service of the state troops, was taken up and after various amendments, was ordered to be engrossed.

A resolution was introduced regulating the pay of witnesses who may attend the House or any of its committees, which was laid over under the rule.

Pending the consideration of the bill to prohibit the transportation of cotton to the western counties, the House adjourned to 9 A.M. tomorrow.

Thursday, December 10, 1863²²

House met at 9 A.M., after which a message from the Senate announced the passage of a number of bills.

A number of reports of committees were then received.

The bill providing for the auditing and settling the claim of the state of Texas for frontier defense against the Confederate States was passed.

A report from the Committee on Enrolled Bills, was then received.

A message was received from the Senate announcing the passage of a number of House bills.

A resolution regulating the time of speaking in the House, and the resolution proposing to change the 73rd rule of the House relative to the pay of witnesses, were adopted.

The revenue bill was, after amendments, passed.

The following bills were passed: the bill incorporating the East Texas Manufacturing Company, with amendments; for ascertaining conflicts in surveys and county boundaries; to define and punish sedition; incorporating the Paluxy and Brazos Sulphur Nitre and Powder Manufacturing Company; appropriating \$20,000 for recovering and repairing the Capitol and other public buildings.

The House refused to recede from its substitute for the Senate bill for the support of the families of Texas soldiers.

The vote on the frontier regiment bill was reconsidered and the sections amended to the 12th section concurred in after lengthy discussion, and the bill was passed as amended. The amendment was to transfer the regiment to the Confederate States, whenever the men of the frontier are organized as minute men, for its defense.

²²Ibid.

The bill providing for the disposition of runaway slaves was amended and passed.

It was resolved to take up the business on the Speaker's table at 3 o'clock, to which time the House adjourned.

3 P.M.

The House met, after which the following bills were passed: to amend article 960 of the Code of Criminal Procedure; to amend the act organizing county courts; to establish the boundary between Falls and Limestone counties; defining public mills and prescribing the liabilities of millers.

The committee's report adverse to the bill to authorize county courts to furnish stationery to assessors and collectors was adopted.

The committee's report on the bill granting the right to make salt on a lake near the Horsehead Crossing of the Pecos river was adopted.

The bill to authorize the Governor to appoint three brigadier generals was laid on the table.

The report of the committee was adopted to relation to the papers of John Griffin, James L. Burns, S. Redmond, and Hiram Barbee.

The committee's report, and the bill to authorize the use of the Penitentiary for the confinement of prisoners of war were laid on the table.

The committee's reports were adopted on the bill to suspend the collection of interest on open accounts, and on the resolutions to increase the tax on the occupation of selling spirituous liquors.

The committee's report on the Adjutant General's reply to certain inquiries was adopted and the bill passed.

The committee's report on the Deaf and Dumb Asylum was adopted.

The following were passed: the bill to authorize the county court of Comal County to levy a special tax; the joint resolution in relation to the pay of Negroes pressed into the service; the bill to provide assistance for the families of soldiers, and a bill to authorize the Comptroller to issue a duplicate Treasury Warrant to A. R. Crozier.

A message from the Senate announced the passage of several bills and requesting a committee of conference on the bill to provide for the families of soldiers, as the Senate

had refused to concur in the House substitute for that bill.
Adjourned to 9 A.M. tomorrow.

Friday, December 11, 1863²³

House met at 9 A.M. After the journal of yesterday was read, and several bills had been announced as having passed the Senate, the select committee to whom was referred the petition of sundry citizens of Karnes county reported a bill and recommended its passage.

Several other bills and joint resolutions from various committees were presented, when a message from the Senate was received announcing the passage of several bills by that body. A Committee of Free Conference was raised to meet a like committee on the part of the Senate in the disagreement on the bill entitled an act for the support of the families and dependents of Texas soldiers.

The Senate joint resolution in regard to purchasing supplies in Texas by Payne and Company with Confederate money was passed.

The bill for the further relief of purchasers of university lands was passed.

The bill to provide for the organization of the county of McMullen, and to attach it to the 14th Judicial District was passed.

The bill to amend the militia law was ordered to be engrossed after various amendments.

Several bills were announced as having passed the Senate, when a joint resolution in regard to the defense of the northern and western frontier was read for the first time, whereupon the House adjourned to 3 P.M.

3 P.M.

House met pursuant to adjournment.

The bill to exempt certain officers and soldiers named from the payment of poll tax, and of an ad valorem tax on amount of property therein named, was, after the adoption of a substitute, passed under a suspension of the rule; also the bill for the relief of Thomas G. McGehee.

A committee report on the joint resolution to call for a convention of the people was adopted.

The bill to amend an act establishing uniform weights and measures, approved February 11th, 1858, was passed.

²³Ibid.

Several reports of committees were adopted and others laid on the table.

A bill to aid in punishing offenders against the postal laws of the Confederate States was passed.

The bill to amend the first and second section of an act to regulate the sale of beef cattle was passed.

The bill amendatory of, and supplemental to an act to regulate marks and brands was passed.

The bill for the relief of their heirs of Thomas Moore, was passed; also bills for the relief of W. H. Howard, and for the heirs of Joseph Shepherd; after which the House adjourned to 7 o'clock tonight.

7 P.M.

House met pursuant to adjournment, when the bill to prescribe the punishment for encouraging desertion from the army was ordered to be engrossed after various amendments.

The bill more effectually to suppress gaming, etc., was ordered to be engrossed after various amendments.

The bill for the recovery of stolen meat stock was passed.

The bill to amend the 12th section of the road law was passed.

The bill providing for the purchase of cotton by the State to meet the payment of cotton bonds, etc., with some amendments was passed.

The bill to relieve J. A. Black from disability of minority was passed.

A joint resolution in place of a bill to change the name of Walker county was passed.

A bill supplemental to an act to provide for the protection of the frontier was referred to Committee on Military Affairs.

The joint resolution accepting the pieces of artillery captured in Arizona was passed, whereupon the House adjourned to 9½ A.M. tomorrow.

Saturday, December 12, 1863²⁴

House met pursuant to adjournment, when the resolution in regard to the defense of the frontier being again taken up, was referred with an amendment to a select committee of five.

²⁴Ibid., December 16, 1863.

The bill making appropriations for the use and support of the state government, for the years 1864-5, which, with some amendments, was passed.

The bill to incorporate the Washington Iron Manufacturing Company was passed.

Several bills were read a second time, some of which were laid on the table, and on others no action was taken.

The bill to encourage the manufacture of iron was then taken up out of order, and the amendments proposed by the committee when it was passed under a suspension of the rule.

The bill for the relief of Carey Watson was passed; also the bills for the relief of M. B. Crawford and W. B. Burns.

The report of the Committee on Military Affairs on the documents concerning the treasonable designs of Peebles, Baldwin, and others, was adopted.

Pending the consideration of the bill "granting land to Texas soldiers permanently disabled in the military service during the present war, and to the next of kin to those who may be killed in battle," the House adjourned to 9 A.M. on Monday.

Monday, December 14, 1863²⁵

House met pursuant to adjournment. After reading the journal of Saturday, the bill to provide for special terms of the district court for trial of persons charged with high crimes was passed with some amendments.

The bill to supply a deficit in the pay of Texas State Troops was taken up and passed.

A budget of bills was then reported by the committee as correctly enrolled and laid before the Governor for his signature.

Reports from various committees were then brought in, which occupied most of the morning.

After getting through the reports of the committees, the House adjourned to 3 P.M. today.

3:00 P.M.

House met pursuant to adjournment.

A message from the Senate informing the House of the passage of several bills was received.

The substitute for the bill to regulate the distribution

²⁵Ibid.

of cloth made at the penitentiary was passed with amendments.

The bill to donate the state tax for 1863 in certain localities to the owners thereof was passed.

A joint resolution in relation to the purchase of cotton by John S. Besser was passed.

A bill to prohibit the sale of ardent spirits within ten miles of the town of Huntsville, in Walker County was passed with amendment.

The House adjourned to 8 A.M. tomorrow.

Tuesday, December 15, 1863²⁶

House met pursuant to adjournment. After the journal of yesterday was read, a bill making an appropriation to defray the expenses of defending the frontier for the years 1864 and 1865 was passed.

Several reports from different committees were then received, after which the bill to organize a Board of Works and Supply was taken up and passed under a suspension of the rule.

The bill to authorize and permit George W. Glasscock to sue the state of Texas, reported back from the Senate passed with an amendment, was taken up and passed.

A bill to amend the second, third, and seventh sections of and supplemental to an act to perfect the organization of the State troops, reported back from the Senate with an amendment, was passed.

On a reconsideration of the vote concurring in the Senate's amendment to the bill to authorize George W. Glasscock to sue the State, the House refused to concur in the Senate's amendment.

The bill to regulate estrays in counties therein named, reported back from the Senate with an amendment, was taken up and several amendments agreed to when the bill passed.

The bill to incorporate the Trinity Manufacturing and Flouring Company was passed with an amendment from the Senate.

The bill to amend the third and fourth sections of an act to provide necessary assistance for families and other dependents of officers and soldiers, approved March 6, 1863, was passed under a suspension of the rule.

The bill to incorporate the Brazos Manufacturing Com-

²⁶Ibid.

pany was taken up and passed under a suspension of the rule, when the House adjourned to 3 P.M.

3 P.M.

House met, when several bills were announced as having passed the Senate, whereupon the bill to raise revenue by taxation was again taken up, when a call of the House was moved and sustained.

The Senate bill for the relief of the heirs of W. Mills was taken up, when another call of the House was moved and sustained, several members being absent, whereupon the House adjourned to 7 P.M.

7:00 P.M.

House met pursuant to adjournment, when the passage of several bills was announced by the Senate, and reports of committees received.

The bill to raise revenue by taxation was again taken up, and after some discussion was made the special order for 9 A.M. tomorrow.

The bill to suspend all laws for the collection of debts, etc., was passed; also the bill to punish the offense of desertion from the army and navy.

The bill to amend Article 123 of the Penal Code was passed, also the bill to amend an act to require the Financial Agent of the State Penitentiary to settle his accounts quarterly with the State Comptroller, approved January 2, 1862.

The bill for the relief of the Tonkaway Indians was passed, also a bill for the relief of James P. Dumas.

The bill for enclosing the public cemetery was passed, also the bill to amend an act relating to the Lunatic Asylum.

The bill to incorporate the Sons of the South was passed, also the joint resolution authorizing the Military Board to issue percussion caps to the members and officers of the Tenth Legislature.

The bill supplemental to an act to provide for the protection of the frontier, etc., was passed.

The bill to provide for raising a military force to protect the Texas State Penitentiary was passed, with some amendments.

After receiving a message from the Senate the House adjourned to 8 A.M. tomorrow.

Wednesday, December 16, 1863²⁷

House met pursuant to adjournment. After reading the journals of yesterday, two thousand copies of the report of the *joint committee on the report of the Military Board* were ordered to be printed for the use of the members.

The bill to raise revenue by taxation was then taken up, the question being to the adoption of the Senate's amendment, which was made the special order for 3 P.M.

The Senate's amendment to the bill for the relief of George W. Glasscock, was then concurred in and the bill passed.

The bill authorizing the Comptroller to receive from railroad companies the interest that may be due or may hereafter become due on their bonds was passed.

The bill supplemental to an act to prohibit the sale of intoxicating liquors within five miles of the town of Dallas was passed.

The bill to prescribe the punishment for encouraging desertion was passed, the House concurring in the Senate's amendment.

The bill to donate the state and county taxes of Galveston County to the county for the relief of indigent families was passed with several amendments.

Sundry bills were announced as having passed the Senate, also that the Senate had rejected the House bill to incorporate the Powder Horn Bayou and Matagorda Bay Dredging Company, whereupon the House adjourned to 3 P.M.

3 P.M.

House met pursuant to adjournment, when the bill to raise revenue by taxation being in order, was taken up, the question pending being still on the Senate's amendment, or substitute. After disagreeing to several sections singly, it was moved and carried that the House disagree to the whole substitute.

The Committee of Free Conference on the joint resolutions of the Senate, and bill of the House, regulating the mode of disposing of the manufactures of the Penitentiary agreed to a compromise, which was adopted.

The joint resolution in relation to public printing was passed.

²⁷*Ibid.*, December 18, 1863.

The bill to amend an act to incorporate the Dallas Bridge Company was passed.

The bill for the relief of the heirs of W. Mills was passed, also the bill to amend Article 960 of the Code of Criminal Procedure.

The bill to regulate legal publication notices in certain cases was passed, also the bill for the relief of Lewis Ferguson.

The bill to amend an act to change and provide a uniform time for terminating the fiscal year was passed.

The bill amending an act regulating attachments was passed, whereupon the House adjourned to 7 P.M.

7:00 P.M.

House met pursuant to adjournment, when the following bills were passed, viz: bill to incorporate the Gathing Male & Female College; bill to punish certain offenses committed on Sundays.

The Senate having refused to recede from the amendments to the bill to raise revenue by taxation, a committee of free conference was appointed, who, after considering the subjects in dispute, recommended that the substitute proposed by the Senate, be adopted by the House.

The bill to authorize the Military Board to manufacture iron was passed.

The message from the Governor,²⁸ returning to the House, the bill "to raise two million dollars, or so much thereof as may be necessary, for the sale of cotton bonds," also the bill to regulate legal publication notices, in certain cases, was laid on the table.

The resolution in regard to the present war, and avowing confidence in the President of the Confederate States, was taken up, after being laid on the table, and passed.

After some unimportant resolutions were adopted, a report from the Committee on Enrolled Bills, was received, and a vote of thanks tendered to the Speaker and officers, the House adjourned *sine die*.

²⁸The Governor's message is dated December 7, 1863. It is included

APPENDIX I
MEMBERS AND OFFICERS OF THE HOUSE OF REPRESENTATIVES OF THE
TENTH LEGISLATURE, REGULAR SESSION

Name	Dist.	Resident County	Post Office	Counties Represented
F. F. Foscue	1	Liberty	Grand Cane	Jefferson, Chambers, Liberty, Orange
E. B. Adams	2	Polk	Moscow	Liberty, Polk
J. Barclay	3	Tyler	Woodville	Tyler, Hardin
A. N. Perkins	4	Jasper	Jasper	Jasper, Newton
R. F. Slaughter	5	San Augustine	San Augustine	San Augustine, Sabine
J. M. Ramsey	6	Shelby	Buena Vista	Shelby
B. Blake	7	Nacogdoches	Nacogdoches	Nacogdoches
J. W. Guinn	8	Angelina	Homer	Nacogdoches, Angelina
G. M. Brazier	9	Houston	Crockett	Houston
G. R. Howard	10	Anderson	Palestine	Anderson
J. C. Wooten	11	Houston	Crockett	Trinity, Houston, Anderson
R. Robertson	12	Cherokee	Larissa	Cherokee
W. C. Daniel	12	Cherokee	Rusk	Cherokee
Allen Birdwell	13	Rusk	Mt. Enterprise	Rusk
Thos. Smith	13	Rusk	Henderson	Rusk
A. W. DeBerry	14	Panola	Carthage	Panola
R. R. Haynes	15	Harrison	Marshall	Harrison
W. R. Poag	16	Panola	Carthage	Harrison, Panola
F. M. Hays	17	Smith	Troupe	Smith
L. P. Butler	17	Smith	Tyler	Smith
J. M. Willis	18	Davis	Douglasville	Davis

**MEMBERS AND OFFICERS OF THE HOUSE OF REPRESENTATIVES OF THE
TENTH LEGISLATURE, REGULAR SESSION**

Name	Dist.	Resident County	Post Office	Counties Represented
B. Finley	19	Titus	Lone Star	Titus
N. B. Patton		Bowie	DeKalb	
M. K. D. Taylor, Speaker	20	Marion	Jefferson	Davis, Titus, Marion, Bowie
W. H. Hart		Upshur	Gilmer	
A. Emmert	21	Upshur	Coffeetown	Upshur
W. M. Harrison	22	Red River	Clarksville	Red River
Ed Gibbons	23	Lamar	Paris	Lamar
L. A. Lollar	24	Hopkins	White Oak	Hopkins
A. J. Redding	25	Lamar	Paris	Lamar, Hopkins
Howard Keyes	26	Wood	Quitman	Wood
John Griffith		Kaufman	Rockwall	
D. M. Mabray	27	Henderson	Athens	Van Zandt, Kaufman, Henderson
W. R. Lane	28	Hunt	Ladonia	Hunt
R. English	29	Fannin	Bonham	Fannin
J. W. Marshall	30	Hunt	Greenville	Fannin, Hunt
W. Holford	31	Grayson	Sherman	Grayson
W. A. Rhea	32	Collin	McKinney	Collin
Thos. J. Browne	33	Collin	McKinney	Collin, Grayson
H. B. Andrews	34	Galveston	Galveston	Galveston
T. E. Hill	35	Brazoria	Columbia	Galveston, Brazoria
J. T. Brady		Harris	Houston	
Geo. W. Frazier	36	Harris	Houston	Harris

**MEMBERS AND OFFICERS OF THE HOUSE OF REPRESENTATIVES OF THE
TENTH LEGISLATURE, REGULAR SESSION**

Name	Dist.	Resident County	Post Office	Counties Represented
J. G. McDonald		Grimes	Anderson	
A. S. Lipscomb	37	Montgomery	Montgomery	Montgomery, Grimes, Brazos
J. H. Banton	38	Walker	Huntsville	Walker
Robt. Lacy	39	Leon	Clapp's Creek	Leon, Madison
W. B. Moores		Freestone	Fairfield	
D. M. Prendergast	40	Limestone	Springfield	Freestone, Limestone, Falls
J. R. Loughridge	41	Navarro	Corsicana	Navarro, Hill
E. Pendleton		Ellis	Milford	
John H. Prince	42	Parker	Weatherford	Ellis, Johnson, Parker
J. H. Allen	43	Tarrant	Ft. Worth	Tarrant
George Wilson		Dallas	Cedar Hill	Dallas
H. J. Moffatt ²⁹	44	Dallas		Dallas
J. L. Lovejoy	45	Denton	Denton	Denton
Wiley Jones	46	Cooke	Gainesville	Cooke, Montague, Wise, Jack, Young, Clay, Wichita, Archer, Wilbarger, Baylor, Throckmorton, Hardeman, Knox, Haskell
C. W. Buckley	47	Fort Bend	Sugar Land	Matagorda, Wharton, Fort Bend
N. W. Bush	48	Austin	Hempstead	Austin
W. J. Darden	49	Colorado	Columbus	Colorado
Wm. Hunt	50	Fayette	LaGrange	Fayette

²⁹Moffatt's seat was declared vacant by the House on November 18, 1863. Governor Murrah on the same day issued a call for a new election, the text of which is included in Appendix V.

**MEMBERS AND OFFICERS OF THE HOUSE OF REPRESENTATIVES OF THE
TENTH LEGISLATURE, REGULAR SESSION**

Name	Dist.	Resident County	Post Office	Counties Represented
F. W. McGuire	51	Washington	Yegua	Washington
M. W. Baker	52	Washington	Chappell Hill	Washington, Fayette
J. W. Thomas	53	Burleson	Lexington	Burleson, Robertson
N. W. Eastland	54	Bastrop	Bastrop	Bastrop
M. H. Bowers	55	Travis	Austin	Travis
Geo. W. Glasscock	56	Travis	Austin	Travis, Williamson
L. Robinson	57	Milam	Cameron	Williamson, Milam
C. Kyle	58	Hays	Mountain City	Caldwell, Hays, Blanco
E. Walker	59	Bell	Belton	Bell, Lampasas
C. B. Way	60	McLennan	Waco	McLennan, Bosque
O. T. Tyler	61	Coryell	Coryell	Coryell, Hamilton, Comanche, Erath, Brown, Palo Pinto, Stephens, Eastland, Shackelford, Callahan, Coleman, Jones, Taylor, Runnels
J. B. Reid		Victoria	Victoria	
W. M. Cook	62	Calhoun	Indianola	Calhoun, Victoria, Jackson, DeWitt
W. H. Howard	63	Lavaca	Oakland	LaVaca
L. R. Bratton	64	Gonzales	Gonzales	Gonzales
H. Maney	65	Guadalupe	Seguin	Guadalupe
H. Seele	66	Comal	New Braunfels	Comal
J. E. Ranck	67	Mason	Fort Mason	Gillespie, Kerr, Bandera, Mason, Menard, Kimble, Edwards

**MEMBERS AND OFFICERS OF THE HOUSE OF REPRESENTATIVES OF THE
TENTH LEGISLATURE, REGULAR SESSION**

Name	Dist.	Resident County	Post Office	Counties Represented
W. Thaxton	68	San Saba	San Saba	Burnet, Llano, San Saba, McCulloch, Concho
H. Means	69	San Patricio	San Patricio	Goliad, Refugio, San Patricio
C. A. Russell	70	Karnes	Helena	Karnes, Bee, Live Oak, Atascosa, McMullen, Frio, LaSalle, Zavala, Dimmit
I. P. Simpson	71	Bexar	San Antonio	Bexar
S. Sampson	71	Bexar	San Antonio	Bexar, Medina, Uvalde, Dawson, Kinney,
G. J. Houston	72	Wilson	Southerland Springs	Maverick, Wilson
Sam A. Belden	73	Cameron	Brownsville	Cameron
John Ingalis	74	Cameron	Brownsville	Cameron, Hidalgo
S. G. Cole	75	Starr	Roma	Starr, Zapata
Chas. Callahan	76	Webb	Laredo	Webb, Nueces, Duval, Encinal, McMullen
J. L. McCarthy	77	El Paso	El Paso	El Paso, Presidio

OFFICERS OF THE HOUSE OF REPRESENTATIVES

Name	Office	Name	Office
Herndon, I. H.	Chief Clerk	Haynes, George E.	Assistant Sergeant-at-Arms
Campbell, A. G.	First Assistant Clerk	Pennington, Levi	Doorkeeper
Lambert, W.	Second Assistant Clerk	Gregg, Alex	Chaplain (resigned November 18, 1863)
Carlton, Fred	Third Assistant Clerk	Phillips, J. W.	Chaplain (elected November 18, 1863)
Hollander, William	Sergeant-at-Arms		

APPENDIX II³⁰

REPORT OF A. BISHOP

Decatur, Texas
September 8th, 1863

His Excellency
F. R. Lubbock
Prest. Military Board
Austin, Texas

Sir:

In accordance with instructions from your Board of the 20th of April last to make a reconnoissance of certain salines near Double Mountain in the North West Frontier of the State. I have proceeded to the discharge of the duties assigned me. And have the honor to make the following report.

I left this place on the 8th day of August last for Captain Ward's headquarters at Buffalo Station having previously called upon Lt. Colonel Barry for a detail to escort me on the expedition. I reached that station on the 10th and took up the line of march on the 12th. One day being delayed in preparing rations and transportation. Captain Ward furnished me a detail of sixteen men. We reached Fort Belknap on the 15th of August, remained there some three days awaiting the necessary preparations for the escort and transportation from Captain White's company stationed at that place, who furnished me a detail of seventeen men in accordance with instructions from Lt. Colonel Barry including Sargeant Tackitt in charge of the men detailed by Captain White. Lieutenant Charles Lindsay of Captain Ward's company being assigned to the command of the escort. Colonel Barry deeming it advisable to increase the escort at Camp Cooper gave me an order to Captain Whitesides at that post for fifteen additional men. After leaving Belknap we divided our escort, one portion in charge of Sargeant Tackitt taking the more direct course for Double Mountain and Lieutenant Lindsay taking command of the other portion to accompany me by way of Camp Cooper. On reaching that place we met with Captain

³⁰Main Miscellaneous Folder, Military Board Papers (Archives Di-

Whitesides who had just that day returned from an expedition with Lt. Colonel Barry to Fort Arbuckle, who finding that his company was not in a condition to furnish the number of men required proceeded to make a detail of seven men with the necessary outfit for transportation. We then continued our march for a point near the head of Paint Creek in the direction of Double Mountain where we met with Sargeant Tackitt and party as agreed upon before separating. Our party then numbering forty-two including myself and Mr. H. E. Stevens, a gentleman I had employed to help me in the expedition. We then proceeded in the direction of Double Mountain by a road made by a train of eleven waggons going after salt in the summer of 1862, citizens of Young and adjoining counties following that road which we found a very circuitous route. We reached Double Mountain on the 7th day out from Belknap and on the morning of the 8th day we reached the Brazos River about twelve miles north from Double Mountain being then on the west side of the river. We crossed to the east side near to the famous Salt Spring situated within fifty yards of the eastern bank of the river. We there halted for a few hours and tested the water in this spring and also in a lake within a few hundred yards of the former, it being some four or five hundred yards in length and varying from thirty to forty feet in width, depth four to five feet. The result of the tests with a Saltometer showed the water in the spring first named to contain 98 per centage of salt and that in the lake 45 per cent. Several other creeks in the vicinity contain from 15 to 25 percent of salt.

To satisfy myself of the accuracy of the test made with the Saltometer, I boiled the water taken from the spring and found the result fully sustained the percentage of salt indicated by that instrument. After completing my examination of these salines, we proceeded north in search of the celebrated Salt Creek which we found about fifteen miles north of the springs which we had left, situated on the west side of the Brazos. On reaching the creek we were greatly disappointed at finding that recent overflow in the creek had washed out the beds of salt which are constantly forming in it in dry weather, and which was then forming with great rapidity.

party who first made the discovery of this creek, who assured me that the salt at the time of the discovery was formed in the bed of the creek from eight to fourteen inches in depth extending across the bed of the stream, other gentlemen who has seen this salt creek in dry weather fully confirms the statements of Sargeant Tackitt, so fully satisfied was Sargeant Tackitt that any desired quantity of salt could be obtained there that he induced his Father to send his wagon with an escort in order to procure a supply of salt. A Mr. Williams, a citizen of Young County also sent his wagon for a load of salt, both being disappointed in consequence of the unexpected and uncommon rise in the creek during the summer months.

It may not be out of place here to state that we found a fine Sulphur Spring on the route from the salt lake first visited to the salt creek situated about half way between the points last mentioned. It is a bold spring handsomely situated in a beautiful grove of cotton woods. This spring furnishes sufficient depth of water for fish from twelve to fifteen inches in length. Our men had quite a feast on fish caught out of the waters of this spring. Having camped at it both our outward and return trip, the water was pronounced by all who drank of it as being the best of black sulphur water which may at some future day add much importance to that new wild uninhabited salt region of our state. I deem it proper while speaking of the salt region to state that I found two creeks a few miles east of Double Mountain which contain from forty to fifty percentage of salt. Salt is continually forming by evaporation in fair weather, but the water is not sufficiently abundant to justify working on a large scale without sinking wells to collect the water which will doubtless be worked to advantage at no distant day.

Your Board desire in their instructions to me that I should state the number of men that in my judgment it would require to work with safety at the saline, the amount of salt that could probably be gathered, the section that would likely draw their supplies of salt from there, the price at which it should be sold to be self-sustaining, etc. As regards the number of men that it would require to work there in safety, it is difficult to say in consideration of contingencies that might arise hereafter, but so far as I have had the opportunity of forming an opinion, and

from consultation with other gentlemen who are better prepared to form correct ideas than myself as to the haunts and passes of the Indians, I feel justified in giving it as my opinion that from twenty-five to thirty men could work there in safety at present and probably for some time to come as we found no signs of Indians on any part of the route beyond Fort Belknap. I learn from Sargeant Tackitt that while on a scout a year ago last summer that they discovered a party of Indians near the head of the Brazos but made no discovery of any more nearer than the Plains which is upwards of one hundred miles above the salines. It is not improbable however that when the Indians shall discover that these salines are occupied by the whites that they may give some annoyance to small parties so remote from a point that timely assistance could not reach them. I am not of the opinion however that any force of Indians likely to visit that region would attack a party of twenty-five or thirty men who are well armed and prepared for self defense. As regards the probable expense of sustaining the men while working the salines, it would be difficult for me to make a correct estimate. Beef cattle can be purchased in any quantity in the vicinity of Fort Belknap and Camp Cooper at the usual prices now ruling in that section of country, say from thirty-five to forty dollars per head. Flour can be purchased in the wheat region at from twenty to twenty-five dollars per hundred pounds. Two teams would be amply sufficient to haul supplies out there and to keep the necessary supplies of wood for boiling salt. Citizens might be employed to haul supplies out there and to furnish wood and would no doubt be willing to receive salt in part or in whole for their services. The amount of salt that could be gathered and manufactured there would be difficult to conjecture. The amount would of course be regulated by the force employed and the facilities afforded them in the manufacture of salt.

I will here give my own opinion aided by others in whose judgement I concur as to the most practicable and profitable mode of working these salines. I am of opinion that the force employed should be furnished with a sufficient number of salt kettles to employ at least two thirds of their number in boiling salt (These salt kettles can be procured at Nash & Co. Foundry near Jefferson in Marion County in this State). The remainder of the force not

necessary in furnishing wood for boiling purposes should be furnished with suitable pine plank for erecting a number of vats to be placed at convenient distances from the water which can be rapidly filled by means of a cheap pump made with pine plank and conveying the water into the vats by means of small plank troughs. The labor is then done for a few days when by the rapid process of evaporation in fair weather they will have from forty five to ninety percentage of salt in each vat (the amount of salt of course being regulated by the quality of the water used). The boiling process being carried on at the same time, the accumulation of salt by these two processes combined will be immense for the small force employed.

As to the probable amount of salt that could be sold, I am of opinion that the demand will reach any probable amount that could be produced by the force before indicated.

The region of country that would likely draw their supplies from these salines will embrace the counties of Young, Jack, Palo Pinto, Parker, Wise, Montague, Cooke, Denton, Grayson, Collin, and Tarrant, and probably a portion of several of the adjoining counties. It is proper to state that salt is being manufactured on a limited scale in the counties of Young, Jack and Wise, but in such limited quantities that it amounts to but a very small item in the way of supplies even for the immediate neighborhood of the salines. The water is very weak containing as I am informed not exceeding from seven to ten percentage of salt requiring a great deal of labor to produce it. Consequently they are compelled to sell at high rates fifteen cents per pound being the lowest rates at which salt can be procured at these salines.

Your Board desires also to be informed at what price salt should be sold obtained from these salines to make it self-sustaining. In order to arrive at anything like a correct conclusion on this point, it will be necessary to estimate the probable expense of producing the salt and the transportation to some given point inside of the settlement, say to Fort Belknap, it being the nearest suitable point to establish a depot for the sale of the salt. Two gentlemen who accompanied our escort on the expedition, a Mr. Wilson and Mr. James Tackitt, expressed their willingness to run two wagons and teams each in hauling the salt to

Belknap at the rate of four cents per pound, but I feel justified in giving it as my opinion that it can be hauled at three cents per pound. And I am also of the opinion that the actual cost of producing the salt cannot exceed one cent per pound probably not so much after the preparations for the manufacture of the salt are completed. It will not probably be too high an estimate to say that each man engaged in the manufacture of salt will produce five hundred pounds per day, that multiplied by 22, the number of men supposed to be engaged in the manufacture, would produce 12,500 pounds of salt per day. Suppose the salt delivered at Fort Belknap at a cost of four cents per pound would show the cost of the 12,500 pounds to be \$500,000. This salt can be sold readily at 8 cents per pound being but a fraction over half the present price of salt in that section of the state, leaving at that rate a clear profit of \$500,000 on the production of each day's labor of the 25 men supposed to be engaged in the production of the salt. I will now assume that the pay and rations of these 25 men will cost one hundred dollars per day (which I consider an over estimate) would still leave the sum of \$400.00 profit on each day's operation which would in a short time reimburse the necessary expenses in putting the saline in a working condition and would very soon create a surplus sufficient to pay liberal salaries to such superintendents as might be found necessary to conduct the work of producing the salt with economy and to superintend the sale of the salt.

Should your Board determine to engage in the manufacture of salt at these salines and find that the sales would likely be increased by establishing a second depot for the sale of salt, I would respectfully suggest Decatur in Wise County as a suitable point to establish another depot, it being nearly central in the region likely to draw their supplies from these salines. The transportation from Belknap to Decatur would not exceed two cents per pound which added to the estimate for the sale at Belknap would put the price at 10 cents per pound which would be furnishing salt at 50 per cent lower rate than the present prices in this section of country.

I have made my estimate of the expenses of working these salines at higher figures than it will likely require to carry them on successfully in order to cover contingencies incident to all untried enterprises and I feel confident that

if prudently conducted that the results will fully sustain my estimates.

It may be proper before closing this report to make a few remarks in regard to the distance from Fort Belknap to these salines and the nature of the country through which we traveled. On reaching Belknap I was informed that the estimated distance to the salines situated beyond Double Mountain was one hundred and fifty miles, but am satisfied that the route we traveled cannot exceed one hundred and twenty-five miles which distance can be shortened from fifteen to twenty miles with but little or no labor leaving the true distance from Belknap but a fraction over one hundred miles. This route passes over a section of country susceptible of one of the best natural roads for the same distance that I have ever traveled. Fresh water is found at convenient distances for horse or ox teams, and abounds in good grass and an ample supply of wood for the accommodation of travel to any extent that could be desired.

All of which is respectfully submitted.

I have the honor to be
Very Respectfully
Your Obedient Servant
A. Bishop

APPENDIX III³¹**REPORT OF
THE MILITARY BOARD**

The following report of the acts of the Military Board from the time of its organization under the law of the 9th Legislature creating the Board, is respectfully submitted to the Honorable Legislature.

Immediately after the passage of the law creating a Military Board for the state, the parties named in the law, Governor F. R. Lubbock, Comptroller C. R. Johns and C. H. Randolph met and organized and proceeded to business.

On the 13th of January in consequence of certain letters received by the Governor from the Secretary of War of the Confederate States and also from the Honorable L. T. Wigfall and John Hemphill, our Senators in the Confederate Congress, and one from the Honorable John H. Reagan, as well from the perusal of the instructions given by the Honorable Secretary of War to George H. Giddings of San Antonio, the Board handed over to Mr. Giddings One Hundred U. S. Texan Indemnity Bonds, expecting to receive the same amount of Confederate States 8 per cent Bonds.

The Secretary of War upon receiving information of the proceedings of the Board, informed the Board that while he possessed no authority under the law to ratify the agreement as made with Mr. Giddings, yet he would purchase all the arms and munitions of war which might be procured by Mr. Giddings with these means. The Board granted Mr. Giddings 90 days to make the effort to secure arms and munitions of war by the use of these bonds and afterwards gave a further extension of time, but Mr. Giddings failed in the objects of his mission and the United States Bonds have been faithfully returned.

On the 29th of January 1862 the Board availed themselves of the services of the Honorable Pryor Lea and he was appointed agent of the Board with instructions to visit the cities near the mouth of the Rio Grande and ascertain if the Board could use the 8 per cent Bonds of the State as

³¹Ibid. Some of the documents listed in this report are present in the folder, but are not deemed essential to be printed.

the U. S. Texan Indemnity Bonds and the matured coupons thereof, either for the purchase of arms and munitions of war, or if they could be sold for specie or hypothecated for the articles enumerated and other articles of prime necessity, such as machinery and materials for the manufacture of munitions of war and arms.

The Board believing that cotton would afford them a certain currency for the purchase of munitions of war and other articles of prime necessity of which the state was entirely destitute and which could only be purchased in Mexico or some other foreign country, and feeling sure that the patriotism of the planters of the state would prompt an immediate response to an appeal from the Board for aid and knowing at the time that the 8 per cent State Bonds issued under the act of the Legislature in accordance with the Constitution of the State afforded to planters and others a safe investment for their capital. The Board issued a circular, a copy of which is attached hereto and marked "A".

It is due to the people of the state to say that the circular met a prompt response from the people of the state and up to the 30th September 1863 the Board have purchased 4928 bales at 8C 20¢ part of which has been paid in State 8 per cent Bonds and the other in Confederate Treasury Notes at the prices ruling at the time of purchase and in some instances for less. The cotton purchased has been used by the Board in their transactions, part in exchange for articles of prime necessity purchased and the remainder consigned to parties, the proceeds to be used in payment of the like articles furnished the Board. The supplies received consist of copper, lead, powder, blankets, shoes, percussion caps, and material for clothing.

For the particulars of cotton purchased see document marked "B" and for a list of the goods and their disposition see document "C".

On the 31st day of March 1862 the Board appointed J. T. D. Wilson, an agent with instructions to proceed to Mexico, and purchase arms, munitions of war, clothing, shoes.

The Board furnished Mr. Wilson with \$75,000.00 of the U. S. Texas Indemnity Bonds, \$25,000.00 coupons of the same and ten thousand dollars in gold.

Mr. Wilson could not use the bonds and coupons but

purchased an invoice of powder, caps, lead, and a small lot of bagging and rope, the last two articles have been used by the Board. A copy of the invoice of goods secured by Mr. Wilson is hereto annexed marked "D".

Mr. Wilson also through his exertions after his return secured another invoice of goods marked "F", herewith annexed which was paid for by the sale of coupons of the U. S. Bonds. Invoice herewith marked "E". The invoice was sold to Major John Henry Brown, Chief of Clothing Bureau, Confederate States Army.

It is due to Mr. Wilson to state that he executed his mission with sagacity, promptness and efficiency and would accept no compensation for his services other than the actual outlay for expenses. The Board are also under obligation to Mr. Wilson for a vast amount of information furnished by him.

On the 11th April 1862 the firm of Jno. M. Swisher & Company of Austin were appointed agents of the Board. One of the parties Mr. J. M. Swisher it being understood was to proceed to Europe and there endeavor to sell United States Bonds and Coupons, and invest the means realized in arms, munitions of war, hats, boots, shoes, clothing and other articles suitable for army supplies. Mr. Swisher was furnished with \$300,000 in U. S. Bonds, \$12,175 in matured coupons and five thousand dollars in gold.

The Board also furnished Mr. Swisher with a letter of credit to the extent of 5,000 bales of cotton intending him to use it for the purchase of necessaries if he should fail to negotiate the bonds and coupons, or could purchase advantageously more than the proceeds of the bonds and coupons.

Mr. Swisher has proceeded on his mission. He made an arrangement in Matamoros with the house of Droege, Oetling, & Company. For copy of his propositions and their acceptance see document marked _____.

After his departure to Europe the Board were informed by Messrs. Droege, Oetling & Company that they had furnished Mr. Swisher with a letter of credit on their friends in Europe to the extent of 1,000 bales and that Mr. Swisher had agreed with them that the Board would consign to them that amount of cotton.

Immediately on the receipt of the information the Board proceeded to consign cotton as fast as transportation

western Texas, the disturbed times, the Conscript Act, all combined to make teams and teamsters scarce and hard to be procured. However by December last the Board had succeeded in placing in the hands of this house very near one thousand bales.

Immediately after Mr. Swisher's arrival, he succeeded through the house of Droege & Company in disposing of 149 of the bonds, \$129,490 in coupons \$9,075.

Mr. Swisher arrived in Liverpool on the 19th June and next day proceeded to London. He left with Droege, Oetling & Company \$3,000 of the coupons to pay expenses of insurance etc. The \$9,175 in coupons he sold for £1,740 or about \$8,590 less exchange. He then sold 149 bonds for £25,898 or about \$129,490 from which was to be deducted bankers commission. These bonds were sold with the July coupons off. A portion of these coupons as we are informed he also sold making coupon money in his hands about \$13,000.

These bonds have since become the subject of a Chancery Suit between the purchasers and the agents of Mr. Swisher, and the money for the sale of the bonds was enjoined, but as the Board understand from Mr. Swisher, the money was already paid to his agents and he had proceeded to purchase goods in Germany.

Upon the institution of the suit, he placed the money he received from his agents, and the goods he had bought with a portion of it at their disposal except the money for the sale of coupons which were not included in the suit. He had already expended in purchases about \$50,000.

He then proceeded to make another agreement with his agents, a copy of which is annexed as well as a copy of the bill in Chancery marked "G" & "H".

Mr. Swisher succeeded in shipping goods amounting to between 80 and \$100,000 consigned to Droege, Oetling & Company, Matamoros.

When the house of Droege, Oetling & Company heard of the institution of the suit against their friends in Europe for the recovery of the funds realized for the bonds, they wrote the Board—"But we understand that Mr. Swisher will still make use of our letter of credit to the extent of one thousand bales"—and this they repeated at various times.

Mr. Swisher arrived here in December last and made

his report to the Board, a copy of which is annexed, marked "J".

Mr. Swisher set up this curious proposition for the conservation of the Board, that these goods were not obtained by means of any assets furnished by the Board, that they were procured on his own individual responsibility, but that he would, if the Board allowed him to use their means to pay for them, sell the goods and divide the profits with the Board.

The Board believing that Mr. Swisher was their agent sent to procure goods in Europe and could not divert himself of this trust at his own will, that his acts there could not inure to his private benefit, refused to recognize the goods as his property, or to trade with him as a partner.

By various letters from Droege, Oetling & Company they recognized the Board as the owners of the goods subject to the payment for them by the Board.

The Board were much surprized after the adjournment of the Legislature in March last to receive a letter from Droege, Oetling & Company in which they made use of this remarkable expression, "That though they had informed the Board that Mr. Swisher would still make use of their letter credit" though it was true, it was not the fact." From that time Droege, Oetling & Company continued to place obstacles in the way of the Board obtaining of these goods.

In the meantime the Board for the purpose of bringing their matters on the Rio Grande to a close, secured the services of the Honorable N. G. Shelley to proceed to Matamoras and endeavor to close up all their transactions in that region of country.

The Legislature is referred to the able report of Mr. Shelley for the result of his mission which so far as obtaining these goods resulted in an entire failure with the exception of less than \$3,000 of the amount. Report marked "K".

The Board have no comments to make upon the curious proceedings of Mr. Swisher in setting up a claim for half the profits that might be realized upon the sale of the goods selected by him in Europe and utterly refusing to pay over the coupon money which he has acknowledged to be in his hands amounting to over \$13,000, until as he says, "the Board settles with him for his services," the value of which he assumes to be the sole judge.

The terms upon which the mercantile house of J. M. Swisher & Company accepted the agency of the Board was a fair compensation for his services, as the following extract from their instructions issued to them will show:

“Upon the success in whole or part of your mission will depend your compensation. Should you make a successful and profitable trip for the state, the Board will feel no hesitation in remunerating you handsomely, and in proportion to your success will the compensation be graduated.”

“The Board believes and hopes that in undertaking this mission you are actuated more by the spirit of patriotism and a desire to bring back to us the means whereby we may be enabled to expel the foe from our soil, thereby gaining our liberties, peace and property, than for any desire of gain.”

FOUNDRY

In the month of July 1862 the Board convinced of the necessity of the state being supplied with cannon and satisfied that no supply could or would be received from east of the Mississippi River at all commensurate with the quantity needed, determined to establish a Foundry. They had already procured a supply of copper and tin from Mexico, and they secured the services of a party who has been recommended to them as experienced in the business and proceeded to the erection of a suitable building on half block of lots belonging to the state in the lower part of the city of Austin. They also procured by purchase a steam engine, lathes, tools, iron and all necessaries required.

Owing to the scarcity of labor, and the paucity of materials in the state, it has cost a large sum comparatively to what it would have done in peace times, yet with a persistent course of economy steadily pursued from the commencement of the enterprise up to the present time, the present time, the Board are satisfied that there has been no useless expenditure of means.

So far the Foundry has not been the success the Board could have wished. The failure of the first ripening furnace needed to operate was a severe disappointment to the Board as it retarded the making of cannon. The Board are now erecting another furnace which in the opinion of persons competent to judge is thought will be a success.

The present Superintendent believes however that in the course of a very few weeks he will be able to make cannon; it is hoped that the experiment will succeed. Carriages for a battery of six guns are near completion.

The Foundry has however been of great used to the farmers. Numerous thrashers and reapers besides other indispensable work has been done at the Foundry. While the Board has refused doing any work that could be avoided, the great necessity of saving the grain crop where ever grown caused the issuing of the necessary orders to the Superintendent to have the repair of the agricultural implements attended to. Repairs have been done for citizens distant over 100 miles from Austin.

The Foundry has been however of incalculable benefit to the state in one particular. Without it, most likely the Board would not have been able to have procured the machines necessary to the success of the Cap Factory, or if procured at all would have cost the state at the prices charged for work and material nearly the amount that now stands to the debit of the Foundry on the books of the Military Board.

The amount to the debit of the Foundry is \$106,567 less \$8,982.31, amount received for repairs of agricultural implements and actual cost of cap machine.

CAP FACTORY

The difficulty of procuring percussion caps for the State Troops and for the supply of the army in the state was early after the organization of the Board brought under their notice and their energies were taxed to supply an article so essentially necessary.

The war between France, England and Spain and Mexico prevented the exportation of any articles contraband of war from any of these countries to Mexico from whence they might be imported into Texas.

In the month of July the Board having secured the services of Mr. Wm. DeRyee, recommended to them as an experienced chemist and having also procured principally through Mr. DeRyee a supply of chemicals, the Board directed Mr. DeRyee to proceed to work which has been done and turned out quite a large number of caps.

The Foundry furnishing the machines, a great difficulty has been experienced in procuring refined copper.

Mr. DeRyee with ingenuity worthy of admiration has succeeded in manufacturing an alloy metal which answers nearly as well as copper. The Cap Factory is now in full and active operation and with the machines lately furnished and the help of a small refining furnace now erecting, it is believed that any quantity of caps will be turned out that may be required by the military departments.

Up to 30th September, caps have been manufactured and turned over to the state and a large portion has been transferred by the state to the Confederate States military authorities for the use of the Trans-Mississippi District.

Amount of debit of Cap Factory to 30 September, 1863: \$21,132.71 less \$12,185.30 to the credit for caps made and valued at \$10 per.

RIFLES

Early in June, 1862, the Board entered into contract with Messrs. Whitescarver Campbell & Company to make three hundred fifty guns of the pattern of the famous Mississippi Rifles at the rate of twenty five dollars per gun. These guns were to be furnished by the 1st of January 1863. To aid these parties the Board advanced them \$2,500.

The guns have all been received under this contract and the advance properly paid.

On the 1st September 1862 the Board entered into another contract with these parties to furnish 350 more guns of the same style and finish with the addition of the bayonet attachment in the style of the Enfield Rifle for which the Board agreed to pay at the rate of thirty-five dollars per gun. This contract has also been executed.

These guns on inspection will be found neat, strong and substantial war guns though without ornament of any kind yet capable in the hands of our people of doing great execution.

On the [space] the Board entered into a third contract with these parties for the manufacture of 200 more guns of the same description at the same price to be delivered by the 1st January 1864, and the Board have no doubt that the contract will be complied with most faithfully.

The Board are informed that this armory was inspected by Lieutenant General Smith and Major General Magruder and the arms manufactured met their cordial approval.

283 guns manufactured by these parties sold Confederate Government and by them sent to Steele's command

197 also sold to the Confederate Government

67 of these guns were forcibly seized by Captain Johnson.

Upon representation made by the Board to Lieutenant General Holmes he returned to Austin the like number of new Enfield Rifles which were turned over to the Adjutant General.

Note 1. Since the First October on the representation of Major General Magruder of the scarcity of arms with which to supply the state troops called into active service, an order has been forwarded to the contractors to deliver all guns on hand at the time the order should be produced for which the Board will receive certified accounts against the Confederate States.

On the first day of July 1862 the Board entered into contract with Messrs. Billips & Hassell, Plenitude, Anderson County, to make seven hundred good substantial guns fit for war purposes after the manner and style of the Mississippi Rifles with bayonets at the rate of thirty dollars per gun.

The Board advanced these parties to assist them in the enterprise the sum of five thousand dollars taking good security.

Five hundred and fifty of the guns have been delivered, and the contractors Messrs. Billips & Son, successors of Billips & Hassell, are hard at work finishing the remainder as fast as possible.

Four hundred of these guns were also disposed of to the Confederate military authorities and by them disposed of in the same manner as those obtained from Whitescarver, Campbell & Company.

Note. 2. Since the first of October for the same reason as stated above, an order has been sent to B & S directing them to deliver all the guns ready on the presentation of the order.

Note 3. Early in the present month the Board accepted a proposition from Messrs. Billips & Son to make another five hundred of these guns @ \$60 payable in currency with the understanding that if the currency rises in value, the State to have the benefit of the rise.

On the 5th of November 1862 Messrs. Short, Briscoe & Company of Tyler, Smith County, entered into contract with the Board to manufacture five thousand guns of the style of the Mississippi Rifles with the improved bayonet invented by Mr. Short which the Board view as a very effective weapon. The price was to be \$ [blank] per gun.

These parties immediately after making the contract proceeded to the erection of buildings, procured a steam engine, manufactured a large number of tools necessary and laid in a large stock of material. They expanded in this manner a very considerable sum of money somewhat as the Board have been informed over \$30,000.

In June these parties obtained an advance from the Board of twenty-five thousand dollars to aid them in their operations for which they give approved security.

Under date of 17th September these contractors report as follows to the Board.

"We can deliver one hundred guns in two weeks from this date. We have been much troubled about stock timber and a large number of our hands have been sick. We have been delayed on account of inexperienced hands having to take such as we could get as we have invariably refused gunsmiths for the regular, and we are much annoyed by hands wanting advanced wages, as everything has so much advanced above the usual price of living. We are already losing money at the price of the gun.

"We have five hundred barrels bored and turned ready for the stocks and two hundred and fifty bored and fifty welded, making in all 800 barrels.

"We have made about 500 bayonets and have nearly ready all the pieces for the locks for the 800. We have a lot of timber seasoning which we will push as we are steaming it and will put them together as rapidly as possible."

An order has also been issued to turn these guns over to the military authorities for the arming of the State Troops.

The high standing of these contractors is a guarantee that they will comply with their agreement.

The Board have also had a small contract with N. B. Tanner of Bastrop for the manufacture of guns and up to the 30th September 1863 he has delivered 214 guns which have been turned over to Quartermaster Department.

The Board cannot but express their approbation of all these contractors who have evidently used their best energies in the service of the state. If these contracts have afforded them any profits, it must be small indeed. But the contractors have the gratification of knowing that they have performed good service to their country in furnishing arms to drive the invader from their state.

NICHOLS GUNS

The Board also purchased two cannons manufactured in the state by Mr. Nichols, and known by his name. They were of great use in one of the bombardments of Galveston by the enemy in compelling one of their ships to be hauled off. They have been turned over to the state and by the state to the military authorities.

PISTOLS

On the 11th April 1862 the Military Board entered into contract with Taylor, Sherrod & Company of Lancaster, Dallas County, to manufacture for the use of the state three thousand pistols after the pattern known as Colts, one half army and the remainder navy size at the rate of forty dollars per pistol.

At the time of the contract five thousand dollars was advanced to these parties and afterwards to their representation five thousand dollars more was advanced by the Board.

The Legislature at the called session by a joint resolution thought proper to relieve these parties of their contract on their repaying the sums advanced with legal interest, and in July last the parties repaid the loan in Confederate Treasury Notes with \$814.44 interest.

The difference in the specie value of this money at the time it was advanced and at the time of its return was very considerable, but from the language of the law the Board had no alternative but to accept the tender made and cancel the bond.

GUN POWDER

Mr. Rowan of Waxahachie, Ellis County, having erected at their place a large powder mill, the Board to encourage home manufacture of this important and necessary article agreed to furnish Mr. Rowan with the salt petre and sulphur to be repaid in powder at the rate of \$1.25 per pound.

Salt petre and sulphur has been furnished Mr. Rowan to the amount of \$6,097.76, he giving bond and security to protect the state against loss.

In March last the mill was blown up. The Board have not been able to make as yet a satisfactory adjustment with the securities of Mr. Rowan who are able to pay, but they hope that the matter will be amicably arranged without a law suit.

Before the mill was destroyed Mr. Rowan had made about 800 lbs. of powder, but the samples sent by him to the Board, not coming up to the tests, the Board refused to receive it, and it is in the hands of his securities.

Mr. George Pfeiffer of Corpus Christi having been recommended to the Board as a reliable person, and that he was building a powder mill near Corpus Christi, the Board entered into contract with him on the 30th day of May 1862, for the supply of 10,000 pounds of powder at \$1.75 per pound.

The object of the Board was if possible to encourage by every means the establishment of mills within the state.

By the terms of the contract the Board were to advance Mr. Pfeiffer cotton with which he stated he could purchase in Mexico the necessary raw material.

The Board advanced Mr. Pfeiffer one hundred and fifty bales of cotton, taking security for the same so that there will be no loss.

Owing to the threatened attacks on Corpus Christi by the Federals, and the scarcity of mechanics, Mr. Pfeiffer informed the Board he was compelled to abandon the mill, and under a late date he has informed the Board that he has made arrangements by which he will be supplied with the quantity of gun powder that is required which he will deliver to the Board as soon as received.

PURCHASE OF ARMS

In addition to the contracts made for the manufacture

of arms, the Military Board recommended that every serviceable gun or those that could be made so should be purchased. This duty was confined to the Adjutant General and a reference to his report will show that the state has procured quite a number of serviceable arms.

PURCHASE OF THE GUN BOAT — BAYOU CITY

At the first establishment of the blockade of Texas by the Abolition Government, the frigate *Santee* was the only vessel employed.

Being a sail vessel and of large size, the blockade might have been easily evaded, had she not succeeded in capturing several small crafts which were used by her as tenders.

It was believed by parties esteemed competent to judge that if the *Bayou City* was properly fitted up she would be able to cope with the tenders of the *Santee* and thus render the blockade ineffectual, as she could destroy the tenders and probably sink the *Santee*.

The Board selected Captain Henry F. Lubbock who has had great experience with steamboats besides being a theoretical and practical machinist, to superintend the alterations required. About the time of her completion, the *Santee* disappeared and was replaced by several light draught steamers with powerful armaments.

The principle object for which the Board purchased and altered this steamer being defeated by the increase and alteration of the blockading fleet, and the Board believing that the boat could be made very effective in the hands of the Confederate States Government offered her to the general commanding who made the purchase.

The part allotted to the *Bayou City* in the memorable battle of Galveston on the 1st January last will become a portion of the written history of the war, and the Texas horse marines and the *Bayou City* will certainly occupy one of the most imposing chapters in that history. The Board may be allowed to congratulate themselves on the services rendered in that glorious transaction by the Gun Boat *Bayou City*.

The Board received for the <i>Bayou City</i>	\$50,000
For coal on hand sold to Confederate States	2,250

\$52,250

The amount to the debit of the gun boat on the books of the Board was \$44,773.24.

COTTON CARDS

The Board received through Droege Oetling & Company and J. M. Moore, twelve thousand pair of cotton and wool cards which they immediately offered for distribution to the various counties of the state through their county courts on the basis of the Scholastic Census, at as near cost in currency as they could make it—\$10 per pair it was thought would reimburse the Board. The county courts were instructed to first supply the needy families of our brave soldiers and on no consideration to charge more than cost and charges for the balance. As these tribunals were immediately responsible to the people, and the distribution having to be made, it may be said in their presence, it was a safeguard for a proper disposition of the cards amongst those who were the most in need of them.

The Board are still of the opinion that this plan was the best that they could have adopted.

The Board made a contract with the well known house of Ball, Hutchings & Company of Houston to import into the state thirty thousand pair of cotton cards. These cards were manufactured in Europe which was an object of particular desire to the Board.

The Board agreed to allow 50% profit on this importation delivered in Brownsville.

To pay the parties for these cards, the Board made an arrangement to provide and place in their hands funds sufficient to purchase one thousand bales of cotton, they to undertake the transportation and selling for which they are allowed 5% on the gross sales of cotton.

The Board placed in the hands of Ball, Hutchings & Company one hundred twenty-five thousand dollars in Confederate Treasury Notes and twenty-five State Bonds.

Note. The thirty thousand pair are in route from Brownsville to this place and on the 28th October the Board issued another Circular to the County Courts informing them that they could procure cards on the same basis as first issued and at the same price.

The Board wish to call the attention of the Legislature to the fact that in importing these cards, say 42,000 pair,

and disposing of them at the low rate of ten dollars per pair, there has been saved to the people of this state over one million of dollars, while the material aid and comfort which will be rendered to the soldiers in the army is not to be estimated in dollars and cents.

Many a mother, wife, sister has been made happy having been able through these cards to provide clothing for their loved ones absent in the army, and no doubt many a soldier has felt his heart gladdened with bright emotions when he has received "his suit of *home spun*" fabricated by the hands of those dear ones whom he left at home.

The business of the Board as will be perceived, embraced numerous transactions and a large amount of money has passed through their hands which has been received and paid out by Mr. Randolph their Treasurer thereby entailing on him a large amount of extra labor over what the other members have performed.

Up to the 30th September

Mr. Randolph received	\$7,000,070.00
and has paid out	-655,968.00

leaving a balance in his favor	<u>\$ 44,102.00</u>
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The Board also hold certified Quartermasters accounts amounting to \$59,866.50 for supplies and arms furnished the military authorities, all of which will shortly be paid.

The Books of the Board kept by their secretary will show all their transactions in detail.

The Board have received from Messrs. Droege, Oetling & Company invoices of medicines, printing paper, cotton cards, articles suitable for clothing for the army, blankets, etc., amounting to \$80,000. A part of these goods have been handed over to the Quartermasters Department, the balance of the goods are at Alleyton and will probably be received in a few days.

The wool and cotton cards are included in these invoices, as well as the machinery for the Penitentiary which has been of great use to that institution.

The Board are also indebted to Messrs. Droege, Oetling & Company in the sum of \$18,000 for a bill of blankets which were procured from them by Colonel Luckett for the use of the army of the Confederate States, at the time that blankets were imperiously demanded by the necessity of the

service. The arrangements made by Colonel Lockett with these parties failed and a difficulty was likely to spring up between Colonel L. then commanding the Rio Grande and the authorities of Mexico as well as the British Consul. In this dilemma Colonel Lockett appealed to the Honorable Pryor Lea, the agent of the Board, who as the only means to avoid a difficulty which might have been injurious to the cause of the Confederacy on the Rio Grande hypothecated 22 of the United States Bonds to the House of Droege, Oetling & Company as security for the payment by the Confederate States authorities of the bill which they agreed to do with cotton. It seems however that the formula of the service interfered with this arrangement, and the cotton was not delivered. Droege, Oetling & Company have charged the amount in accounts current with the Board, and Mr. Shelley on his late visit succeeded in settling this matter with the Confederate military authorities by taking a certified account for \$21,000 payable in specie.

Droege, Oetling & Company have shipped 999 bales of cotton belonging to the Board, but no account sales have yet been received. Although the relations between this house and the Board are not at present satisfactory, yet from the high standing in the commercial world of this house, the Board believe that they will be able to close their business with them satisfactorily and that in a short time.

Some of the difficulties which have occurred is owing to the fact that business has to be conducted by correspondence, the distance considerable, and the mails uncertain.

PROCEEDINGS UNDER ACT IN RELATION TO CERTAIN SALINES ON THE N. W. FRONTIER

In April last the Board tendered Colonel A. Bishop of Wise County the appointment of Commissioner to proceed and examine these salines and report as to practicability of working them.

In September last Colonel Bishop made his report which is herewith sent for the information of the Legislature.³² It is an able report and shows that the Board could have made no better selection of an agent. The report is interesting as it discovered another item of wealth within the state, that was before almost unknown. Acting

³²See Appendix II.

under the advice of Colonel Bishop, the Board resolved upon the working of these salines and rendered the appointment of Superintendent to Mr. Henry E. Stevens of Decatur, Wise County. The Board have not heard from Mr. Stevens, whether he will accept the appointment.

PROCEEDINGS UNDER ACT APPROVED
MARCH 3rd, 1863, ENTITLED AN ACT TO
PROCURE SPECIE TO ENABLE THE PEOPLE
TO PAY THE SPECIE TAX

Immediately after the adjournment of the called session of the Legislature in March last, the Board took under consideration the act above specified, and came to the conclusion that in consequence to the great rise in the price of cotton that was daily taking place owing to the army of speculators that were in the field purchasing cotton, and the depreciation of the currency and the further fact that the best of the cotton crop had already passed from the hands of the planter, that it would be better for the Board to wait until later in the season.

In the early part of last month the Board drew from the state the sum of seventy-five thousand dollars and placed the same in the hands of Messrs. Ball, Hutchings & Company, merchants of high standing and respectability in Houston, who agreed to purchase the cotton, procure the necessary transportation and sell the cotton for all of which service they are to have a compensation of 5% on the gross sales.

It will be seen that the Board only drew half the sum appropriated. For many reasons it was thought that the best interests of the state would be served by this course.

In the first place it is impossible for the state to enter the cotton market in competition with the hord of speculators who purchase cotton not with a view to the profit they realize on that article, but to use as the means of paying for goods which they purchase to be brought into the interior and sold for 300 to 400% profit. Whatever they may lose on the cotton is added to the cost of the goods purchased by them and of course the consumer of these goods pays the loss on the cotton.

It is for the Legislature to decide whether they will continue this law in operation, thereby entailing the expenditure of \$400,000 to pay one hundred thousand dollars

of interest on the debt, or adopt immediately another and less expensive way of preserving the faith of the state.

Cotton realizes to the planter from 57 to 60 cents in currency, the cost of transportation has to be paid in specie at the port of delivery which will average more than 10 cents per pound.

The state will be doing well if the cotton shipped by them realizes 15 cents in specie after all expenses are paid. The currency is received by the state as specie, but unfortunately in purchases made by the state it is only really paid out at its very depreciated value for cotton that is now selling at the prices specified above, would not be worth in old times more than 8 to 10 cents.

It will require an appropriation of six hundred thousand dollars should there be no variation in the price of cotton, to enable the Board to procure the amount of specie required for the next two years.

While the Board acknowledges that the specie must be procured at any cost to pay the interest accruing on the 8% bonds, so that no stain of repudiation may for one moment rest on the escutcheon of the state, yet the Board feel that it is their duty to lay this matter in its present phase fully before the Legislature for their action

CONTRACT WITH JNO. M. MOORE

On the 29th April 1862, the Board entered into agreement with Jno. M. Moore to proceed to Mexico and if possible procure a supply of arms, munitions of war, tin, copper, army clothing and articles of prime necessity.

The Board agreed to place at the disposal of Mr. Moore from 2 to 4,000 bales of cotton, deliverable at San Antonio or some other convenient point. Mr. Moore was instructed to proceed with dispatch to Mexico and make the necessary arrangements for the success of his mission.

In consideration of Mr. Moore taking entire charge of the cotton, furnishing the necessary transportation and giving the enterprise his entire attention, paying his own personal expenses and finding also at his expense all sub-agents, the Board agreed to allow him 15% commission on all purchases and 15% on the sale of cotton.

The Board have received goods to the amount of \$80,000 to which will have to be added the duties paid on the Rio Grande, municipal and export duties in Mexico, and

most of the freight to San Antonio as well as Mr. Moore's commission, all of which will increase the amount very considerably.

Mr. Moore also brought in a large quantity of gun powder, but as this article did not come up to the standard it has been refused.

Mr. Moore sold 500 bales of cotton deliverable at San Antonio in the month of July, 1862 at ten cents specie weighing 244,034 pounds = \$24,403.40.

623 bales weighing 419,251 pounds has been reported by Mr. Moore to have been sent to Monterrey and there sold, but no account sales has yet been received by the Board.

The Board are aware that four hundred seventy-one more bales had reached Eagle Pass on its way to Monterrey.

Altogether Mr. Moore has received from the cotton purchased about 24,211 bales, the account may vary a few bales one way or the other.

All the expenses of transportation on this cotton to Monterrey including the export duty required by the Confederate States, the cost of transportation, municipal duties and import duty (if any) all of which is payable in specie has been liquidated by Mr. Moore, as well as the freight on such of the cotton as has been sent by him to the lower Rio Grande.

Mr. Moore has made several trips to Mexico on this business and devoted considerable of his time thereto.

Besides the amount of goods before stated, there has been received from Mr. Moore, 82 dozen cotton, 40 dozen wool cards and 20,000 envelopes for which no invoice has been furnished.

On Mr. Moore's return from the Rio Grande the whole of his business will be settled.

COTTON ACCOUNT

The purchase of cotton shows that 4,932 bales have been purchased by the Board at prices varying from 8 to 20 cents. The return of the transportation agents shows that 4,928 bales have been started for their destination.

The drought in 1862 delayed the transportation of cotton and when this had ceased, the Board had a still greater difficulty to contend with the immense number of

speculators and army contractors who required transportation. Only those who have been engaged in the business can have any idea of the difficulties which the Board had to contend with.

A considerable portion of this cotton something like six hundred bales has started quite recently.

- 1,432 bales of cotton consigned to Droege, Oetling & Company
- 169 bales exchanged with San Antonio Powder Company for tin
- 43 bales sold by J. T. D. Wilson in payment of supplies
- 10 bales in bad order and sold at Brenham
- 150 " advanced George Pfeiffer on powder contract
- 50 bales burnt at Sorrell's Plantation
- 199 " Lavanburg in payment of first invoice of goods
- 150 bales given to Lavanburg to be transported by him and sold in payment of 2nd invoice
- 500 bales sold by J. M. Moore weighing 244,034 pounds at 10 cents specie delivered at San Antonio
- 623 bales sent to Monterrey for sale to J. M. Moore
- 1,303 " to San Antonio and Brownsville, a portion of which is still on the way. On the 22 October 471 bales reported at Eagle Pass.
- 299 bales have been retained and are being consigned to Ball, Hutchings & Company at Brownsville and perhaps the destination of 30 bales included in the 1,303 will be diverted from J. M. Moore to the farms if the transportation can be met.

The members of the Board feel that though they may have committed errors of Judgment, they have been few, and bringing to the business an earnest and heartfelt desire to benefit the state.

They trust that their acts and doings as members of the Military Board will meet the approbation of the representatives of the people.

The Board have in all their transactions except one, been a unit, their association in this business has been pleasant and harmonious.

The Board would respectfully suggest to the Legislature, if they intend to keep the Military Board in existence, a different organization would be better. The time of the treasurer is fully occupied with the legitimate duties of his office which has greatly increased since all claims are paid in Treasury Warrants. The business of the Comptroller's Office from this same and other reasons has also considerably increased and require unremitting attention.

The Business of the Board if continued is also likely to increase and be greatly diversified, which necessarily for its well doing should be under active superintendence of a fiscal agent, judiciously selected, to whom the Board might be of great assistance on giving council and advice.

F. R. Lubbock

C. R. Johns

C. H. Randolph

PROCEEDINGS OF GOVERNORS' CONFERENCE WEST OF THE MISSISSIPPI RIVER

Marshall, Texas, Aug. 15, 1863

In obedience to the request of Lt. Genl. E. Kirby Smith, the following Gentlemen met this day for consultation and conference, viz:

From Texas	Gov. F. R. Lubbock, Hon. W. S. Oldham, C. S. Senator, Pendleton Murrah, and Maj. Guy M. Bryan
" Louisiana	Gov. Thos. O. Moore, Col. Manning, Chief Justice Merrick, Associate Justice Voorhies
" Arkansas	Robt. M. Johnson, C. S. Senator and Representative of Gov. Flanagan, C. B. Mitchell, C. S. Senator, and W. K. Patterson
" Missouri	Gov. Thos. C. Reynolds

Whereupon, the Lt. General submitted the following questions for their consideration:

"Memorandum—for the Executives and Representatives of Arkansas, Louisiana, Missouri and Texas."

Questions to be considered.

1st—The condition of the States since the Fall of Vicksburg.

The temper of the people, the resources and ability of each State to contribute to the cause and defense of the

³³From Francis R. Lubbock Letter Book No. III, February, 1863-November, 1863, pp. 252-267 (Archives Division, Texas State Library).

Department and the best means for bringing into use the whole population for the protection of their houses,

2nd—The best measures for restoring confidence and checking the spread of disloyalty, and keeping the people steadfast in the hope of ultimate triumph of our arms.

3rd—The questions of currency, and the best method of securing the cotton of the Department without causing opposition on the part of the people, and best method of disposing of the same.

4th—The extent of the Civil authority to be exercised referred to by the President, and Secretary of War in their letters of [blank] date to the Lt. General Commanding.

5th—Appointment of Commissioners to confer with the French and Mexican authorities in Mexico.

6th—Arms and Ordinance Stores.

On August 17, the Conference was fully organized by calling Gov. Lubbock to the Chair, and the appointment of W. K. Patterson as Secretary.

On motion, the Chairman appointed the following committees:—

No. 1—Gov. Reynolds, Voorhies, Johnson, Bryan, Oldham, Patterson.

No. 2—Oldham, Merrick, Mitchell, Reynolds, Lubbock.

No. 3—Johnson, Moore, Murrah, Reynolds, Manning, Merrick.

On motion the 1st, 2nd, and 6th propositions of the Lt. General, were referred to Committee No. 1;

The 3rd Proposition was referred to Committee No. 2.

The 4th and 5th Propositions to Committee No. 3.

The Conference took a recess until Tuesday, at 8 o'clock A. M.

Conference met, pursuant to adjournment.

Judge Merrick of Committee No. 2, made the following Report, which was unanimously adopted:

The undersigned Sub-Committee has had under consideration the question submitted by Lt. Genl. E. Kirby Smith as to the extent of the Civil authority to be exercised by him referred to by the Secretary of War in his letter of July 14, 1863, now reports, that in the opinion of the Committee it is intended, that such powers only should be exercised as are now exercised by other officers at Richmond, and which it is absolutely necessary on account of

inability to communicate with Richmond that the General should assume, in order to augment and maintain his army and put the Department in the best state of defense.

The objects to which such powers will extend are enumerated generally in the letter of the Secretary of War, and it is impracticable to be more specific here.

Of course, when the Secretary of War advises the General in Command of the Department, to assume powers not granted by other Departments of the Government, he expects that such powers (which are only powers of Administration, should be exercised according to existing Laws, and that nothing should be changed except the Agents by which the operations of the Government, in respect to this Department, are carried on.

The respective States composing the Department, have organized Government and it could not have been the intention of the Secretary of War to advise the Commanding General to assume Civil Authority which belongs to the States. They still having officers present, ready to perform their respective duties and functions.

(Signed)

Merrick

Col. Pendleton Murrah, from the same Committee, made the following Report:—

The undersigned, a sub-committee, to whom was referred this question, respectfully submits, that the dependence of the Trans Miss. Department, upon the Ports of Mexico for supplies and for communication abroad, together with the relationship of the French and Mexican Governments, at the present time, make an understanding with the authorities by those Governmnts highly important, if not absolutely essential. The disposition of those Powers, and their officials, can only be ascertained by correspondence with them. The correspondence, under the existing state of things, even as to civil matters, cannot, perhaps, be conducted directly through the Government, and as the correspondence to have reference merely directly to the interests of this Department and its immediate wants, the Laws, whenever the Law speaks, and propriety when the Law is silent, points out the Military Commander of

the Department as the proper official to initiate and conduct, the correspondence. As to the mode of carrying on the correspondence, it is, of course, to be left to the discretion of the Commander; and yet it is not deemed improper to suggest that the importance of the subject authorizes, if it does not require, an Agent intelligent, well informed, of known character, one adapted to inspire confidence of his knowledge and discretion, and not likely to be misled in these times of trial and uncertainty, by mere plausibilities or intimations intended to please to please [*sic*] and flatter, without promising or guaranteeing [*sic*] anything of benefit. The selection of such an Agent, and the prosecution of such line of policy, would find its justifications in facts which have already transpired in the conduct of French Officials. These facts forming a basis of inquiry and authorizing an approach to them officially for that purpose, would enable the Agent or Commissioner to sound, upon Mexican soil, both French and Mexican authorities, ascertain their disposition towards our Government, and People, and what we may expect of them in the way of favor or assistance, what credit may be founded upon the various productions &c, in our own territory. Whilst, the Agent might not be dignified by any definite title or grade, which proclaims his authority and its extent, he might, at least, be authorized to make explanations, give assurances, and come to an understanding, founded upon consummations of especial interest, pointing directly to the wants of this District, and embracing the specific matters pertaining to the general questions of credit and supplies from abroad. It is believed that our situation is such that these enquiries cannot be pushed forward with too much industry and discretion; for, if it be that the French Government is favorably disposed towards our Country, such control has it over the Country and Ports of Mexico, that his will is likely to be the Law, and important results may be anticipated from securing his good will. The condition of the Trans Miss. Department, has wants, what, is believed and ascertained of the disposition of the present authorities, it is believed fully authorizes the Commanding General to do. He cannot be instructed from Richmond as to civil matters pertaining to the agency questions of mere irregularity or even of doubtful authority. In conducting the correspondence, both the interest of the Country and the necessities

under which it labors, will be the law to guide his discretion.

Respectfully submitted.

(Signed)

P. Murrah

which was read, and on motion, unanimously adopted.

Gov. Thos. C. Reynolds from Committee No. 1, made the following Report:

The undersigned to whom was referred the condition of the Trans Miss. Dept. since the fall of Vicksburg, has had the same under consideration, and begs leave to submit the following Report:—

Since the courses of the war, this Department has labored under peculiar difficulties of a very embarrassing character; it has received but a meager share of the limited supplies of arms and munitions of war under the control of *the Government*. Waving all inquiry, as to the causes which presented adequate supplies from being sent west of the River, it is sufficient to say that the supply of arms, munitions, etc. in this Department, have never been equal to the imperative demands of the army. This was true before the fall of Vicksburg and Port Hudson. Now, since the enemy have entire control of the Mississippi River, and have the Gulf branch effectually blockaded, and the State of Mississippi overrun and governed by military power, we are completely separated from our Confederates East of the River and must abandon all hope of even the imperfect, and irregular supply heretofore received from the Government, and at once, and entirely rely upon our own resources. Beleaguered as we are, the General in command can neither transmit Reports, nor receive communications regularly, from the Seat of Government. Hence, this safety of the People (the Supreme Law) requires that he assume at once and exercise, the Power and Prerogatives of the President of the Confederate States and his Subordinates, in reference to all matters involving the interests of his Department. Our necessities demand this policy, and will not brook delay, and it is believed that all the emergencies of the Country may be met without violating the Constitution and Laws of the Confederate States, and without assuming anything like dictatorial power.

As to the temper of the people, we are compelled to report some disaffection and disloyalty in each of the several States of this Department, and considerable gloom

and despondency, the result of the loss of Vicksburg and other disasters, but the great mass of the people are loyal to the Government of their choice, and have full and unre-served confidence in the ability and integrity of the Lt. General Comm'dg this Department, and we think it safe to say, that they have maturely and considerably deter-mined, that no greater calamity can befall them than sub-jugation or submission to the Federal Government. Refer-ence, in general to arms only, is here made to the resources of the States, because your Committee have not the requi-site information to enable them to give special details. Nor do they deem it important, as the General can, through his subordinate Officers, obtain more copious accurate statis-tics that we can possibly give in this Report. It is thought that Texas can, and will, put into the field from 15 to 20,000 men, including the straggler, teamsters, etc.; she has grain, bacon and beef, to feed her people and the army two years; has four gun factories making 800 guns per month; has metal, copper and tin to make 100 cannon, and gun car-riages for a like number complete and in process of Con-struction, she is making percussion caps successfully; has five powder mills doing good work; has on hand 30,703 lbs. common powder, 25,635 lbs. lead; 90,000 fixed ammunition; 6,234 lbs. buck shot. She has in the field now one Regi-ment, State Troops for frontier protection, well supplied with ammunition. She has distributed a limited supply of powder, lead and caps, to some Counties. She has fur-nished great numbers of Cotton cards to her people and is now manufacturing them; and she has on hand material to keep in good repair the Machinery of the Penitentiary.

Arkansas can furnish 8 to 10,000 men, and has im-mense quantities of provisions and forage; her shops and factories are all in the hands of the Government, and the General has all needful information in reference to them.

Louisiana can provide 5 to 6,000 men, and has an ex-cess of corn, sugar and molasses.

As to the manufacture of clothing and the mineral re-sources, we refer the General to his clothing and mining bureau, and his Ordnance Department, as more reliable sources of information than any in our power.

Missouri can furnish 1,500 to 3,000 men now in States in our possession, and large numbers are daily accruing. Missouri, at present, is valuable chiefly as recruiting ground

for the Confederate Army. It is thought by the Governor of Missouri that a good system of recruiting in Missouri would add a Regiment a month from that State; and it is also thought that an advance in force in Missouri would add from 20 to 50,000 Missourians to our Army.

As to the means of bringing into use the whole population for the protection of their houses, we urge the execution of the Conscript Laws, with the privilege of volunteering; the calling out the Militia by the several Governors; the enrollment of volunteers for same term of service as State Troops or for the war in Districts where the Conscript Law cannot be enforced by reason of actual or threatened invasion; and we urge by every consideration, the impressment of Negroes to drive all the Teams in Government service, turning loose an army of teamsters, who are good fighting men.

We ask to be discharged from the further consideration of the means for increasing the loyalty, restoring confidence, and keeping the people steadfast, etc., and that the Proposition may be considered by the entire Conference.

(Signed) Thos. C. Reynolds, Chairman.

Which Report was, on motion, unanimously adopted.

Hon. W. S. Oldham, of Committee No. 2, made the following Report:

The Committee to whom was referred the following subjects submitted by Lt. Genl. Smith to us, the question of currency and the best mode of securing the cotton of the Department, without causing opposition on the part of the people, submit the following Report:—

That in view of the difficulties resulting from the occupation of the Mississippi River by the enemy, the cotton of this Department is the only safe and reliable means for carrying on efficient, military operations for the defense of the Country West of the Mississippi, the authority of the General in command, under the circumstances accumulating military supplies cannot be doubtful under the provisions of the Act of Congress, usually denominated the Impressment Act. As it will be impossible to obtain Confederate Treasury Notes to pay for the cotton to the amount that will be required, and as such an additional amount thrown into the circulation largely accruing, our already redundant circulation would lead to the still greater depre-

ciation of Confederate Notes as currency, the Committee make the following suggestion, both as to the mode of payment and as a means of sustaining the credit of the Treasury Notes as a currency. We make the following suggestions for the consideration of the Commanding General. That certificates be executed to deliver to the owners of the cotton purchased, pledging the Government for the payment of the price agreed upon in six per cent Coupon Bonds, the interest to be paid semi-annually from the date of the Certificate in specie, and with the additional pledge, that a sufficient amount of the proceeds of sale of the cotton, shall be invisibly set apart for the payment of the interest Coupons for at least the two first years, and that the Government, will provide for the prompt and certain payment of future accumulating interest. We believe the Planters would prefer such a payment than in Treasury Notes; that such Certificates would not swell the volume of circulation now afloat; and that the value would be estimated much higher than Treasury Notes, and would have a credit that would make them much more available as a means for obtaining whatever the holder might wish to purchase at home or abroad, than any other form of security the Government could issue. Taking possession of the entire amount of cotton with such exceptions and modifications as the Commanding General may deem necessary to meet particular wants or necessities of the People, would take the trade in cotton out of the hands of Speculators now engaged in it, prevent the further depreciation of Confederate Notes, by preventing an amount equal to the value of the entire cotton crop being accumulated in the locality of this Department in which a super-abundance now already exists, and prevent a further demoralization of public sentiment by the greed of gain and avaricious desire, with which it is already infeeled.

Upon the subject of discharging the necessary military obligations incurred, we venture to suggest, that in case money cannot be obtained from Richmond for that purpose, the Commanding General, in the execution of the special powers conferred upon him by the President, cause the Confederate Notes, not bearing interest, which have been funded with the various depositories within the Department to be re-issued and paid out by the proper officers in discharge of the debts for Military purposes, as well as pay

due the soldiers. Although the pledge would not be binding upon the Government, we have no doubt, if such notes are re-issued, with the pledge of the privilege of being re-funded, in bonds of the same rate of interest as new issues, the Government under the circumstances, would not hesitate to ratify and redeem the pledge.

(Signed) W. S. Oldham, Chairman

The question being upon the adoption of the foregoing Report, the Conference unanimously adopted all that part of the Report which relates to the buying and impressment of cotton and the re-issuing of Treasury Notes in the hands of Depositories, but refused, by a tie vote, to adopt that part of said Report, recommending the issuance of special certificates in the purchase of cotton.

Gov. Reynolds, of Missouri, offered the following resolution, which was adopted:

Resolved: that we harmonize and infuse vigor into the patriotic efforts of the People, diffuse correct information, and discourage disloyalty, an organization should be instituted as follows: The Governors for the time being of the Trans Miss. Department should unofficially compose a Committee of Public Safety, with a Chairman to call it together, when necessary, and act as its Agent, and should provide for Committees of Correspondence in each County and Parish, to correspond with the Governor of Their State, and with the Committee. The People of each County and Parish should form a voluntary Confederate Association to co-operate with the Trans Mississippi Committees; and Thos. C. Reynolds, Governor of Missouri was appointed Chairman of said Committee.

D. C. B. Mitchell offered the following Resolution, which was unanimously adopted:—

Resolved, That from our intercourse with Lt. Genl. E. Kirby Smith, and after hearing his general plan, we have the most implicit confidence in his regard for law, his military skill, and ability, his devotion to Southern rights, and his purity and integrity as a man, and that we believe the united and vigorous support of our people will under his leadership, insure a final complete success.

Chief Justice Merrick, of La.

Senator Johnson, of Arkansas, and Senator Oldham, of Texas, were appointed to present the above Resolution to Genl. Smith.

Whereupon, this Conference adjourned.

(Signed) F. R. Lubbock, Chairman

(Signed) W. K. Patterson,
Sec'y

APPENDIX V

**MESSAGES OF
GOVERNOR MURRAH
TO THE
HOUSE OF
REPRESENTATIVES³⁴**

Austin, Texas, 1863 November 16th
Executive Department

Gentlemen of the Senate and
of the House of Representatives:

I herewith lay before you a supplemental report of the Quartermaster of the Frontier Regiment to the office of the Adjutant and Inspector General. Why this was not made a part of the principal report, I do not know, and it is now placed before you for such action as you may deem advisable. I call your attention to a joint resolution of the Extra Session of the last legislature making it the duty of the Military Board to prosecute inquiry the expediency of working certain salines near Double Mountain on the northwestern frontier of the state. And making it still further their duty, should they find the enterprise expedient, to take immediate measures for working the same under the supervision of state authority. For the purpose of carrying out the provisions of the act, the sum of five thousand dollars was appropriated. The Military Board report to me that they deem it inexpedient to commence work without more money and have requested me to bring the subject to your attention. While the subject is before you, it is respectfully suggested that the propriety of working salines at the expense and under the direction of the state should be fully considered and, if deemed proper, to what extent the state shall engage in such works.

³⁴From Executive Record Book No. 280, 1863-1865, pp. 27-44 (Archives Division, Texas State Library).

The State of Texas
Special Proclamation by the Governor

Whereas the House of Representatives of the 10th Legislature of Texas had declared the seat occupied by the Hon. H. J. Moffatt to be vacant: hereby creating a vacancy in said House of one Member from Representative District No. 44

Now therefore I Pendleton Murrah, Governor of the State of Texas, do by virtue of authority in me vested hereby order and direct that an election be held in said District to fill said vacancy.

The Chief Justice of Dallas County (or two County Commissioners if necessary) will cause said election to be held (after having given not more than ten nor less than five days notice of the time thereof)—and returns thereof to be made to the Secretary of State according to law.

The State of Texas	Witness my hand and the Great Seal of State affixed at Austin this 18th day of Nov. 1863 and in the year of Texan Independence the 28th.
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P. Murrah

By the Governor

R. J. Townes
Secretary of State

The State of Texas
Special Proclamation by the Governor

Whereas, Since the issuance of my proclamation of date November 18th 1863, ordering an election to be held in Representative District No. 44 for one member occasioned by the Tenth Legislature, declaring the seat of H. J. Moffatt vacant, the said Legislature has placed an Act, approved Nov. 20th 1863 requiring that only five days notice of said election shall be given, and that the returns thereof be made within three days after the day of election.

Now Therefore I Pendleton Murrah, Governor of the State of Texas in pursuance of said Act, do require the Chief Justice of Dallas County to cause an election to be held to fill said Vacancy—after having given five days

notice of the time thereof—and returns thereof to be made to the Secretary of State within three days after the election in pursuance of the provisions of the aforesaid Act.

The State
of Texas

Witness my hand and the Great Seal of the State affixed at Austin, this the 20th day of November A. D. 1863, and in the Year of the independence of Texas the Twenty Eighth.

By the Governor

James B. Morris,
Acting Secy. of State

P. Murrah

Executive Department

Austin, Texas, Nov. 30th 1863

Gentlemen of the House of Representatives:

I feel it to be my duty to return to the House in which it originated, without my approval—"An Act prescribing the duties of District Attorneys in certain cases therein mentioned."

I fully concur in the objects proposed by the Bill—to make it the duties of the District Attorneys to represent the interests of the State, in the cases designated, arising under her laws, and also to prohibit them from appearing adversely to the Confederate authorities in such cases arising under the Military and Naval Laws of the Confederacy. But I respectfully submit, that it is the duty of the Confederate authorities to see to the enforcement of the laws of the Confederacy, and to defray the expenses incident thereto; and in some portions of the State, these authorities, as I am informed, have already employed Counsel for the purpose of meeting such cases as are designated in this Bill, and they will doubtless do so, whenever it becomes necessary. Judging from what has occurred in the past, in connection with the military laws of the Confederacy, and from the changes that may in the future be made upon them by legislation and by the constructions emanating from Military authority, the number of applications for the writ of habeas corpus in the character of cases contemplated by this Bill, arising under these laws, within the next two years, should the war continue so long, may accumulate a very considerable sum against the Treasury of the State, a sum,

too, properly chargeable against the Confederacy. The number of cases of this kind that will likely arise under the Military laws of the State, each involving, as the Bill now provides, a cost of twenty five dollars, may, in all probability, impose very considerable burden upon the Treasury, and it seems to me that the State will have fully discharged her duties by providing for the enforcement of her own laws in such cases, and for the payment of the charges incident thereto.

But should the State authorities aid in the enforcement of the Confederate Laws, in such instances, the expense should at least be paid from the Confederate Treasury.

P. Murrah

Executive Department

Austin, Texas, December 1, 1863

Senators and Representatives:

I deem it proper to place before you some papers received from Major General Magruder containing evidence of treasonable and disloyal designs on the part of certain citizens of Texas arrested and imprisoned by his orders, and also containing evidence of like designs against others.

These papers will serve, at once, to show the grounds of General Magruder's action in these cases and to point out the manifestations of treasonable designs and combinations at work in our midst to be provided for by your legislation.

As it relates to the defense of the military district of which he was commander, I also place before you for your consideration a letter of General Magruder in relation to the transfer of the Frontier Regiment to Confederate service.

P. Murrah

Executive Department

Austin, Texas, December 2, 1863

Senators and Representatives:

I herewith transmit to you for your consideration some further communications from Major General Magruder in

relation to some of the subjects embraced in the communications placed before you on the first instant.

These papers were received by me today.

P. Murrah

Executive Department

Austin, Texas, December 4, 1863

Senators and Representatives:

About the 23rd of August the last, the remnant of the Tonkaway Indians, numbering about one hundred and sixty-five, consisting of about fifty warriors, the remainder non-combatants, old men, women, girls and boys, arrived in Texas and still remain in the state. Ninety of these Indians are at Fort Belknap, the remainder at Camp Colorado. They were induced to come by promises held out to them of a home and military service in Texas by officers, some in the Frontier Regiment, and by Colonel Jno. R. Baylor, as you will see by letters herewith transmitted, addressed to them and their agents.

Since their arrival in the state, they have been subsisted by the officers of this regiment, and the accounts of their subsistence have been forwarded to the office of the Adjutant and Inspector General for approval; but, up to this time, his approval has been withheld, because there was no appropriation for that purpose. From the best estimates that I can have made, it will require at least ten thousand dollars to subsist them from the time of their arrival to the first of January next. This does not include a provision for clothing, blankets, etc., of which they are said to be very destitute.

These Indians were induced to come into the state by the military authorities referred to with the view of employing them as spies in the operations of the Frontier Regiment. They lost most of their warriors in the massacre at Fort Cobb, and it is said they have been friendly and true to the white man for years, that they entertain the most bitter hostility towards their Comanche foes, and are eager to be employed in war against them.

As soon as I ascertained that this unfortunate tribe of Tonkaways had been introduced into the state, and promised homes and military employment without her authority, I

caused a letter to be addressed to Colonel McCord, commanding the Frontier Regiment, directing him at once to correspond with the Confederate military authorities of the Northern Sub District of Texas, or with General Steele, with reference to them, and to urge upon them the propriety of taking charge of, and providing for them. I did this because I believed that Texas had been for years pursuing the same policy in trying to rid herself of the presence and care of the Indians, and devolved it upon the general government to whom it more appropriately belonged.

Upon the Confederacy rests the obligation of the care and protection of the friendly tribes of Indians, and Texas reverses her policy when she invites them back to her soil.

I have received nothing in reference to the correspondence which I directed to be instituted on this subject, but the Tonkaways are returning to Texas, where doubtless innocent of an intention to offend against a policy inaugurated by her laws. They doubtless believed that those who assumed the authority of inviting them to a home and military service in Texas were clothed with power to do so, and to make their promises good, and while the assumption of such unwarranted authority upon the part of subordinate officers of the government may be disapproved, I do not believe it just to visit either the censure or punishment upon the ignorant Indians. They are in our midst; they are friendly; they are willing to fight for us; they are desolate and without a home; and, if the Confederate authorities do not take charge of them, I believe that the state should make provision for them. To leave them on the frontier without protection and without support would, perhaps, convert them into a band of thieves.

The Confederate authorities should be appealed to on this subject, but should the care and protection of these Indians be devolved upon the state, the warriors may perhaps be made serviceable upon the frontier.

The papers herewith transmitted belong to the office of the Adjutant and Inspector General and it is important that they should be returned to that office.

P. Murrah

Executive Department

Austin, Texas, December 4, 1863

Gentlemen of the House of Representatives:

I return to your body a bill entitled an act to raise two million of dollars, or so much thereof as may be necessary, by the sale of cotton bonds to provide for the defense of the state and to repel invasion and for the purchase of machinery for manufacturing purposes.

The bill entrusts to the executive the sale or the negotiation of the state bonds for the purposes contemplated by it, but does not authorize a disposition of them through an agent or agents selected for the purpose. This defect will be readily perceived, and unless remedied, it might defeat the objects proposed.

P. Murrah

Executive Department

Austin, Texas, December 15, 1863

Gentlemen of the House of Representatives:

I return, with my objections to its passage with its present provisions, a bill entitled an act to regulate publication in certain cases.

The provisions of this bill increase the number of legal notices to be published in newspapers by administrators, executors, county clerks, sheriffs, and chief justices. It in fact requires all such notices to be so published. This, I think, involves unnecessary expense and at a time when paper and newspapers are scarce and publications with newspapers very high. I do not see the propriety of subjecting the sheriff to the orders of the chief justice as to the notices now required by law to be published in newspapers by him unless such notices should emanate from the county court or chief justice.

P. Murrah