

SENATE JOURNAL
of the
TENTH LEGISLATURE
REGULAR SESSION



**The Legislature met here.
Capitol of Texas
1853 - 1881**

Source: Brooks Collection,
Scrapbook A1, p. 17
(Archives Division,
Texas State Library).

SENATE JOURNAL
of the
TENTH LEGISLATURE
REGULAR SESSION
of the
STATE OF TEXAS

November 3, 1863 - December 16, 1863

Compiled and Edited from the Manuscripts in the
Texas State Archives

by

James M. Day

assisted by

Mary Osburn Donna Yarbrough
Linda Evans

with an Introduction by

Dorsey B. Hardeman

TEXAS STATE LIBRARY

AUSTIN



1964



Published by the
Texas Library and Historical Commission

C. Stanley Banks, Chairman

Price Daniel

William H. Gardner

Fred Hartman

Walter E. Long

William R. White

Dorman H. Winfrey, Director and Librarian

400 Copies Printed in August, 1964

Printed by



Waco, Texas

Contents

	Page
Introduction	v
Preface	ix
Journal	1
APPENDIX I: Members and Officers of the Senate of the Tenth Legislature, Regular Session	139
APPENDIX II: Report of A. Bishop	143
APPENDIX III: Report of the Military Board	150
APPENDIX IV: Proceedings of Governors' Conference West of the Mississippi River	171
APPENDIX V: Executive Messages to the Senate of the Tenth Legislature, Regular Session	181
Index	199

Illustrations

	Page
Capitol of Texas, 1853-1881	Frontispiece
Congress Avenue in 1873	1
Lieutenant Governor Fletcher S. Stockdale	54
Senator Daniel Montague	114
Senator James W. Throckmorton	120
Senator W. G. W. Jowers	130

INTRODUCTION

When the Senate of the Tenth Texas Legislature met in November, 1863, war and its accompanying problems were very real to the chosen delegates of the people of Texas. Southern forces had been bloodily repulsed at Gettysburg, shattered at Vicksburg and Chattanooga. Even in the face of these losses, occurring only a relatively short time prior to the session, the Senators were optimistic—reality demanded it; but the thoughts at that time were mostly in a serious vein as the contending armies of the Confederacy and the United States had clashed on numerous occasions. Some of these encounters had been on Texas soil and had brought brightly into focus the realities of death and destruction. Governor Francis R. Lubbock's statement that Texas had furnished ninety thousand men for the Confederate army was no idle jest, for it was a larger figure than had ever voted in a general election in Texas, and many of them had already met death or had been wounded.

Another cogent pressure came from the west. As the manpower was drained for battles in the east, the Texas frontier also became a hot-bed of activity. Indian raids on frontier towns increased, resulting in deep concern over where to get the able-bodied men and equipment for defense.

Economic and social problems also had to be faced. Industrially, Texas was an infant, and the supplying of food, clothing and ammunition to the soldiers was an ever-present nemesis. Foundries had been established, the production of arms had been encouraged, the state penitentiary had been converted into a clothing mill—all this by 1863—but still the demand exceeded production. Medical supplies were sorely needed both at the battle-front and at home.

Woven into the web was a constantly depreciating currency; prices of consumer goods were rising and money was worth less and less. Families of soldiers were left destitute and without means of support. What to do about this was partly a question for the Legislature to answer. More and more Southerners from Arkansas and Louisiana were driven into Texas as their homesites were turned into

battlegrounds, and their position in the new communities had to be settled.

Retiring Governor Lubbock outlined these problems in some detail as he greeted the Senate at the Capitol on November 4, 1863, but he was optimistic, believing that "ere long, victory will perch upon our banners and an honorable and lasting peace be secured." Then he handed the reins of government to Pendleton Murrah, the Governor-elect. Murrah, in his inaugural address, laid before the Legislature a plan which heavily stressed industrialization. He looked to the day when "every man, woman and child in Texas, if need be, be clad in homespun or in domestic manufactures, and . . . every field shall be ploughed with iron from our native ores." So Lubbock outlined the problems of the day, Murrah proposed the solution, and it was left to the Legislature—and to the Senate as a branch of it—to carry out the program.

The guiding light in this effort had to be the Lieutenant-Governor, Fletcher S. Stockdale. He was a man of few words—his inaugural address contained only eighty-six words—but he made the Senate run smoothly. A native Kentuckian, he had moved to Texas in 1846, had served as a state Senator from 1857-1861, and had been a voting member of the Texas Secession Convention. To his new office he brought experience and maturity, both of which qualities are reflected in the Senate's proceedings.

Stockdale couldn't do the job alone; he had to have help. This came in the form of thirty-three Senators, most of whom had previous legislative experience. And there were some giants in the group. The names of James W. Throckmorton and D. C. Dickson will ever be enshrined in the halls of Texas history. Although perhaps less well known, Pryor Lea, Chauncy B. Shepard, Rice Maxey and N. B. Charlton, were all substantial citizens of Texas and made significant contributions. Frontiersmen in the group included William Quayle, George E. Burney and Daniel Montague. Montague County had already been created in 1857 and named for Daniel Montague.

Even though legislative processes work slowly, this Senate session grappled with its problems and brought

many, but not all, of them to solution. Numerous bills were passed providing for the growth of industry and the regulation of the judiciary processes. Towns were incorporated, taxes and appropriations were approved, and several private relief bills were passed. Looking backward, the record here printed reflects a rather harmonious and successful session.

Usually the convening of each session of the Legislature sees its members assuming their responsibilities with high hopes. The desire to achieve for the best interests of the State, generally, is dominant. Disillusionment often comes in retrospect regarding accomplishments as conflicting interests and contending groups resort to pressure tactics while seeking unfair or artificial advantages over others. The record comes from the fact of one's having served honorably and done his best at all times.

These qualities stimulate and sustain character—which is the all-important factor for public service. The Senators of the "Tenth" portrayed such and set themselves apart as true statesmen by their courage and wisdom.

Thus it is fitting that the record of their proceedings should be compiled and preserved for latter-day admonition.

While fulsome flattery would be distasteful to James M. Day, Director of State Archives, nevertheless, it is to his great individual effort, devotion to duty and dedication to the preservation of these important proceedings in the anthology of historic documents of Texas that we are indebted for this work. Mr. Day's painstaking efforts and research have supplied an accurate record of the actions of the Senate of the Ninth Legislature, heretofore published, and of the Tenth Texas Legislature during a highly critical period. It is a most noteworthy contribution—a real service to historian and researcher—and Mr. Day is deserving of our gratitude for their production.

Dorsey B. Hardeman
State Senator and
Honorary Life Member,
Texas State Historical
Association

PREFACE

Excitement and activity are two words which describe Texas in the Civil War period. The people were excited because of the ever present danger of enemy invasion and there was activity aimed at preventing that. The journals printed here for the first time clearly reflect those attitudes in the people of Texas and their elected representatives.

This volume is a pivot point in the printing of the proceedings of the Ninth and Tenth Texas Legislatures. The journals of the Ninth Legislature are already available in four volumes; this book is the first of the series for the Tenth. It is printed in accordance with the Legislative mandate calling for the editing and printing of the manuscript archives, a program administered by the Texas Library and Historical Commission.

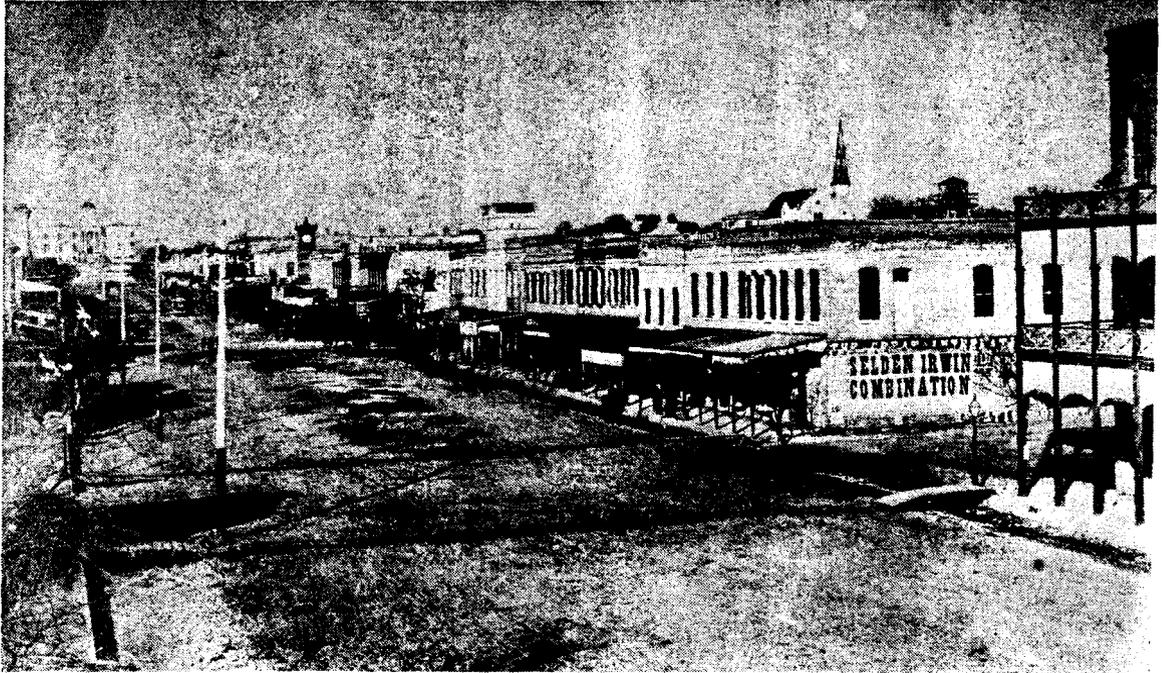
Evidence in the Archives shows that the Journals have been slated for publication on two previous occasions. The first effort was made by E. W. Winkler when he was in the State Library, and that was followed by Miss Harriet Smithers' attempt some twenty years ago. The fragmentary typescripts of those efforts have been located, but, because of their incompleteness, they were found to be of little value. Both efforts failed, no doubt, because of the shortage of staff and funds.

In compiling and editing this journal every effort has been made to keep the original "flavor" of the 1860's and at the same time make it an accurate, readable journal. The editor has aimed at standardizing the spelling of such items as names and places, and has attempted to locate the omissions and place them in context. When this has been accomplished the inserted material is noted in [] brackets or in a footnote. Efforts were made to locate all speeches, committee reports, and other pertinent material, but this sometimes met with no success. When that is the case, it is so noted. Appendixes include the Report of the Military Board, a report of Colonel A. Bishop concerning salines near Double Mountain in West Texas, and the pro-

ceedings of the Governors' Conference West of the Mississippi River.

A note of appreciation goes to the Texas Library and Historical Commission for supporting this publication, and to Senator Dorsey B. Hardeman for writing the Introduction. Mention should also be made of Floree Haire, Newton Mitchell, Gary Thomas, and Bill Dunn who kept pace with the Archives reference work and allowed the time necessary for completing this work.

James M. Day
Director of State Archives



**The scene did not change much in a decade.
Congress Avenue in 1873**

Source: Brooks Collection,
Scrapbook A2, p. 13
(Archives Division,
Texas State Library).

JOURNAL OF THE SENATE

OF THE

TENTH LEGISLATURE

REGULAR SESSION

Austin, Texas

November 3, 1863

This being the day fixed by law for the meeting of the Legislature of the State of Texas in regular session, the roll of Senators was called when the following gentlemen Senators elect came forward, presented their credentials and took the oath prescribed by the Constitution, the same having been administered by Honorable R. T. Wheeler, Chief Justice of the Supreme Court.

From the 22nd Senatorial District				John T. Harcourt
" 30th	"	"	"	N. A. Mitchell
" 9th	"	"	"	Rice Maxey
" 4th	"	"	"	Spearman Holland
" 3rd	"	"	"	H. M. Kinsey
" 7th	"	"	"	John W. Moore
" 21st	"	"	"	Daniel Montague
" 8th	"	"	"	George H. Wootten
" 15th	"	"	"	J. W. Throckmorton
" 11th	"	"	"	W. G. W. Jowers
" 2nd	"	"	"	N. B. Charlton
" 28th	"	"	"	George E. Burney

The roll was then called by district as follows:¹

From District 1, composed of the counties of Galveston, Liberty, Jefferson, and Chambers—R. K. Hartley.

From District No. 2, Polk, Tyler, Jasper, Newton, Orange, and Hardin—N. B. Charlton.

From District No. 3, Angelina, Nacogdoches, San Augustine—H. M. Kinsey.

From District No. 4, Sabine, Shelby, and Panola—Spearman Holland.

From District No. 5, Rusk—J. H. Parsons.

From District No. 6, Harrison and Upshur—S. W. Beasley.

From District No. 7, Davis and Bowie—J. W. Moore.

¹The Tri-Weekly State Gazette (Austin), November 2, 1863, related that twenty-two Senators answered the roll call the first day, but it did not list them.

From District No. 8, Titus and Red River—G. H. Wootten.

From District No. 9, Lamar and Hopkins—Rice Maxey.

From District No. 10, Cherokee—R. H. Guinn.

From District No. 11, Houston, Anderson, and Trinity—W. G. W. Jowers.

From District No. 12, Wood, Smith, and Van Zandt—B. T. Selman.

From District No. 13, Kaufman, Dallas, and Henderson—J. Weatherford.

From District No. 14, Fannin and Hunt—James B. Davis.

From District No. 15, Grayson and Collin—J. W. Throckmorton.

From District No. 16, Brazoria, Fort Bend and Harris—A. N. Jordan.

From District No. 17, Montgomery, Grimes and Walker—D. C. Dickson

From District No. 18, Madison, Leon, Robertson, Brazos, and Burleson—J. W. Durant.

From District No. 19, Limestone, Freestone, Navarro, and Ellis—W. C. Wilson.

From District No. 20, Johnson, Tarrant, Erath, Parker, and Palo Pinto—W. Quayle.

From District No. 21, Cooke, Denton, Wise, Montague, Jack, Young, Clay, Wichita, Archer, Wilbarger, Baylor, Throckmorton, Hardeman, Knox, Haskell, Stephens, Shackelford, and Jones—D. Montague.

From District No. 22, Matagorda, Wharton, Colorado, and Fayette—John T. Harcourt.

From District No. 23, Austin and Washington—C. B. Shepard.

From District No. 24, Calhoun, Jackson, Victoria, DeWitt, and Lavaca—S. A. White.

From District No. 25, Gonzales, Guadalupe, and Caldwell—S. Ford.

From District No. 26, Bastrop, Travis, and Hays—A. W. Moore.

From District No. 27, Milam, Williamson, Burnet, Bell, and Lampasas—J. A. Haskell.

From District No. 28, Falls, Coryell, McLennan, Bosque, Comanche, Brown, Hamilton, Eastland, Callahan,

Coleman, Taylor, Runnels, and Hill—G. E. Burney.

From District No. 29, Refugio, San Patricio, Nueces, Goliad, Bee, Live Oak, Karnes, McMullen, LaSalle, and Dimmit—Pryor Lea.

From District No. 30, Bexar—N. A. Mitchell.

From District No. 31, Blanco, Comal, Bandera, Kerr, Gillespie, Llano, San Saba, Medina, Uvalde, McCulloch, Concho, Mason, Menard, Kimball, Edwards, Dawson, Kinney, Maverick, Atascosa, Frio, and Zavala—A. O. Cooley.

From District No. 32, Cameron, Hidalgo, Starr, Zapata, Webb, Encinal, and Duval—E. R. Hord.

From District No. 33, El Paso and Presidio—J. W. Magoffin.

A quorum answering the Senate proceeded to organize.

The election of a President Pro Tem being in order the Honorable John M. Crockett, Lieutenant Governor, being absent Mr. Parsons nominated Honorable R. H. Guinn. Messrs. Maxey and Parsons were appointed tellers, Mr. Dickson being in the Chair. The Senators then proceeded to ballot when Mr. Guinn received 21 votes and Mr. Dickson 1 vote. Mr. Guinn was therefore elected.

For Secretary of the Senate Mr. Burney nominated Mr. P. de Cordova. There being no other nomination Mr. de Cordova received 22 votes. Messrs. Burney, Dickson, and Maxey having been appointed tellers. Mr. de Cordova was therefore elected.

For First Assistant Secretary Mr. Moore of Davis nominated Mr. N. C. Raymond. There being no other nomination Mr. Raymond received 22 votes and was therefore duly elected.

For Sergeant at Arms Mr. Weatherford nominated Mr. R. H. Clements. There being no other nomination Mr. Clements received 22 votes and was therefore elected.

For Doorkeeper Mr. Parsons nominated Mr. John McCall. Mr. Weatherford nominated Mr. John N. Thomas. There being no other nominations the Senators proceeded to ballot with the following result: Mr. McCall received 16 votes; Mr. Thomas received 5 votes; Mr. Holland received 1 vote.

Mr. McCall having received a majority of all the votes was declared elected.

For Enrolling Clerk Mr. Parsons nominated Mr. Wm. M. Gilleland. There being no other nomination Mr. Gille-

land was elected having received 22 votes.

For Engrossing Clerk Mr. Maxey nominated Mr. Henry Thomas. Mr. Dickson nominated Mr. J. H. Hutchins. There being no other nomination the Senators proceeded to ballot and the following was the result: Mr. Thomas received 13 votes; Mr. Hutchins received 9 votes. Whereupon Mr. Thomas was declared duly elected.

The officers elect came forward and took the oath of office.

Mr. Maxey offered the following resolution: "**Resolved** that the Sergeant at Arms of the Senate be and is hereby directed to procure the use of the bell on the Baptist Church and cause the same to be rung 15 minutes before the hour to which the Senate may be adjourned during the present session." Lost.

Mr. Harcourt offered the following resolution: "**Resolved** that the Secretary of State be requested to furnish for the use of the Senate for each member, a copy of Oldham and White's Digest of the Constitution of the State of Texas and the acts of the Ninth Legislature." Adopted.

Mr. Dickson offered the following resolution: "**Resolved** that the Secretary of the Senate be required to employ one porter for the present session at a reasonable rate." Adopted.

The Senate then adjourned until 3 o'clock P. M.

3 o'clock P. M.

Senate met, roll called, no quorum. Whereupon an adjournment was moved until 10 o'clock A. M. tomorrow and carried.

Senate Chamber, November 3,
1863

10 o'clock A. M.

Senate met, roll called, quorum present. The journal of yesterday was read and adopted.

Mr. Harcourt offered the following as an amendment to the 54th rule of the Senate: "The following standing committees each to consist of not less than five nor more than seven members shall be appointed at the commencement of each session and no addition shall be made thereto."

Mr. Burney offered the following resolution as a sub-

stitute: “**Resolved** that a committee of five be appointed to take into consideration the revision of the rule of the Senate and to offer such amendments and modifications as they may deem proper.” Adopted. The resolution was then adopted.

Mr. Wootten offered the following: “**Resolved** that the Sergeant at Arms shall cause to be displayed from the dome of the Capitol the Confederate flag during our sittings.” Adopted.

Mr. Quayle offered the following: “**Resolved** that the Senate go into the election of Chaplain for the present session immediately.” Adopted.

Messrs. Burney, Dickson, Harcourt, Throckmorton, and Selman were appointed a committee on the revision of the rules.

Mr. Dickson offered the following: “**Resolved** that the Secretary be required to procure the necessary amount of postage stamps for the use of the Senate to be paid for out of the Contingent Fund in Confederate Treasury Notes.” Adopted.

Messrs. Dickson, Durant, and Charlton were appointed a committee to inform the House of the organization of the Senate to act in conjunction with a House committee to wait upon the Governor and inform him of the organization of the legislature and their readiness to receive any communication he might have to make to them.

Nominations being in order for Chaplain, Mr. Burney nominated Mr. W. A. Smith; Mr. Dickson nominated Mr. Langford; Mr. Mitchell nominated Mr. Bunting.

There being no other nominations Messrs. Moore of Davis, Moore of Bastrop, and Quayle were appointed tellers.

Upon the first ballot Mr. Smith received 6 votes, Mr. Langford 9, Mr. Bunting 4, Mr. Clark 2, and 1 blank.

There being no election the Senate proceeded to a second ballot when Mr. Throckmorton nominated Mr. Clark and Mr. Mitchell withdrew the name of Mr. Bunting. The ballot being counted resulted as follows: Mr. Langford received 12 votes, Mr. Smith 5, and Mr. Clark 5. Mr. Langford having received a majority of votes was declared elected Chaplain for the present session.

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

3 o'clock P. M.

Senate met, roll called, quorum present. The committee appointed to inform the House of the organization of the Senate and to wait upon the Governor reported the duty performed and that the Governor would deliver his message in person in the Representative Hall tomorrow at 10½ o'clock A. M.

Mr. Burney, Chairman of Committee on Revision of the Rules, reported the following supplement to the 25th rule: "Provided no call shall be made upon any Senator who has not answered to his name during the session or who may be at the time over one hundred miles from the Capitol."

A message was received from the House informing the Senate of the organization of the House as follows:

Hon. M. D. K. Taylor	Speaker
J. H. Herndon	Chief Clerk
A. G. Campbell	First Assistant Clerk
Will Lambert	Second Assistant Clerk
Fred Carleton	Third Assistant Clerk
William Hollander	Sergeant at Arms
George E. Haynie	Assistant Sergeant at Arms
Levi Pennington	Doorkeeper
Reverend A. Gregg	Chaplain

and that the House had agreed to meet the Senate in joint session in their hall tomorrow at 3½ o'clock P. M. to count the vote for Governor and Lieutenant Governor

Mr. White offered the following: "**Resolved** that a committee of three be raised to contract with the Editor of the *State Gazette* for thirty copies of the *Tri-Weekly* issue of said paper for the use of each Senator present or that may be present **provided** that the price shall not exceed ten dollars per hundred copies, and that it shall contain the proceedings of the Legislature." Lost.

Mr. Burney moved to reconsider the vote adopting the resolution requiring the Secretary to employ one porter. Carried.

The resolution was then amended by striking out the word "one" and inserting the word "two"—it was then adopted.

On motion the Senate adjourned until 10 o'clock A. M. tomorrow.

Senate Chamber, November 4, 1863
10 o'clock A. M.

Senate met, roll called, quorum present. The journal of yesterday was read and adopted.

A committee from the House invited the Senate to the Hall of the House to hear the message of the Governor.

The supplement to the 25th rule reported on yesterday by the Committee on the Revision of the Rules being read, Mr. Parsons moved to strike out "one hundred" and insert "twenty-five." Carried. The supplement was then adopted.

On Mr. Dickson's motion the Senate took recess of fifteen minutes preparatory to proceeding to the Representative Hall to hear the Governor's message.

The recess having expired the Senate was called to order and repaired to the House.

In Joint Session

Roll called, quorum present. The message was then delivered by His Excellency Governor Lubbock in person:²

Gentlemen of the Senate & House of Representatives:

In greeting you thus assembled in Regular Session by virtue of the Constitution and Laws I congratulate you and the Country that, under the Providence of God, our State has been blessed with genial seasons uninterrupted good health and prosperity, that our granaries teem with the superabundance of our harvests, our loved plains still furnish an abundance of forage and meat, and that the unparalleled bravery of her noble sons has saved our beloved State from the hated presence of the foe.

The mighty contest in which we are involved, on our part all of property, life, liberty, and honor, has progressed since your adjournment, checkered with alternate success and reverses to our arms. In the general summing up, however, of results, we have no reason to despond or falter.

The war has, nevertheless, assumed gigantic proportions, demanding sacrifices on the part of all; our People are unalterably fixed in the determination to prosecute it to the bitter end, and never to yield while a man is left to strike a blow for freedom. As the contest lengthens, our armies become more experienced in the varied and difficult

²From Executive Record Book No. 82, 1861-1863, pp. 176-179 (Archives Division, Texas State Library).

requirements of active warfare, and their present condition, if supported as the requirements of their situation demands, is such as to inspire us with a just confidence in their power to successfully resist the hosts of the enemy.

It is true that Vicksburg and Port Hudson are both in the enemy's possession—their defense was alike honorable to their respective garrisons, and conferred additional luster upon the Southern name. Those positions were wrested from us, not by the prowess of the enemy's armies, but by the total exhaustion of their magazines. The gloom that for a moment overshadowed the minds of our people upon their loss was quickly dissipated before the inherent courage of the Southern race, which rose equal to the emergency. The results to the enemy have proved wholly inadequate to the great sacrifices made by them in securing those points, and today, with those positions in their hands, the navigation of the Mississippi is to them a myth. We could well afford to fortify several such places and surrender them upon the same terms as Vicksburg and Port Hudson.

The occupation of those fortresses in a degree separated the States of the Trans-Mississippi Department from their Sister-States east of the Mississippi; and we must, at present, contend alone against the numerous armies of the enemy thrown upon this side of that river for our subjugation. His forces are in possession of Missouri, of a large portion of Arkansas and Louisiana, and his standards are nearly advanced to the borders of Texas. The Executive has exerted the power vested in him by law to call forth the resources of the State to meet the crisis that is upon her. The **whole** resources of the state, both in men and means are, however, demanded by the exigencies of her position, and it is for your honorable body to take such measures as will develop them to the utmost, and bring them into effective operation for the safety of the State and the success of the general cause. Without such vigorous action it is to be feared unnumbered calamities and misfortunes will be the penalty of our supineness and want of patriotism; and Texans must rise in their might, as one man, with one sole resolved—to be free, or to perish with the land of their birth and adoption! Thus animated, we shall conquer; and Texas will be the grave, not the inheritance, of the invader.

The ranks of the brave men in the field have been thinned by disease and the sword; they look to you to call forth the resources of the State to aid them in saving the Country, and save them from being crushed by the superior forces and means of the enemy.

The states west of the Mississippi River have fighting men enough in arms, and those capable of bearing arms, together with resources amply sufficient to protect, defend and drive from their territory the last Yankee soldier that may invade us; but to effect this we must **realize** the fact that the country is at war; private affairs must cease to occupy so much of our attention; we must all be stimulated with a patriotic determination to be free, and to rid our soil of the foul presence of our hated enemies.

The swarms of men engaged in profitable business on their own accounts, who are exempted from, or avoid military service upon one pretext or another—the thousands occupied in driving teams and cattle for the government and government contractors must be placed in their respective companies, and replaced with Negroes. The able-bodied soldiers and employees about the posts and towns must take the field and their places be supplied by the old, the very young, and the infirm.

The Confederate Congress and the legislatures of the several states must do away with all exemptions and substitutions—convert every man in the country into a soldier until this war is over—instead of exempting men, let them when necessary be detailed to perform such duties as may be required of them. The Confederate Congress, in passing an Exemption Law, did so for the public good and not to subserve the private interests of the individuals exempted. Unfortunately, most exempts appear to have come to the conclusion that it was some particular favor granted to them, and they have used their position as exempts, in too many cases, entirely for their personal benefit and advancement.

The planter, when exempted, was expected to carry on his legitimate business; so with the farmer, stock raiser, mechanic, professional man and all other exempts; it was anticipated they would supply the Government and people with their produce, stock, fabrics, services, etc., at a fair remunerative price; when they fail to do this, they have violated the implied contract, and are acting in bad faith,

and their exemptions should have been withdrawn.

Time has demonstrated that exemptions from military service have proved of doubtful policy, and worked an injury to our cause. I trust this policy will be at once abandoned.

The practice of allowing men to furnish substitutes has been a great bane to the Army; every man capable of doing military duty should represent himself in this great struggle. The result of permitting substitutes is that those who wish to avoid service and have means can bid the most exorbitant prices for the service obtained, and to such an extent has it been carried that small fortunes are being paid to secure substitutes rendering it exclusively beneficial to the wealthy individual. It is surprising what large sums are being paid even for a short term of State service. It should not be allowed. We want all of the able-bodied in the field. Let every man answer at roll call to his name.

Let these things be done, and a few months will exhibit our veteran and thinned regiments recruited to their proper strength. A new spirit will be diffused throughout the various army corps of the Confederacy, and we can bid defiance to all the hired Hessians that may be brought against us.

[The Military Board]

The Military Board has continued to prosecute its multifarious duties with all the energy and ability at its command. It has, so far as was practicable, husbanded the small means at its disposal. It had to contend against many difficulties arising from the bad management of some of its agents and the great depreciation of the currency. Ably and patriotically assisted by some of its agents, it has been met by bad faith on the part of others, which fact will be more particularly dwelt upon and elucidated in its report.

Since the adjournment of the Extra Session of the 9th Legislature, about twelve thousand pairs of cotton and wool cards have been distributed to the various counties of the State at a cost to them of \$10.00 per pair for cotton and one-half that price for wool cards; the price in the open market ranging generally from \$25.00 to \$40.00. The Board is now receiving and distributing thirty thousand additional pairs, imported from Europe, which it confidently hopes will supply the present wants of the entire State.

(In this single transaction the people of the State have been saved over \$1,000,000 independent of the facility afforded in manufacturing clothing, etc.).

In compliance with a joint resolution passed at the said Extra Session, the Military Board released the firm of Sherrod, Taylor & Company from their contract to furnish a certain number of pistols to the State, the firm having returned the money advanced, with interest thereon.

The Board has received \$50,000 from the Confederate States' Government from the Steam Gun Boat, *Bayou City*, which sum reimburses the State in full of all cost and expenditures upon said vessel.

The State Foundry, it is to be regretted, has not hitherto met the expectations of the Board in turning off cannon. It is hoped, however, that in a very short time this success will be attained. In other respects this establishment has been productive of much good; it has repaired an immense number of thrashing and reaping machines and other agricultural implements, also many mills that would otherwise have lain idle and caused great loss to the entire community. While all private jobbing has been avoided, these cases have been provided for as being considered of pressing public necessity.

This establishment has been all important in supplying the wants of the State Percussion Cap Factory, which is now in successful operation; and with the aid of a refining furnace which is now in process of construction, will pay its own expenses and furnish a very large supply of caps to meet the demands of the armies of the Trans-Mississippi Department.

In consequence of the scarcity of the requisite material and labor, the various establishments for the manufacture of small arms for the State are making but tolerable progress. Something, however, has been accomplished and a considerable number have been turned over to the Confederate Government. These manufactories should be fostered by the State.

Iron works should be erected as speedily as possible. Iron is becoming very scarce and high, and unless something is done to increase the supply, our farming interests must materially suffer.

The Board has received from the sale of State bonds, munitions of war, and other army supplies, sold to the Con-

federate Government, the sum of \$700,070.00, and has paid out \$655,968.00, leaving a balance of cash on hand of \$44,-102. (In these amounts are included the proceeds of 183 bonds sold, and the money deposited with the Comptroller to credit of State Revenue.)

In accordance with a joint resolution passed at the Extra Session of the 9th Legislature, the Board had a survey made of the salines in the vicinity of Double Mountain. Colonel A. Bishop of Wise County was appointed commissioner to conduct the survey. His report will be found very instructive and satisfactory, developing that salt in the greatest abundance can be procured at these salines. His report will accompany that of the Military Board.³

The Board was charged with the duty of providing specie to meet the interest on 8% bonds. For various reasons, which will be explained in their report, it has succeeded in part only in meeting the requirements of the law. The State Treasurer has on hand sufficient specie to pay the interest on the \$1,000,000 loan due January 1, 1864; and the amount appropriated at the Extra Session of the 9th Legislature will enable the Board to pay the interest due July 1 of the same year.

If the Legislature shall determine to continue the present policy of paying the interest for the relief of the tax payers, it will be necessary that an additional appropriation be made to meet the interest for the ensuing two years.

For the entire business and details connected with the operations of the Military Board, you are respectfully referred to the report accompanying this message.⁴

[Report of the Adjutant and Inspector General]

I most respectfully call your attention to the report of the Adjutant and Inspector General,⁵ in which will be found the details connected with his department. I bespeak a careful examination of the many valuable suggestions contained therein.

The continued demand upon the State for men—the calling into Confederate service by the President of all liable to conscription up to the age of forty-five years has

³See Appendix II.

⁴See Appendix III.

⁵None of the reports mentioned in the speech can be located except those included in the appendixes.

in a great measure destroyed the organization of the State Troops. During the past winter, upon the requisition of the General commanding the District of Texas, etc., I called into service five thousand of the State Troops to meet a threatened invasion. The men, in general, responded promptly. In my message to the Extra Session of the Legislature, it was stated that from accurate data, Texas had furnished to the Confederate Armies thirty-three (33) regiments, thirteen (13) battalions, two (2) squadrons, six (6) unattached companies, and one (1) legion of twelve (12) companies of cavalry; nineteen (19) regiments, two (2) battalions, one (1) unattached company, one (1) legion of two (2) battalions, infantry; one regiment and twelve light batteries, artillery—which with six thousand five hundred men then in the service of the State, made an aggregate of sixty-eight thousand five hundred (68,500) men Texas had contributed to the support of our just cause. Since that time there have been added one brigade and several regiments to the Confederate forces, and several light batteries, which with the State Troops now mustered into Confederate service have swelled the number of Texas troops who have taken the field to about ninety thousand (90,000) men, exceeding the highest popular vote ever cast by many thousands. In addition to this roll, so glorious to Texas, I am proud to say that Minute Companies, composed of those not liable under the present laws to military duty, are daily forming with the determination to defend the State to the last extremity.

In view of the fact that every man under the present law may be required to take the field, I again suggest the importance of declaring, by law, that every male person from sixteen years and upwards, **not totally unfit**, be declared to be in the military service of the State, that no exemptions be allowed other than those recognized by the Constitution, and that no one be permitted to furnish a substitute. I am clearly of the opinion that the exemptions and the right to furnish substitutes are working great injury to the country, and should be abolished both by the State and Confederate Governments. If men are needed at home to carry on business of any character, let them be detailed for that purpose, and in every instance, when practicable, let them be placed on the same footing as the soldiers. This is not an ordinary war and its burdens

should be as much equalized as possible. The men termed able-bodied are nearly all in the service. The result is that those left at home are exempted from various causes, but in most instances claim to be exempt from service by reason of some physical disability. It is astonishing, too, to witness with what facility surgeons' certificates of disability are obtained by those who appear to be most energetic, active businessmen in the community. Others are exempted because "they cannot walk well enough for infantry service," yet they can almost live on horseback, herding stock, driving beeves and performing other kinds of hard labor. Others there are whose "lungs are affected and it is impossible for them to join a company without serious injury to their health," yet, they can prosecute their speculating and trading operations with indefatigable energy amid the fiery heats of summer and the cutting blasts of winter. There is no valid reason why such men should not be placed in service and required to do home duty at least. It has become absolutely necessary that the very young, the old and those but partially disabled, be held to service and required to perform such duties as they are capable of, such as looking to the property of those of their neighbors who are in the army—in keeping up a proper system of police for safety and protection within the several counties. And I trust your honorable body will not adjourn without making ample provision in this behalf.

While upon this subject, permit me to call your attention to Sections 2 and 3 of Article_____ of the State Constitution. The second section reads, "Any person who conscientiously scruples to bear arms shall not be compelled to do so, but shall pay an equivalent for personal services." No law has been enacted prescribing how the scruples of such party are to be ascertained, or what amount shall constitute an equivalent for personal service. The party, before relieved from military duty under this plea, should be held to strict proof and an adequate price for his release from personal service should be fixed by law.

Section 3 reads, "No licensed minister of the Gospel shall be required to perform military duty, work on roads or serve on juries in this State." In adopting this provision, the framers of the Constitution evidently meant parties who would be engaged continuously in their holy calling. While I accord every meed of praise to this class of

our citizens and estimate the vital importance of their prosecuting the functions of their sacred office and bear cheerful testimony to their devoted zeal and patriotism as a class, I am yet of the opinion that there are those among them who have obtained their holy calling and daily engage in the business of the world by becoming speculators, traders, etc. Such clergymen should not be sheltered under this provision of the Constitution, and I deem it within the scope of your authority, and to be your duty, to declare by law that when a minister of the Gospel claims exemption from the duties set forth in said Article he must show that he is actually engaged in the prosecution of the duties of his holy calling.

[The Frontier]

For a knowledge of the operations and working of the regiment of State Troops stationed on the frontier, I refer you to the report of the Adjutant and Inspector General. I had hoped that ere this an occasion would have offered when I could with safety to the frontier have transferred this regiment to Confederate Service. I have never, however, received such assurances of its continuance on the line, or the replacing it with other efficient troops, as would justify me in either transferring or disbanding it; hence, it has been continued in State service. This regiment has been charged with the defense of a line nearly five hundred miles in length. That it has not accomplished this duty to the satisfaction of all those most deeply interested is not to be wondered at. I doubt, however, if any other regiment similarly situated could have done better. The regiment is composed of men directly interested in the welfare of the frontier, and they were for this reason selected for the service.

I regret to say that for several months past the deprivations upon the frontier have been very frequent. Murders have been committed and horses stolen. I fear the Indians have been instigated to these acts by our barbarous Yankee enemies, and the renegade whites among them. My views in regard to our Indian enemies are now as they have ever been—we can hope for no peace with them until we are in a position to dictate terms; and to do this we must pursue them to their own homes, chastising them with a heavy hand.

While I fully recognize the duty of the Confederate Government to protect our frontier, I am also well aware of its difficulties in keeping a sufficient number of men in the field to meet all the requirements of our present condition. Hence, I have the more strongly felt it the duty of the State government to see her people properly protected. I have on various occasions brought the subject of frontier protection to the notice of the generals in command of this department, and while they have ever expressed a willingness to do all in their power to render efficient protection, and in some instances have received men into Confederate service expressly to that end, some unforeseen emergency has invariably arisen depriving that section of the promised aid.

In calling out troops I have in some cases exempted the frontier counties and held the troops in those counties for local defense. I have authorized the formation of Minute Companies in the frontier counties to be composed of furloughed conscripts and those liable to state service, for the protection of the families in those exposed regions. These organizations are progressing and will, I trust, render efficient service. The establishment of the Northern Sub-Military District of Texas and the concentration of troops upon our northern border will, I believe, aid materially in the general protection of the frontier.

The appropriation made at the Extra Session of the 9th Legislature for the support of the frontier regiment is exhausted. An immediate appropriation is necessary to support this command.

Should the Legislature in its wish to relieve the State from the burden of maintaining this regiment repeal the restrictions at present annexed to its transfer to Confederate Service, permit me to remark that Lieutenant General Smith, commanding the Trans-Mississippi Department is eminently fitted by reason of his long period of service on our extreme frontier and his knowledge of its topography and wants, to provide adequately and skillfully for its protection. The frontier, forming a portion of his department with whose defense he would after such transfer be thus directly charged, would be, I feel convinced, most ably and efficiently protected, for a general is better fitted from his intimate knowledge of that section of our country which is

the scene of Indian hostilities, so to dispose his troops as to accomplish that end.

[The Penitentiary]

It was deemed advisable at the Extra Session of the 9th Legislature to appoint a joint committee to examine into and report upon the business of the penitentiary. The committee was instructed to make their report to the Executive and to publish the same immediately upon terminating their labors. This they have done, and a copy of their report is herewith respectfully submitted.

The financial condition of the institution as exhibited in the Biennial Report of the Agent is most satisfactory, and will compare favorably, I have no doubt, with any similar establishment in the Confederacy.

The attention of the Legislature is respectfully directed to the report of the Directors, suggesting the propriety of authorizing the employment of other than convict labor to insure the more successful and profitable working of the machinery. This institution is doing much for the State and the Confederacy and every exertion should be made to keep it moving in its present prosperous working.

The report of the Financial Agent discloses the following: Cotton goods manufactured from December 1, 1861 to August 31, 1863, including 24,702.2 yards from late Agent, 2,337,660.2 yards and woolens, including 1,841.3 yards from late Agent, 293,298.1 yards. The total amount of sales within the same period was 2,308,716.3 yards cottons, and 287,214.1 yards woolens, leaving a balance unsold of 28,962.0 yards cottons, and 6,789.1 yards woolens. Of these sales the army received 1,276,920.3 yards cottons, and 257,751.3 yards woolens, making largely over one-half the cottons and all the woolens, less 33,704.3 yards. The Lunatic Asylum received 2,253.0 yards cottons and 602.0 yards woolens. The balance, 1,029,543.0 yards cottons, and 28,860.2 yards woolens were absorbed by the Penitentiary factory, clothing of convicts and employees, general supplies for the institution and families of soldiers and citizens.

The gross earnings of the institution for the same period have been \$1,174,439.07.

The amount expended has been \$468,653.40.

Special deposit with State Treasurer \$53,000.00.

With a cash balance on hand September 1, 1863, \$52,-785.67.

On October 15, 1863, there was deposited with the State Treasurer the further sum of \$147,000.00, making the whole sum paid into the Treasury \$800,000.00.

The above results demonstrate that the penitentiary has been managed with consummate ability and has proved of incalculable benefit to our Army. In the present condition of the country, the importance of this institution rises to supreme magnitude, and I must impress upon your honorable body the importance of affording every facility whereby its usefulness may be extended.

I regret that it becomes my duty to allude to a transaction on the part of the Financial Agent by which he purchased on his own account, with his private funds, some one hundred and fifty bales of cotton, which subsequently found their way into the penitentiary and were there used, and for which the agent claimed the price of cotton at the time they were so used and continued to demand an increased price as cotton advanced. I was not advised by the Directors of this transaction for some time after it was said to have taken place. Upon receiving the information, I immediately addressed the Directors and Financial Agent requesting an explanation, forbidding any settlement until I could investigate the matter, and instructed the Directors to bring the subject before the investigating committee. Upon an examination of the facts, I feel assured there was no intention on the part of the Financial Agent to perpetrate a wrong against the State, but that he believed he had a right to invest his own means in this manner, and that if the penitentiary used his cotton, he was entitled to be paid its market price. I disapproved of the entire transaction, and in justice to the agent, it is fair to say that upon being informed by me of my disapproval, he at once agreed to accept the cost price of the cotton, leaving it to the legislature to determine whether he should be entitled to any additional price. I regret this occurrence the more because I believe the Financial Agent has proved himself a most efficient and able officer, and should not have committed, in my judgment, so palpable a mistake. Apart from the legal principles regulating agencies, my unalterable opinion is that no officer of the government should buy or sell any article, directly or indirectly, for speculation

on his own account that he is charged with buying or selling for the government; it should be neither permitted or tolerated. Your honorable body can arrive at a satisfactory conclusion as to the merits of this case upon an examination of the report of the investigating committee, the statements of the Financial Agent, and the papers attached to the report.

In March last, Major General Magruder requested of me the use of the penitentiary as a place of confinement for the prisoners-of-war of his district. I acceded to his request, conditioned that such use would not impair the material interests of the institution. I wrote to this effect to the Superintendent and authorized him to receive the prisoners, if he was satisfied the material interests of the institution would not suffer. The prisoners were received sometime in the latter end of April or beginning of May. Subsequently, doubts arose in my mind as to the propriety of the step, solely, however, upon the ground of risk to the establishment and not as to the propriety of its use as a place of confinement for prisoners, the enemy having frequently incarcerated our soldiers in such places. I thereupon addressed Brigadier General Scurry, requesting their withdrawal, which was done. In the month of October, I received two communications from Major General Magruder again urgently requesting its use for the safe keeping of Federal prisoners of war taken at Sabine Pass. Many very important reasons were adduced by him in support of the measure, but none sufficient, in my judgment, to overcome my previous objections and which I yet entertain, viz: the risk of destruction to the sole manufactory of cloth west of the Mississippi River, of incalculable importance, therefore, to the armies of the Trans-Mississippi Department. I declined his request. I respectfully ask the Legislature to take into consideration the propriety of using the penitentiary for such purposes.

[Government Officials]

In this period of war and distress, officers should be very scrupulous in their transactions, and laws should be enacted visiting with the most severe penalties possible those who engage in speculations connected with their official positions.

It may not be out of place to say that there is much

complaint throughout the entire Confederacy, and particularly in the Department of the Trans-Mississippi, in regard to the many speculations carried on by government officials and agents, making use of their official positions and advantages, as it is said they do, to accumulate wealth for their own benefit. I am satisfied that many of these charges are basely false and slanderous; yet I fear there are instances of such wrong doing.

I believe the Confederate Congress should appoint a Board of Censors in each Military Department whose duty is to examine most rigidly and searchingly into the acts and doings of all government agents and disbursing officers, holding them to strict accountability. A mere suspension or cashiering of a defaulting disbursing agent or officer should not suffice in these times of trial and war. He should be treated, as he really is, worse than a deserter or traitor, and hung without benefit of clergy.

[Provision for the families of those in the service]

I am pleased to state that the provision made by the Legislature at the late Extra Session for the relief of our soldiers' families has been productive of much good and, so far as I have ascertained, the county authorities have been prompt and energetic in coming to their relief. Our citizens, too, have very generally been liberal. Hence the families of our brave soldiers, absent in defense of the country, are being well provided for. This policy must be continued, and I trust your honorable body will make ample provision for this very important and necessary object. The soldier battling for his country must feel the conviction that his family is well provided for; he will then stand by his colors to the bitter end.

[An Impressment Law]

It has been found necessary by the Confederate government to enact an Impressment Law. I trust your honorable body will also pass one. Circumstances may compel the state to call into active service a large number of state troops for her defense. Their subsistence, transportation, etc., would have to be provided for by the state authority. In numerous instances parties refused to sell for either Confederate or state funds at a fair rate. Most unreasonable and exorbitant rates have been charged for supplies

to sustain the regiment on the frontier, and on many occasions parties have refused to sell to the state at any price. In such cases, authority should be vested in the Executive to order impressments under proper legal regulations.

The county courts, charged with the duty of providing for the necessities of our soldiers' families, should be empowered under this law to impress all articles essential to their maintenance when necessary.

Authority should also be given to impress slaves to carry on the public works, drive teams, and perform all other labor necessary to the efficiency of the service.

[Distilleries]

It again becomes my duty to impress upon the legislature the absolute necessity of prohibiting the distillation of grain. Distilleries, in large numbers, have sprung into existence since the adjournment of the Extra Session of the Legislature in March last, diffusing their blighting influence over the state and demoralizing our people and soldiery. I am credibly informed that in one county alone seventeen of these pest-houses are in operation.

These establishments are competitors in the purchase of grain, of the county courts and others charged with the duty of providing for our poor and soldiers' families. They can, in consequence of their enormous profits, raise the price of grain to any rate, charging it all to the unfortunate consumers. I entreat your honorable body to put an end to this most demoralizing traffic until peace is restored.

[Citizens leaving the country to avoid a participation in the struggle]

I beg to call your attention to the fact that some of our citizens continue to leave the country to avoid a participation in the struggle and, in some instances, are transferring the wealth acquired among us to other countries. This should not be permitted. The time has arrived when the State expects of each of her citizens to do his duty to the country that has nourished and protected him. To abandon her in her day of trial should be visited with the forfeiture of the estate of the party so recreant to his duty, and he should be forever prohibited from again setting his foot upon the soil he had so basely deserted.

[Our Confederate States Provisional Army
beyond the limits of the State]

I called the attention of the last legislature to the fact that a majority of our citizens were in the Confederate States Provisional Army beyond the limits of the state. Since that time additional thousands have taken the field, reducing our voting population to about one-third of its usual number. It is useless to disguise the fact that a vast majority of our most patriotic and substantial citizens are in that service. They are absent in obedience to the call of patriotism and the mandate of the law, and cannot return at their own volition. These citizens have left behind their families and property, and are deeply interested in the proper management of affairs in their state. Absent as they are in the service of their country, it appears to me they should be permitted to exercise a part in the conduct of affairs at home.

I trust your honorable body will under proper regulations and restrictions, pass such a law as will give to those of our citizens in the Confederate States Provisional Army beyond the limits of the state the right to vote in all general elections during the war.

[Aliens]

In calling for 10,000 men to fill the last requisition made upon me by the commanding general of this district, I was of opinion that the time had arrived when the necessities of the country demanded the services of every man liable under the military law. I, therefore, directed all aliens to be enrolled and subjected to the draft. I am clearly of opinion that they are liable under the law. Many protests have been filed with this department, and various parties, representing themselves as foreign consuls, have made applications for the release of individuals as subjects of foreign powers. Their liability to draft resting solely on the question of domicile, I have left them to pursue their remedy through the courts, in the meantime retaining them as state soldiers. We have numbers of this description of people in our midst engaged in business and of long residence with property and families. Many have accumulated a large amount of property; and yet, when called upon to defend the state, they plead that they are not citizens, and never intended becoming such. Others there are trading,

speculating, and accumulating wealth who are unwilling to perform any of the duties incumbent upon citizens. These persons should be required to defend the country from which they draw their subsistence, or be forced to seek homes beyond her limits.

[Conference of the Governors of the States West of the Mississippi and Lieutenant General E. Kirby Smith, Commanding Trans-Mississippi Department at Marshall, Texas, on August 15, 1863.]⁶

On the 15th of August last, I met, by invitation of Lieutenant General E. Kirby Smith, commanding the Trans-Mississippi Department that gentleman and the governors of the states west of the Mississippi River together with several Confederate States Senators, Supreme Court Judges and other prominent citizens of these states at Marshall, Texas, to confer upon the condition of the country west of the River and place the General in possession of the resources of those states.

The conference proved highly satisfactory to those present, developing evidences of strength and ability to sustain the country west of the Mississippi beyond their most sanguin expectations.

You are respectfully referred to the address issued by the governors. The proceedings of the conference are on file in the Executive Office, subject to examination by your honorable body.

[Refugees to our State with their slaves]

Since the invasion of Arkansas and Louisiana, many citizens of those states are seeking refuge within our state, accompanied by their Negroes. In consequence of this influx of so large a number of this class, apprehension is entertained by our citizens of a scarcity of provisions as well as other dangers. I see no reasonable grounds for such apprehensions. There is an abundance of bread-stuffs and meat in the state, and labor is becoming very scarce and high, in consequence of the continued increase of our army. All that is requisite in order that this immigration may be productive of good is to take such measures as will keep these Negroes beneficially and constantly employed. Let

⁶See Appendix IV.

large drafts for army purposes be made from them. Let companies of local police be organized and see that the remainder be usefully employed, and they will thus prove a source of strength instead of weakness. Much better it is for us to receive them upon these terms than that they should fall into the hands of our abolition enemies to be used against us. The refugee who seeks the last foot of soil unpolluted by the presence of the Yankees is far more entitled to our respect, sympathy and protection, than the wretched cravens and traitors who remain within the enemy's lines **taking the oath of allegiance in the vain expectation of preserving the property they have not the courage or patriotism to defend.**

[Deserters from military service]

I am pained to say that occasionally there are desertions by Texans from the Confederate and also from the state service. I recommend that the Confederate authorities be authorized to put to hard labor in the Penitentiary of the State all soldiers within the limits of the State who may be convicted of desertion, and that parties so convicted and sentenced to the Penitentiary shall forfeit all right of citizenship. I also recommend that every person deserting from the state service be, upon conviction, sentenced to hard labor in the Penitentiary, and forfeit all rights of citizenship.

The same punishment should be visited upon any person encouraging desertion or harbouring deserters; and it should be made the duty of the Civil Officers to aid in arresting all such parties.

Labor is much needed at the Penitentiary and I see no valid reason why men who abandon the colors of their country in her hour of tribulation, either from cowardice or a want of patriotism, should not be placed where their services can be made useful in supplying the wants of those who are battling for the country. Every leniency has been heretofore shown them both by the Confederate and state authorities. The evil must be checked, longer forbearance ceases to be a virtue. Too many of the state troops are holding back shirking and skulking. They should be most severely and summarily dealt with.

[Appropriations for the purchase of arms, etc.]

In view of the isolation of the states west of the Mississippi River, whereby they are thrown upon their own resources, and the great difficulties attending the receipt of arms and munitions of war from east of the River, I most earnestly recommend that an appropriation of not less than \$1,000,000 be made, based upon Cotton Bonds or that cotton be purchased to be paid for in Bonds; and that the sum so appropriated be invested in arms and munitions of war for the benefit of the state. Arms and munitions of war could be thus speedily procured, and would enable us successfully to resist an invasion by the enemy.

[Lunatic Asylum]

I respectfully refer you to the very able and satisfactory report of the Superintendent and Managers of the Lunatic Asylum. They will be found both interesting and instructive. The institution is in fine condition and is affording relief to numerous patients. I trust such measures may be adopted as will keep it steadily progressing in its course of humanity and usefulness.

I would call your attention particularly to that portion of the Reports recommending an extension of the buildings and the purchase of additional land for the use of the Institution.

[Deaf and Dumb Asylum]

This institution continues in its usual prosperous course, under the able management of its Superintendent. The present unsettled state of affairs interferes in some degree with the extent of its usefulness. I yet trust your honorable body will continue to foster an establishment every way worthy of the support of a Christian and enlightened government.

Your attention is respectfully directed to the Report of the Superintendent.

[Blind Asylum]

The report of the Trustees and Superintendent of the Blind Asylum, is respectfully submitted. Owing to various causes, but few pupils have been in attendance. Recently, however, their numbers have increased, and there is reason for hope, that in future, the advantages of the Institution

will be eagerly seized by many more of these unfortunates, where such subjects of knowledge and usefulness may be acquired by them, as will render them useful members of society, and prove a blessing to themselves.

[Legal Reform]

The 16th Section of Article 7, of the Constitution, requires that, within three years after the 2d day of March, 1861, the Laws, Civil and Criminal, shall be revised, digested, arranged and published, in such manner as the Legislature shall direct. I respectfully request, that Your Honorable Body take the requisite measures to carry out the above provision.

[Secretary of State]

The attention of the Legislature is called to the Report of the Secretary of State, which discloses fully the condition and operations of his Department.

It discloses the result of the election upon the proposed amendment of the Constitution, in relation to the sale of the County School Lands. The amendment was defeated by a large vote.

[Indian Agents]

Under the Law authorizing the appointment of an Agent for the Alabama, Coushatta and Muscogee Indians, and fixing Four Hundred dollars as the annual salary of said Agent, ascertaining that the Indians were much scattered, and that the duties of a single Agent would, in consequence, be arduous, and difficult to be properly discharged: I appointed an Agent for the Alabama Indians, and a Sub-Agent for the Coushatta and Muscogee Indians, giving to each of them the sum of two hundred dollars, and stipulating that one hundred dollars of the amount received by each of the Agents should be devoted to the purchase of agricultural implements and necessaries for the Indians. This arrangement appears to have worked out well, and the Indians are reported to be in a prosperous condition, and well satisfied.

I have been informed recently, that a portion of them were desirous of entering the C.S. service for the protection of our Frontier. I have instructed the Agents that they permit them to do so, if such be their wish.

[Hospitals]

Since the adjournment of the Extra Session of the Legislature in March last, no additional drafts have been made upon the appropriation for Hospital purposes. There remains to the credit of the original appropriation the sum of Sixty Thousand (\$60,000) Dollars; the last appropriation has not been touched. In consequence of the difficulty of communication, no recent Reports have been received from the Agents east of the Mississippi River. The last Reports received show the Texas Hospitals to be in good condition.

In consequence of the system now pursued by the C.S. Government in commuting the rations of the sick in Hospitals, together with the ceaseless exertions of the Ladies of the Country, in increasing the funds for Hospital purposes, it has been found unnecessary to exhaust the Appropriations made by the Legislature.

[Comptroller]

I beg most respectfully to call your attention to the very able Biennial Report of the Comptroller, ending Aug. 31st, 1863, and to solicit at your hands a careful consideration of the many valuable suggestions made therein.

The Report shows that there was a balance on hand		
Aug. 31, 1863, to credit of State Revenue,		36,866.34
Receipts from Nine-Tenths of Taxes		652,433.32
Do. Sale of Land Scrip		121,097.00
Do. Refunding do Ap- propriations		124,792.81
Do. Sale of Public Property, Office fees, etc.		75,791.02
Do. Sale of State Bonds		212,015.70
Do. Penitentiary		500,000.00
Received by Transfer from		
School Fund		703,843.88
Do. Transfer from Uni- versity Fund		41,521.40
		\$2,468,361.47
F [this entry has been erased]	\$	89,165.24
For Military Service		2,031,612.54
By Cancellation of Treasury Warrants		331,763.96
Balance on hand		15,819.73
		2,468,361.47

Treasury Warrants drawn during the two years and yet outstand- ing against the Treasury	\$1,343,922.31
10 percent Warrants outstanding	181,565.41
Interest on the above (estimated)	40,000.00
8 per cent State Bonds issued	891,000.00
Amount borrowed from School Fund	680,325.00
Do. University Fund	187,403.73
Do. Settlement of Estates	16,403.35
	\$3,340,619.80
Balance on hand Aug. 31, 1863	\$ 15,819.73
Amount due on Taxes of 1862	220,000.00
Do. of Taxes to be collected for 1864 & 1865	3,141,200.00
Do. from Penitentiary	1,000,000.00
Do. from Confederate States	1,950,000.00
Do. from Military Board, return of U. S. Bonds	584,000.00
	\$6,911,019.73
For Civil Service	\$ 707,177.43
" Frontier Defense	2,000,000.00
" Payment of Audited Debt	3,340,619.80
" Payment of Unaudited Debt	200,000.00
	\$6,247,797.23

Deducting this from receipts
for same period 6,911,019.73
Shows an excess of 633,222.50

in the Revenue over all demands upon the Treasury.

The Comptroller, in his Report, remarks: "Should the expense of frontier protection be transferred to the Confederate States, there will be, at the end of the next two years, an excess of \$2,668,122.50 of Revenue over all liabilities at that time, in which event, should the claims against the Confederate States remain uncollected, there will still be an excess of \$713,122.50. To meet extraordinary demands not estimated for, and as a means of sustaining credit in the meantime, it is recommended that the price of Land Scrip be reduced to 50 cents per acre in State liabilities—that money and credits be subjected to tax, and

that the Tax Laws be so amended as to cause a more thorough and prompt assessment and collection of taxes. With such amendments, the revenue of the next two years, if collected in available means, will be sufficient to absorb the floating debt, and furnish the basis of a sound credit, sufficient to meet all probable demands. The present rate of tax is therefore considered high enough for all State Purposes."

I cannot but admit that our currency is, at present, in a very depreciated condition. Many causes are assigned to account for this condition of things. I presume it is attributable, mainly to the large issues of the Confederate Government in Treasury Notes. Another prominent cause is, the trade carried on by our people with Mexico, where paper, representing money, is not current. To carry on that trade, so valuable has specie become, that the great demand for it has caused little or no value to be placed on articles that will not command specie; hence one great cause of the low price of Confederate money. I believe the taxes now in process of collection, and the gathering of the tax in kind (rendering unnecessary, thereby, so great an issue by the Confederate Government), together with the aid of the Impressment Law fixing the maximum prices upon articles required by it, will have the immediate effect of appreciating the currency. I feel the assurance that in this Section of the Trans-Mississippi Department, the currency will be greatly appreciated in a very short time.

I trust the Confederate Congress, soon to meet, will make arrangements to control the entire trade in cotton, tobacco, and naval stores, thereby laying a basis for a new issue on specie values, and they will absorb the present outstanding notes by increased taxation and funding. Some step of this character must be taken immediately by the Confederate Government. A radical and prompt remedy must be applied. The people will sustain any measure looking to a permanent relief to the currency. The policy of continuing an issue so depreciated as are the present notes, is ruinous and blighting: better by far that a new and limited currency be created forcing the funding of the present issues. I feel satisfied that, had the Government at the outset of the present war, controlled the cotton, tobacco and naval stores of the Confederate States (which could have been done with the consent of the producers),

cotton would really have been King. It is yet not too late to inaugurate such a policy.

Confederate notes constituting the currency, and being made receivable for State taxes and dues generally, has the effect of driving out of sight State paper, which, although more appreciated by holders, is no better in the hands of the State Government for disbursement, than Confederate Notes. State paper, like specie, is being hoarded and brought to light only when it can be used on most favorable terms. State paper could be made almost equal to specie by making it alone receivable for State dues: but, were such course adopted, it would be a blow struck at the credit of the Confederate paper, which I am not willing, therefore, to recommend. Further, State paper would be so difficult to obtain, that it would almost be equivalent to the requiring of our people to pay their taxes in specie, which, in the present condition of the country, would be impracticable. The States are so intimately connected in the interest and credit of the Confederate Government, that I see no safer mode than to struggle on together making it the common cause, embarked as we are in one common bottom, until the troubled waters should subside, and we make, as we shall be certain to do, a good anchorage and a safe port. It was made the duty of the Governor, under "An Act authorizing the disposition and sale of the University Lands," to order a re-sale of the land purchased whenever any party purchasing should fail to pay the amount of interest and installment of his purchase when the same was due. Although many parties had failed to comply with the terms of sale, I found, on coming into office, that no steps had been taken to re-sell any of the lands so forfeited.

I have not deemed it advisable, in the present condition of the Country, to order a re-sale of any of the lands.

Parties who have made first payments on their lands, are being permitted by the State Treasurer to pay their installments in the Currency of the country, while he is refusing to receive payment from those who have heretofore failed to make any payment.

It would be well for the Legislature to determine as to the policy that should be pursued.

[Sale of Bonds]

The[re] was presented for payment at the State Treasury certain claims in the hands of Messrs. E. B. Nichols & Co., for the benefit of parties in New Orleans, for money and supplies furnished E. B. Nichols as one of the Commissioners appointed by the State Convention. There being no funds in the Treasury, it was demanded that, under "An Act providing means for the payment of certain debts created by authority of the late Convention of the People of the State of Texas," approved April 8th, 1861, a portion of the Bonds issued by the State should be sold for that purpose.

The party being clearly entitled to the benefit of the law, I stipulated, that if the Bonds of the State were taken at par, I would consent to the sale of a sufficient number of them to pay the debt. Twenty eight of them were thus sold, and the debt liquidated. The accounts and vouchers are on file in the Comptroller's Office.

[General Land Office]

The attention of Your Honorable Body is respectfully called to the Biennial Report of the Commissioner of the General Land Office, which discloses the condition and operations of his Department for the last two years.

[Conclusion]

I cannot close this, probably my last, official communication to any Legislature of Texas, without again congratulating you on the general prosperity of our State. Texas has, indeed, cause to be thankful to Divine Providence for the many evidences of his sustaining Arm, exhibited during the progress of this great contest. She has been blessed with abundant harvests and unparalleled health; and, in every instance in which our people have been called to meet the ruthless invader, their gallantry, with the aid of God, has been rewarded with entire success. Were it not for the great loss we have sustained in our brave men who have fallen by the sword of the enemy and, alas! too many by disease, we could scarcely realize the dreadful scenes that have been enacted in other portions of the Confederacy. Her internal affairs are in a most prosperous condition, and our State finances present a most encouraging view for a people engaged in so great and exhausting a war.

Texas has done much in this contest, and will continue to do more. Her government officials and people have extended a most hearty and cordial support to the Confederate Government. I feel assured they will continue to do so. That we have yet some among us who are untrue is not to be denied. I believe, however, they constitute a very insignificant number. We have dealt very leniently by all such people—too much so, I think. The time has arrived when Toryism should no longer, and **must** no longer be tolerated in our midst. We should recognize the magnitude of the contest in which we are engaged and while I am willing to stand by and support the Constitution, I do not believe that because we cannot prove overt acts of treason upon traitors they should be allowed to correspond, plot, and incite others to treason with impunity. I have always sustained law over violence; hence, I prefer that the law making power should rise to the emergency of the times and enact laws suitable to this revolutionary crisis and not leave the people, outside of the laws, to inflict punishment upon those who fall under the ban of public opinion. We have arrived at that period in this struggle when the true and loyal citizen feels that every man who does not give some palpable evidence of his devotion to the Southern Cause is an enemy and should be treated as such. Hence, unless laws are enacted whereby such parties are required to perform duty as loyal citizens or, in default thereof, punished, the people will rise in their majesty and dispose of them.

A few bad men in our midst must not be permitted to interfere with or impede our progress and success in this death struggle for life and liberty. We must be united; we must be as a band of brothers; we must and will sustain the patriotic and intellectual statesman at the head of the government, the gallant commanders and their chivalrous soldiers; We will sustain the families of those bravely doing battle for our country. We will forget our private interests. We will forego the love of money, ease, and luxury. We will all pledge ourselves to do these things, rally around the standards of our bleeding country, and continue to strike as long as an armed Yankee stands upon our soil. Do these things; listen to no syren song of aid from England or France or from the dissensions of our hated foes, but continue to press on, filling up the rank of

our thinned armies and, ere long, victory will perch upon our banners and an honorable and lasting peace be secured.

While Texas thus far presents a bright and unsullied escutcheon, it is my painful duty to say that while we have at home many patriotic citizens who are doing and have been doing everything in their power to carry on the war successfully and to provide for and sustain those in the service and their families, there are a very large number who appear to be entirely devoted to the wild hunt after wealth. This mania is confined to no particular class, but pervades all occupations and employments; it embraces the shopkeeper, the planter, the farmer, stockraiser, the professional man, mechanic, minister of the Gospel and, in some instances, the soldier himself. I blush to say that in Texas where we have thousands of surplus corn, wheat, barley, oats, rye, etc., with no enemy in our midst robbing, burning and destroying our property, these articles are higher than in our sister states in part occupied by the enemy, and that Confederate Treasury Notes are less appreciated than in any state of the Confederacy. These things are all wrong and should be remedied. It can be done in a measure by our Honorable Body. The old and conservative State of Virginia, the "mother of States and of statesmen," the birthplace of a Washington, Madison, Jefferson, Monroe and hosts of other profound and great men, has found it necessary in these war times to limit the profit of the trader and to fix a price upon the necessaries of life. You have the same power and should exercise it.

I trust, Gentlemen, that your deliberations will be conducted with calmness and ability and that your enlarged wisdom and experience will enable you to adopt such measures and enact such laws as will strengthen the arm of the revolution and develop in a great degree, the immense resources of our State, that when you shall have returned to your homes you will be met with the plaudits of your constituents.

F. R. Lubbock⁷

⁷On November 5, 1863, the Tri-Weekly State Gazette reported editorially as follows:

Yesterday was the day appointed for the inauguration of the Governor elect, and at an early hour the House of Representatives was thronged with ladies, many of whom were furnished with seats behind the bar, while the halls and gallery were crowded with citizens and strangers. The members of the Senate were invited to seats in the House, when

The Senate then repaired to their chamber and on motion adjourned until 3 o'clock P. M.

3 o'clock P. M.

Senate met, roll called, quorum present.

Mr. Kinsey introduced a bill to regulate continuances in civil suits. Read 1st and 2nd times and referred to Judiciary Committee.

Messrs. Beasley, Jowers, and Mitchell were appointed a committee to act with a like committee from the House to make arrangements for the inauguration of the Governor and Lieutenant Governor elect.

Mr. Kinsey introduced a bill to regulate voting in certain cases. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Quayle introduced a joint resolution asking the repeal of all property exemptions and property detail laws. Read 1st and 2nd times and referred to Committee on State Affairs.

A committee from the House invited the Senate to the Representative Hall to count the vote for Governor and Lieutenant Governor.

Mr. Durant moved that the Senate proceed to the Representative Hall. Carried.

the ceremonies commenced with an appropriate prayer by the Chaplain of the Senate, after which Governor Lubbock delivered his valedictory address, which was received with much applause, and which we regret being unable to present to our readers, on account of its length. No man who ever heard Gov. Lubbock deliver an address could doubt for a moment his patriotism. His very heart and soul has been engaged in our country's cause since the commencement of the war, and during his whole term of office he has had an eye single to the welfare of our State, as well as the interests of the Confederacy and the success of our arms, towards which he has greatly contributed by husbanding our resources, and on all occasions doing that which he felt and knew to be right, alike regardless of the applause or disapprobation of his friends. We doubt if any Governor, since the days of the Republic, has left a brighter record behind him; and in retiring from the cares and responsibilities of office, to assume the duties of a Confederate soldier he carries with him the esteem and respect of all who have ever known him, either in the capacity of Governor or that of a private citizen.

In Joint Session

Roll called; quorum present.

The vote for Governor and Lieutenant Governor was then counted and resulted as follows:⁸

For Governor	Murrah	Chambers	Scattering	For Lieutenant Governor	Stockdale	Darden	Gentry	Kitrell
Counties								
Anderson	228	271	12		147	17	97	221
Angelina								
Atascosa	40	3			13	20	4	
Austin	274	386			116	254	236	26
Bandera	21	9	6		34	1	2	
Bastrop	220	169			59	148	42	119
Bee	40	24			21	31	6	7
Bell	172	131			197	53	8	10
Bexar	450	217	6		469	131	62	6
Blanco	72	44			20	67		
Bosque	45	68			58	2	17	31
Bowie	50	80	12		38	91	1	1
Brazoria	278	108			170	29	103	24
Brazos	123	37			67	46	14	21
Brown	38	14						
Burleson	179	116			163	63	33	23
Burnet	51	75			42	65	1	2
Caldwell	101	69			44	115	9	9
Calhoun	322	72			71	285	28	15
Cameron	76	45	4		100	1		5
Chambers	55	31			28	26	6	21
Cherokee	260	327			113	7	316	144
Clay		9						
Collin	268	195			245	10	37	28
Colorado	198	62			68	188	21	18
Comal	16	101	11		54	21	52	
Comanche	12	27	9		42	1		
Cooke	196	14	1		170	9	2	1
Coryell	98	58	2		53	51	12	1
Dallas	332	213	3		235	179	60	16
Davis	104	173	19		111	139	22	6
Denton	224	74	16		232	7	10	5
DeWitt	163	45			55	32	17	9
Ellis	221	78			190	26	19	41
Erath	42	75			61		35	
Falls	45	80			39	2	16	45
Fannin	353	180	24		100	163	134	38
Fayette	272	261			204	147	96	41
Fort Bend	203	21			113	49	18	31
Freestone	113	79	12		63	22	6	62
Galveston	676	417			169	418	376	67
Gillespie	68	213	1		97	48	123	
Goliad	392	147			62	443	42	50
Gonzales	229	146			21	370	3	5
Grayson	183	129			98	12	56	6
Grimes	211	228			170	78	34	148
Guadalupe	218	58	2		88	172	1	12
Harris	1027	206			203	96	780	185

⁸From Executive Record Book No. 279, 1861-1863, pp. 249-251 (Archives Division, Texas State Library).

For Governor Counties	Murrah	Chambers	Scattering	For Lieutenant Governor	Stockdale	Darden	Gentry	Kitrell
Harrison	132	243	169		209	92	111	86
Hays	36	86			21	70	13	15
Henderson	100	73	52		89	74	7	19
Hidalgo	18				18			
Hill	120	33			68	27	12	12
Hopkins	116	200	123		167	183	1	2
Houston	206	269			168	53	26	207
Hunt	43	239	4		186	15	6	1
Hamilton	30	10	3		31		7	
Hardin								
Jack								
Jackson	74	26			22	66	2	7
Jasper	76	41			8	92	2	15
Jefferson	197	21			75	39	42	40
Johnson	90	54			73	3	8	39
Karnes	99	7			12	93	5	
Kaufman	188	57	48		197	2	17	1
Kerr	40	17			38	16	2	
Kendall	23	77			28	65	1	
Lamar	264	156			229	105		
Lampasas	28	81			22	55	2	21
LaVaca	241	68	23		87	187	6	32
Leon	172	150	2		67	35	15	188
Llano	74	30			32	66	2	5
Liberty	121	75			43	13	17	121
Live Oak	68	1			28	38	4	
Limestone	154	77			111	1	26	52
Madison	77	74			46	15	1	81
Mason								
McLennan	168	170			149	47	16	77
McCulloch								
Matagorda	71	21			57	19	8	8
Marion	96	133	18		81	124	14	7
Medina	28	42			29	41	1	
Milam	129	233			159	75	18	31
Montague	40	91	3		39	38	2	
Montgomery	180	88			125	5	34	95
Nacogdoches	177	165	11		115	25	63	68
Navarro	196	90	2		118	93	11	34
Newton	37	50			66	2		14
Nueces	367	69			162	164	29	5
Orange	75	5			12	17	16	23
Palo Pinto	16	7	18		32	4		
Panola	138	125	49		191	9	56	13
Parker	218	108	1		158	48	86	4
Polk	187	62			31	7	1	214
Red River	189	350			177	62	215	1
Refugio	75	35			21	85	2	
Robertson	214	36			150	14	32	44
Rusk	284	400	26		389	29	236	20
Sabine	88	19	42		72	29	7	17
San Augustine	83	55	2		45	22	12	48
San Patricio	56	12			33	31	1	2
San Saba	58	42			21	34		42
Shelby	71	78	73		82	3	72	18
Smith								
Starr	23				22			

For Governor	Murrah	Chambers	Scattering	For Lieutenant Governor	Stockdale	Darden	Gentry	Kitrell
Counties								
Tarrant	274	127	32		239	56	55	18
Titus	25	286	10		89	200	11	4
Travis	342	363	4		101	443	42	55
Trinity	98	67	.....		30	3	5	125
Tyler	149	45	.....		14	3	1	158
Upshur	129	144	176		212	72	52	36
Uvalde	26	9	.....		28	9	.....	.....
Van Zandt	70	12	40		93	6	5	5
Victoria	164	29	.....		28	152	8	7
Walker	243	159	.....		73	8	6	307
Washington	414	318	.....		372	134	63	116
Webb	185	.....	.....		185	.....	1	.....
Wharton	121	8	.....		55	45	4	21
Williamson	116	241	.....		81	113	11	43
Wilson	70	30	.....		53	38	.....	5
Wise	26	162	3		22	129	2	.....
Wood .....	.....	.....	.....		.....	.....	.....	.....
Young	24	18	13		44	.....	.....	.....
Zapata .....	.....	.....	.....		.....	.....	.....	.....
TOTAL	17,511	12,455	1,079		11,152	8,083	4,490	4,163
INFORMAL								
Angelina	53	104	.....		36	12	27	57
Jack	14	49	.....		7	.....	70	.....
Mason	19	75	.....		66	19	.....	.....
Smith	168	212	341		463	79	30	69
Wood	151	108	70		204	21	8	27
Total	405	548	411		776	131	135	153
GRAND								
TOTAL	17,916	13,003	1,490		11,928	8,214	4,625	4,216

P. Murrah having received the highest number of votes for Governor and F. S. Stockdale for Lieutenant Governor they were severally declared by the Speaker of the House elected for two years.

The Senate then returned to their Chamber when an adjournment was moved and carried until 10 o'clock A. M. tomorrow.

Senate Chamber, November 5, 1863
10 o'clock A. M.

Senate met, roll called quorum present. The journal of yesterday was read and adopted.

Mr. Harcourt presented the credentials of John A. Haskell, Senator-elect from the 27th Senatorial District who came forward and took the oath of office and his seat.

Mr. Beasley, chairman of committee on arrangements for the inauguration of the Governor and Lieutenant Governor elect, made the following report:

"The Joint Committee appointed to make arrangements for the inauguration of the Governor and Lieutenant Governor elect on the 5th instant beg leave to report that the inauguration shall take place in the Hall of the House of Representatives at 11 o'clock A. M.; that the two branches of the Legislature shall meet in the House at a quarter before eleven, the Speaker of the House in the chair and the President of the Senate on his right; that the Chief Justice and Associate Justices of the Supreme Court with the Attorney General shall occupy seats on the platform before the Speaker's chair; that the heads of departments shall occupy seats on the left of the platform; that the Senators shall occupy seats on either side of the aisle of the House and the Representatives as near as practicable to the Speaker's chair; that the ladies shall occupy seats within the bar of the House; and that the citizens shall occupy seats within the bar and in the galleries. The retiring Governor, the Governor and Lieutenant Governor elect with the Committee will enter the House at 11 o'clock and be seated. The retiring Governor and Governor Elect on the right of the Speaker's chair and the Lieutenant Governor on the left. Prayer by the Chaplain of the Senate, after which the retiring Governor and Lieutenant Governor will deliver their valedictories and immediately after the Governor and Lieutenant Governor elect will have the oath of office administered to them by the Chief Justice."

Mr. Weatherford introduced a bill to grant lands to the soldiers of Texas in the present war with the United States. Read 1st and 2nd times and referred to Committee on Public Lands.

Honorable W. C. Wilson, Senator elect from the 19th Senatorial District, came forward, took the oath of office and his seat.

Mr. Maxey introduced a bill for the relief of A. J. Vaughn. Read 1st and 2nd times and referred to Committee on Claims and Accounts.

Mr. Quayle offered the following resolution: "**Resolved** (the House concurring) that a Joint Committee of five from the Senate and a proportional number from the House be raised for the purpose of taking into consideration matters pertaining to frontier protection." Adopted.

Mr. Mitchell introduced a joint resolution concerning

the transportation of persons suspected of disloyalty and treason. Read 1st time. A suspension of the rule was moved and lost.

The Senate then took recess of ten minutes preparatory to the ceremonies attending the inauguration.

The recess having expired and the Senate having been called to order, Mr. Burney offered the following: "**Resolved** that the Committee on Public Printing be instructed for the printing of 2,000 copies of the Governor's message for the use of the Senate."

Mr. Ford moved to strike out "Two" and insert "one."

Mr. Mitchell moved to strike out "two thousand" and insert "five hundred."

Mr. Ford offered as a substitute for the proposed amendments and the resolution: "**Resolved** that the Committee on Public Printing be instructed to ascertain the cost of printing 2,000 copies of the Governor's message and report to the Senate." Adopted as a substitute. The resolution was then adopted.

A message from the House announced the passage of a bill making an appropriation of 10,000 dollars to defray the contingent expenses of the 10th Legislature. Read 1st time. Rule suspended, read 2nd time. Mr. Quayle moved to amend by inserting "in Confederate Treasury Notes." Adopted. Rule suspended, bill read 3rd time and passed.

The Senate again took recess of ten minutes, which time having expired, it was called to order and repaired to the Representative Hall.

IN JOINT SESSION

Roll called, quorum present, prayer by the chaplain.

His Excellency Governor Lubbock then delivered his valedictory address:⁹

Gentlemen of the Senate and House of Representatives,
Ladies, and you, my Fellow Citizens:

Two years ago, called by the partiality and suffrages of the people of Texas, I upon this stand and in this building in presence of Almighty God, assumed to discharge the important duties incumbent on me as the Chief Executive of the noble, chivalrous, and patriotic State of Texas.

In accordance with their mandates, and in obedience to the Constitution and Laws I am here today to surrender

⁹Ibid., 252-258.

those trusts into the hands of the people and of the distinguished Citizen who is entitled to assume them. In this crisis we may esteem ourselves fortunate in being thus peaceably permitted to assemble and witness our State Government pursuing its usual functions without the fear of interruption from the Abolition Despot and his Hessian soldiery.

On that occasion I swore to "faithfully and impartially discharge and perform all the duties incumbent on me as Governor according to the best of my skill and ability, agreeably to the Constitution and Laws of the State of Texas, and also to the Constitution and Laws of the Confederate States of America, so long as the State of Texas shall remain a member of that Confederacy."

In strict compliance with that obligation, I have studiously endeavored to discharge every duty incumbent on me—that I have acted faithfully and impartially, I know full well. In the troublous times that have encompassed us since my elevation to office I would scarce hope to conduct the affairs of a State like ours so extensive in territory, so diversified in interests, with an exposed frontier extending from Red River to the Rio Grande, with such skill and ability as to give universal and entire satisfaction.

While I have earnestly sought to discharge all the duties imposed on me as the Chief Magistrate of the State, I most freely admit that the great war in which we are involved has engaged the most of my attention and energy. On entering upon the duties of my office, I was fully impressed with the many responsibilities I was assuming. I felt satisfied the war would be prosecuted by our enemies with all the fiendish barbarity they have shown themselves so capable of inflicting upon a people so superior to them in all that constitutes manliness, virtue and chivalry. I was convinced that no means would be left untried to reduce the people of the Southern States to the condition of "hewers of wood and drawers of water" for their Yankee taskmasters, and that failing in all else, they would seek finally to raise a servile war in our midst with the hope of ultimately subjugating or annihilating us. I have not been mistaken; and if today every city, town, village and farm yard is not red with the blood of our women and children shed by our servile population, it is not because our more than savage and despicable foes have not desired and at-

tempted to accomplish it. The evidence of this their hellish design they have themselves unblushingly proclaimed to an indignant world.

The skill and bravery of our Generals, the energy and heroism of our men have thus far, baffled the fiendish purpose. Today our cause looks brighter than it has for many months past. In every attempt of the enemy to penetrate our State, he has been signally repulsed. The invincible Army of Rosencranz, as vauntingly termed by a boastful press, has met with a disgraceful and disastrous overthrow while the Army of Meade is reduced to a painful defensive for the protection of the Northern Capital. Our gallant little corps in Louisiana chiefly composed of Texans, harrasses him continually. Charleston "the Doomed City" still defiantly answers the thunder of his guns peal for peal, her citizens evincing a determination to bury themselves in her ruins rather than yield. Our Armies everywhere are strong, in excellent condition, well fed and clothed. We are daily improving in the production of supplies at home for the use of our people and Army; munitions of war in abundance are being manufactured within the Confederacy; our people are daily rising equal to the emergency of the times and becoming more self-reliant and defiant. A spirit of resistance is seizing hold of the very young and old that will ultimately place every man able to bear arms into the service of the country. They are schooling themselves to believe that nothing can be valuable to them or be worth living for unless our independence is secured. The noble women, too, of our country, are ever in advance of the men. They are imbued with the conviction that subjugation would leave them the slaves of the most miserable and cowardly taskmasters—that they would be forced into association with a people whom, from their cowardly and brutal atrocities, they have learned to hate and despise.

Hence they are prepared to make every sacrifice on the altar of freedom—thence it is that their wealth is freely lavished—that we find them in the cities and towns as well as by the roadside ministering with tender and devoted care and assiduity to the necessities of the sick and wounded soldier—that we behold them morning, noon, and night sewing, knitting, weaving and spinning for the "brave soldier boys"—finally they give up to their struggling country

their fathers, husbands, brothers, sons and lovers, preferring to be orphans, widowed and brotherless to seeing their country overrun and reduced by a people so demoralized, infidel and barbarous as the Northern foes. With such determination animating our people we have nothing to fear. I presume that most men of the South feel as I do. I knew that secession was a necessity forced upon the South, that her freedom might be preserved; and in assisting to bring about that measure, I felt that, as a good and true man, I from that day belonged to my country; that whatever adversities might follow that step, as an honest man and a patriot, I should bear them without a murmur—that all I possessed of ability, energy, time, property, eye, life itself, all belonged to the country, and when called for must be laid upon the altar of freedom. I resolved that whilst this war lasted, all private enterprise should be abandoned and that it would be a fraud upon the people, and a crime against our sacred cause to neglect public duties in the pursuit of private aggrandizement.

I believe there are many who did not vote for secession who came to the same conclusion as soon as that remedy was adopted—they have entered the Army and done most gallant service and thousands of this class have sealed their devotion to this country with their blood.

It is the sacred duty of all, without regard to their form or position, to rally around the standards of their country. If there be any in our midst who yet entertain the most distant idea that the old Government can ever be reestablished, or who feel the least sympathy with our enemies, in God's name I say, let them depart from among us, and take up their abode with their abolition brothers in crime and infamy, the fit associates of their former slaves! Such characters among us are a bane, a pest, a living insult to our noble women—they prey upon our substance and await only for a favorable opportunity to betray us.

My heart's desire is to see every man and woman in the land rise up to the magnitude of the contest in which we are engaged. I wish them all to feel that requires their individual aid—their ceaseless aid—to insure success. I want those at home and who, from any cause are kept out of the Army, to be impressed with the conviction that it is their duty to leave nothing undone to sustain our men in the field, and to see that they are furnished with every

thing necessary for their efficiency and comfort. I want them to see that the families of those in service are well cared and provided for. The families of our heroic defenders should be treated as the children of those at home and no cause should be given their natural supporters to feel that they are neglected. Do this and our brave men will battle on to the last. We must bear in mind that our army is not composed of mercenaries, that it is not an army of imported Hessians; but that, as I have said on former occasions, they constitute a vast majority of our best, patriotic and chivalrous citizens—men who could not be kept from home a day after a discharge should be granted them—men who would rush to their families, properties and friends—these are the men who fill the ranks of our Armies. I am not afraid of a force thus constituted—they will neither *permit* an enemy to overrun and subdue us, if properly sustained, nor will they tyrannize over, or abuse their own people, their own kith and kin. They are an army of citizen-soldiers, who flew to arms to maintain, not to suppress the liberties of the Confederacy.

I am well aware there are those and some of them good and sensible men, who believe that during my administration I have been too much disposed to favor the army and the military authorities and they have objected to some of the measures recommended by me for sustaining the army and the families of those in service. I give to those persons every credit for honesty of purpose, conscientiousness, etc. I claim the same myself. As I have said before I have long since risen up to the magnitude of the contest in which we are involved. I believe that War, War, War! should be our all absorbing business until we have conquered our independence; and while I would confine myself and wish to see all in authority keep themselves within the limits of the Constitution, I would have Legislators, Governors, Judges and people feel that it is imperative on them to make laws and execute them, whereby that Constitution, our property, our freedom, will be preserved.

I have felt that it was no time “to fiddle while Rome was burning.” I have felt that it was no time to be over *punctilious*, letting the cause of the country perhaps suffer whilst discussing points of military usage or etiquette.

When I entered upon the discharge of my duties, I determined to cherish, foster and aid the Confederate Gov-

ernment in the prosecution of this war in every way I could legitimately. I knew the people desired it—the Legislature so indicated. I resolved that it should never be said that I held back men or means as long as I could control and furnish either in aid of the war. I am proud of the conviction, that during my administration, I have furnished more men than have been called for. In doing so, I have pursued but one policy. I determined at the outset I would keep on foot no State Army if it could be avoided with safety to the country. Time has demonstrated its wisdom. Persons may differ with me on this point, but it is certain that, had I not exactly pursued this course in transferring the men as rapidly as organized to Confederate service, today our State debt would have been increased millions of dollars, without conferring any substantial benefit, but burdening our citizens with heavy and increased taxation.

Texas may well be proud of the number of men she has furnished to carry on this struggle. She has cause, too, to congratulate herself on the mighty resources within her reach.

We have many more men that we could furnish. We have thousands of good old patriots and boys now organizing over the State who, if the time **must** come, will cause the Yankee invader to rue the day he polluted our soil with his hostile tread.

Texas in this war had a warlike name to sustain. When numbering about 25,000 souls she wrung her independence from a nation whose population was 7,000,000; and then, as now, the European world enlisted against her in consequence of the slavery clause in her Constitution. Her sons fought most valiantly in the Mexican war. Much was expected of her in this struggle for Southern independence—thank God she has not disappointed the most sanguine expectations of her own people, or those of her sister States! I will recollect that in addressing the people of New Orleans, at Odd Fellows Hall, urging the secession of the State of Louisiana, I pledged my honor that Texas would secede and should coercion be attempted she would in a short time furnish 25,000 good fighting men to meet the army of Lincoln. An old Texan who heard my speech remarked that I had overrated our strength and counted without my host. Who was right, he or I? Texas has

furnished in this war 10,000; she will furnish many thousands more.

Gentlemen of the Legislature: The people will look to you for passage of such laws as will secure to them the greatest good. They will expect you to aid in carrying on this war, and to provide the means for sustaining the State Government. This I know you will do. Let me urge upon you to place every man at home into military service; to do away with all exemptions and the power to furnish substitutes under the militia laws, and pass a joint resolution requesting Congress to do the same thing.

Pass a law punishing desertion most severely, and those encouraging desertion or harboring deserters; suppress distilleries, one of the greatest curses now in the State; force all aliens to serve in her defense or to leave the country; punish all disloyal men; confiscate the property of all who leave the Country to avoid participating in the present struggle and deny them the privilege of ever returning. Limit the rates of profits on merchandise and the price of articles of prime necessity; impress the goods of extortioners, monopolizers, and engrossers when needed for public purposes, and the support of soldiers' families. Do these things and a few more of the same character and you will be received with opened arms by the army and the good and true men of the country.

Ladies! It is a work of supererogation on my part to say one word to you on the subject of your duties in this war. You have, upon all and every occasion, by your zeal, devotion and assiduity, evinced your patriotic determination to stand by the Country. I know you will continue to do so. Charity, humanity, affection and love, are the prominent characteristics of female character. See that you bestow not either unworthily. Continue to frown upon the man who, in this great emergency, is wanting in patriotism. You must treat with scorn and contempt, even though he be your relative or suitor, he who now, in our day of peril, shirks the service of his country. You must practice economy in your households; banish superfluities and luxuries while the war continues. Continue as you have so nobly heretofore done, to encourage the war, to nurse the sick and wounded, to yield those most dear to your Country's cause; and finally should you hear any of our men complain that the range of their guns or the blades of their swords

are too short to compete with those of the enemy, say to them in the language of the Spartan mother, "Shorten your distance!" By so acting, your influence will cause every man possessed of the least spark of pride and honor, to seek the enemy before he reaches your door, and save you from the horrible scenes enacted by our brutal foe whenever he has succeeded in occupying our territory.

Fellow Citizens! Much depends upon your action! Let me urge upon you one and all in addition to the many vows you have already taken, to stand by your Country, that you today renew them. Let each and everyone within the sound of my voice regard this war as his own. Regard your time, your means, your life, all as the property of the great cause in which we are engaged. Resolve never to be satisfied unless you are doing something to aid in rolling on the tide of revolution until our enemies are submerged. Let us set an example of patriotism to those around us, losing no opportunity of benefiting and encouraging those who are in the field battling for our cause. Let us try by example to bring back the erring brother who falters in this time of his country's peril. At the same time let us treat as enemies the miserable extortioner, the deprecator of our currency and the disloyal. Those who are not with us are against us! In a word, let us live only for our country until our enemies are forced to acknowledge us as a free and independent people.

In conclusion permit me to say, that in surrendering the trusts confided to me by the people, I can do no less than publicly acknowledge the gratification I have experienced in being so honored. To those who have supported and sustained me, I feel under lasting obligations; and I say to them with confidence, that I know of no reason that they should regret having done so. I believe my record as an officer will in the main be sustained and appreciated by the masses of the State.

To those who have seen proper to differ with me, I can only say, it was their privilege. They will in time do me ample justice.

In severing my intercourse with those around me at the Capitol, I do so with many pangs of regret. I have been most ably and zealously assisted by those with whom I have been called to act in concert. From every officer and employee of the Government, I have received marks of atten-

tion and kindness. I also bear cheerful testimony to the business capacity and industry of the various State officers and employees. Although they have been in receipt of a much depreciated currency, totally inadequate to a proper support of themselves and families, they have performed their several duties with alacrity and without a murmur.

Although I experience no regret in retiring from a position so full of responsibility and anxiety again to enter the walks of private life, I can but admit that I do regret to give up the many pleasant associations connected with my temporary sojourn at the Capitol. With all the cares and responsibilities resting upon me, my time has been agreeably spent. Kindness has never been more universally extended in any place or in any community, than has been bestowed upon me and mine by the people of Austin, so long as memory lasts, the friendships, attachments, and associations formed here will cling to me and mine with pride and pleasure and in my future life I shall endeavor so to carry myself in whatever position I may be placed, as never to forfeit the friendship and esteem of those who have so confided in and treated me.

I retire from office with more of substantial benefit than even the approving smiles of my constituents could confer. I retire with the consciousness of having faithfully, honestly and impartially discharged my duties.

I leave my present position with the determination to continue in the service of my country until her victorious banners shall wave in triumph over her enemies, her independence be acknowledged, and the song of peace and serenity be again heard in the land.

Gentlemen of the Legislature, ladies, and you my fellow citizens, I thank you for your patient and kind attention. May God smile upon and bless you all. May each and everyone of you feel as I do that our country needs you in this mighty struggle, and that to her cause you will devote yourselves until her freedom is secured.

F. R. Lubbock

Honorable P. Murrah, Governor Elect, came forward and took the oath of office, the same having been administered by Honorable R. T. Wheeler, Chief Justice of the Supreme Court. He then delivered his inaugural address.

Gentlemen of the Senate and House of Representatives, Ladies and you, my Fellow Citizens:¹⁰

I have been chosen by the people of Texas chief executive of the State for the next two years. The office of Chief Magistracy of a great, sovereign State like Texas is at all times one of great importance and responsibility; but now when war is waged upon our common country, and danger threatens the State upon every hand, and when so many grave questions of policy are to be met, its importance and responsibilities are greatly magnified.

I fully appreciate the fact that a majority of the suffrages of the people have been cast for me at a time when all that is sacred to us is involved in the issue of a war of such magnitude, and of such virulence in character and when the perilous condition of the country requires of the Executive so much discretion, watchfulness, soundness of judgment, and firmness in the discharge of the duties of his office.

I most sincerely thank the people for the distinguished honor conferred upon me, and for their manifestation of confidence under circumstances so marked and significant; while I distrust my ability and my experience in public affairs, I can promise, without reservation, a will and a determination to discharge the duties of this high trust with a firm hand, and as nearly as I can in accordance with the wants of the State.

I indulge in the hope that a zealous devotion to the great interests of the State in these times of peril will plead, not unsuccessfully, and excuse for my shortcomings and want of wisdom in this high position, and that a generous constituency will be slow to desert or abandon a public servant faithfully laboring for the public good.

If statesmanship and ability—the power to distinguish and the disposition to observe the true character of our political system—be essential qualifications in the officials of the Confederacy, they can be no less so in the officials of the state government. Texas in allying herself to the other states of the South for general purposes, and for the common weal surrendered not her sovereignty, or the complete control over matters of local concern; and it follows, as a matter of course, that a wise and judicious administration of the affairs pertaining to the local, can be of no less

¹⁰*Ibid.*, No. 280, 1863-1865, pp. 1-7.

importance to the welfare of the people, than the proper administration of affairs pertaining to the general authority. A full appreciation of this simple fact and a rigid observance of its practice will have no little influence in producing sober and correct views as to the scope and object of the Confederate authority, and in modifying tendencies to partisan organizations and partisan strife, founded alone upon differences of opinion as to the extent and object of that authority.

But the responsibilities of position, in a government like ours, and especially at a time like this, when the services of all are needed, should not deter the Citizen, through timid apprehensions of evil consequences to himself, when called by the voice of his country, from yielding his services to it. The life of the state is threatened, its welfare being at all times an object near the heart of the patriot—and all selfishness and merely personal consideration should be banished, and the Citizen in private life, and in public station, should be guided alone by the most exalted patriotism, discarding from every act and utterance having reference to public affairs, all baser motives.

We are struggling through the perils of bloody fields for the preservation of the institutions inherited from a glorious ancestry, and it surely behooves us to heed their voice, to be instructed by their experience, and to study well the condition and means by which they are not only to be maintained by the sword, but perpetuated and wisely administered. For the machinery of government of all machinery is most intricate and most difficult of adjustment and management; the science of government, of all sciences, has claimed from mankind the greatest share of their attention, and yet has secured from them the least uniformity of opinion as to its true mission, and as to the principles which should be embraced in a perfect system.

Though the builders were master builders, the complicated and refined character of our political system, together with the absence of experience and precedents as guides, gave rise from its very origin, to most serious and delicate questions in the adjustment of state and federal authority—questions often involving the most bitter party strifes, and most alarming excitements in the public mind, bringing at an early day to the minds of the original fram-

ers, grave apprehension of the long duration of the workmanship of their hands.

Our bleeding and struggling country warns the people of the dangers of holding to the differences of opinion vital in their character, as to the true nature of the government of their own formation, and of yielding themselves up blindly to partisan organizations and partisan strifes for the purpose of building up theories at variance with the government, as written and ordained. Instructed by experience and guided by the lights of the past, it is hoped and believed that if we are true to ourselves, we may escape such dangers for the future, and from the beginning of our new political career, not only understand, but put in practice the government according to its true theory.

The objects and the ends of the State and Confederate governments are so distinct, the powers to be employed by them so well distinguished and defined, that it becomes a matter of wonder how they can be involved in confusion and uncertainty.

The strength and beauty of a Federal system of government, its value and completeness as a government, its harmonious and energetic action, absolutely require in both the general and local authorities, a rigid observance of the boundaries of power lying between them and marking out their appropriate spheres of action.

This simple rule forbids alike the usurpation of authority upon the part of the general government, the infringement upon local authority, and the denial on part of the State to the general government the exercise of authority clearly granted in the Constitution. These observations are not deemed out of place here, for the reason that the extraordinary events daily transpiring in our country, together with the universal demands of this war upon its energies and resources, are trying both strength and character of the State and Confederate organizations—the extent of their authority, respectively, bringing into action large class of powers, which in ordinary times, and especially in times of peace, lie dormant and unobserved in the organism of a complicated political system.

A distinction will of course be observed by every intelligent and just minded man, at a time when necessity forces upon the government the employment of so many agents for so many varied purposes, between deliberate acts on

the part of the governments at variance with the Constitution and mere irregularities in the exercise or execution of authority on the part of officials, which may be promptly arrested and corrected by appeals to the proper tribunals.

To make such irregularities the foundations for factions and organized opposition to the government would be at all times unjust and unwise, but in times like these madness and folly.

It is not apprehended by me that the Confederate government will either inaugurate or persevere in a line of policy that will touch the sovereignty of the States—infringe upon the rights and privileges of the citizen, violate the compact between these States, or fail to rebuke and punish usurpations of authority upon the part of officials when properly brought to its attention. Its disposition is conceived to be the reverse of this, and it is believed that the State and Confederate authorities, not only may but should, in their own organism, work harmoniously together in uniting and directing the energies of the country in this deadly conflict for freedom and humanity.

For while this contest shall continue for national existence, our main business must be war. To its demands all other considerations must yield, just as a man yields all else for the preservation of his life. The destiny of Texas for weal or for woe, and by her own volition, is connected with that of the Southern Confederacy, and she has pledged herself to her sister states of the South, that their triumphs shall be her triumphs, and their fall her fall—their glory her glory—and their sorrows her sorrows.

She has pledged life and sacred honor, that the Lone Star banner around which cluster so many glorious memories sacred to the cause of civilization and well ordered government shall never be a banner of treason to the Southern Confederacy or her own plighted faith.

Texas can, of course, as other states, act but a subordinate part in the conduct of this war. And yet the line of policy to be pursued by her as a sovereign state, under existing circumstances, may not only be essential to her own liberties, but to the liberties of the Southern Confederacy.

Up to this period in this bloody drama, Texas has discharged her duties full and nobly—even beyond the legal demands made upon her energies and resources.

Whenever danger has been incurred, or glory won upon the field of strife, her sons have poured out their generous blood freely, and won for themselves, their State, and their Common Country, imperishable renown.

But dangers thicken around us, and make still greater demands upon her patriotism and power. The fall of Vicksburg and Port Hudson, the consequent imperfect correspondence with the states east of the Mississippi River, and with the government at Richmond, has rendered the Trans-Mississippi Department to a very considerable extent self-dependent, not only for Counsels, but for the means of prosecuting the war, and defending itself. The people of Arkansas and Louisiana are flying by thousands with their property to our borders to escape the presence of an insolent and insulting foe; and a large portion of the territory of those states is already within the Federal lines. Under these circumstances, it will be admitted that Texas occupies a large place in the Trans-Mississippi Department. Her territory is vast, her geographical position favorable, her resources great—her credit has been used but to a limited extent, her people have not been driven from her borders—murdered upon her soil, or her property destroyed as has been the case for her sister states.

She will own these advantages—appreciate her grave responsibilities and, rising with the occasion that demands still greater effort, make full preparations to put forth her strength to the best advantage when the occasion shall present itself. The glories of San Jacinto—the horrors of the Alamo, and the tyranny of Mexico, are too fresh to her memory—her sacrifices in this war are too great, and her experience too bitter for her to fail or falter in this, perhaps, the darkest hour of this dark conquest, the spirit of her departed heroes—of Clough, of Dickson, of Burnes, of Carter, of Terry, of Lubbock, and of thousands of others who offered up themselves freely upon the altar of their country cry aloud for vengeance and for still greater sacrifices on the part of the living in the cause for which they fell. A young giantess as she is almost of the forest, with limb unfettered and spirit erect and free, that never stooped to disgrace or tyranny, Texas has not forgotten or forsaken the faith involved in the issues of secession—she owns the presence of a divinity in a wild storm of human passion that rocks this continent and finds the true inter-

pretation of this, as of all great revolutions in human affairs in the mysterious ways of an All-wise and Overruling Providence.

As a matter of course, the conduct of the affairs of the state and its legislation, should have reference, in main, to our condition in a state of war. But we know not how long these clouds shall hang over the land. In the midst of the embarrassments and dangers of war, we should not forget that the essential end of government, and of all struggles for governments, is the protection of society and the securing its welfare physically, morally and mentally. The laws therefore should be upheld and honored and as far as consists with circumstances surrounding the state, rigidly enforced, so as to visit speedy punishment upon the offender against the mandates, and check the wild tendencies to anarchy and violence, resulting from the demoralizing agencies at work in these times of evil. We shall strive in vain upon the field of blood, if in the meantime the bands of society are to be broken asunder—the habit of obedience to law and the authority of government forgotten and abandoned—human life and individual rights left unguarded or exposed to the caprices of the mob, and the matured and youthful mind accustomed and familiarized to the fearful and dreadful scenes which always occur when lawless passions hold their sway. We claim to read in the northern mind a downward course to the dark abyss of confusion, anarchy and hopeless tyranny, which but too often marks the destiny of nations involved in protracted wars, and bloody revolutions. Warned by ruin and misery that seems to overhand their society, and by the instructive voice of history, we should not in these times of excited passions—of jealous apprehensions, and of real dangers—overlook the importance of a frequent recurrence to the fundamental principles of security lying at the foundation of society and of government, of trusting to the regularly and legally constituted authorities and tribunals, and of laboring zealously, watchful and systematically, and with proper foresight, to make them fully adequate to the punishment and suppression of crime, and to the protection of society from the wicked offender against its peace—its welfare and its life. We should accord our conduct with the spirit of the Constitution and the theories of our government, and make the law a shield to every man, and cause

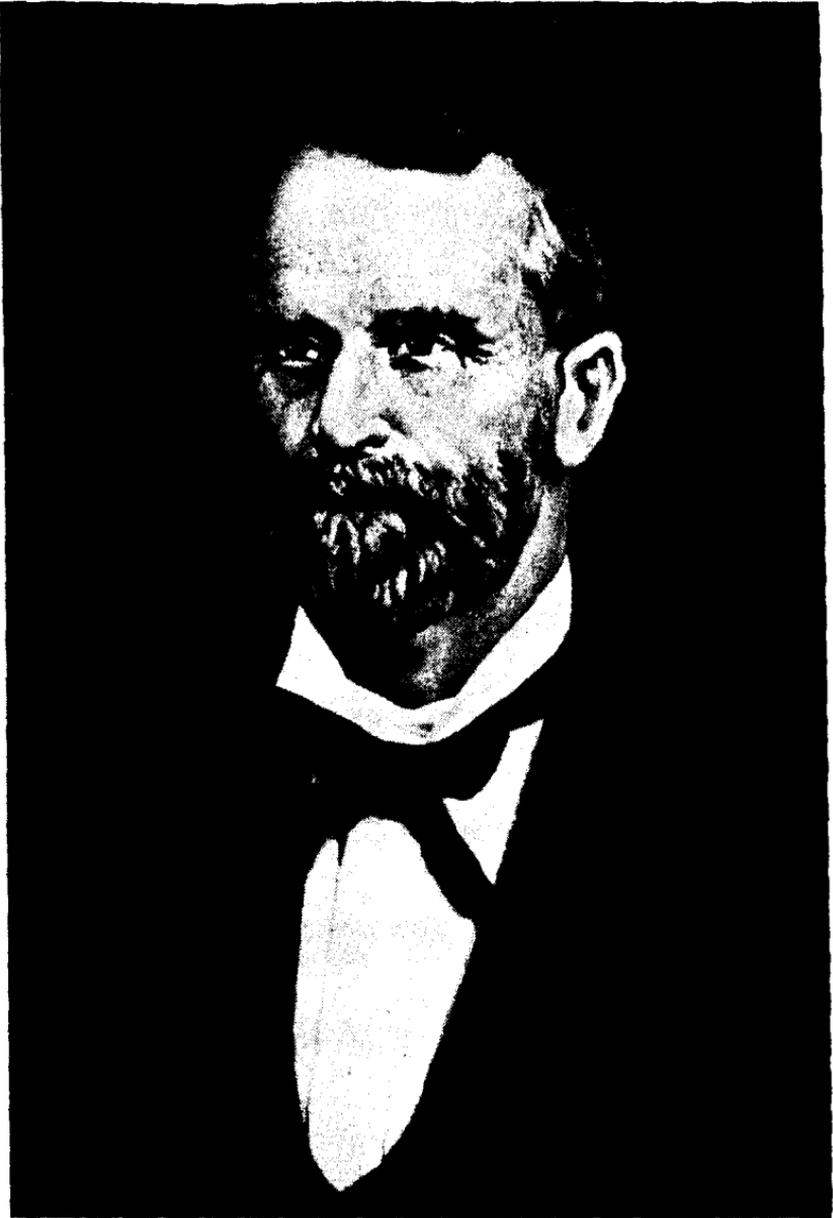
every offender to be punished according to law.

In the midst of this revolution, the education and training of the rising generation appeals with peculiar force to the whole society and to the authorities of government so far as they have control over the subject. We are losing many men by the casualties of war, and many others are absent from home beneath the banner of their country contending with the foe, some of whose sons cannot be educated unless they receive aid from the state through that system which finds its foundation in the Constitution. The lapse of but a few years will introduce the youth of the land upon the stage of active life to act their part in society for good or for evil. Every consideration as to the welfare of society and of government, under our institutions, requires that they should be trained, educated and prepared for the stern and varied duties that lie before them as citizens.

The establishment of manufactories for the leading articles of husbandry and of daily consumption so as to relieve the people from a dependence upon a foreign, irregular, and uncertain and corrupting trade, is a consideration that will be owned by all to be of the highest moment.

The consummation of this desirable end rests mainly with the people, limited and prescribed, as the government is, in its power over the subject. They own the Capital, the labor—the raw material—the most useful metals lie embedded beneath our soil, our geographical position is favorable to the introduction of the necessary machinery. What can be accomplished in this line by association of individuals and of capital, by enterprise and resolution, can only be determined by persevering, systematic effort.

The necessity and the inducements for effort cannot be overrated. It is far better and far more economical, as I conceive, to make Capital yield its profits, not only during the war, but after its close, to make it an enduring monument of a lofty, well-reliant spirit in the people by investing it in permanent and useful manufacturing establishment than to squander it away forever in purchasing goods from nations perhaps indifferent to our fate, or from a foe who is striving by all the appliances of war to subjugate and enslave us. Besides, the uncertain duration of this trade should be impressed upon the public mind. We know not how soon the direction of war may close the trade across



**The presiding officer of the Senate
Lieutenant-Governor Fletcher S. Stockdale**

Source: Governor Picture File,
Archives Division,
Texas State Library.

the Rio Grande, and leave us not only without a market for *clothing*, but without the machinery necessary to the manufacture of material for them.

It is gratifying to learn that the public mind, to some extent, is being awakened to the importance of this subject and that combinations are here and there being made for developing the mineral resources of the state and for the introduction of machinery for manufacturing purposes. Let the spirit of enterprise be diffused, and let the good work go on until every man, woman and child in Texas, if need be, be clad in homespun or in domestic manufactures, and until every field shall be ploughed with iron from our native ores.

The first act of my introduction into this high and responsible office, is the taking of a solemn oath to discharge its duties according to the Constitution and the laws, established in accordance with its provisions. This oath forbids me to make it the law of my official acts as it is the law not only to the government but to all of its officials. Where its provisions are plain, difficulty is at an end, and wherever sanctioned by time and experience.

I should with the more apprehension take upon myself the administration of the affairs of the state, were I not to be aided through the coordinate branches of the government. I indulge the hope that the officials of the various departments of the government may labor harmoniously and energetically together, with the single purpose of securing the welfare and the highest interests of the state—trusting that the God who has thus far sustained our cause and given victory to our army upon a hundred bloody fields, will vouch-safe His guidance to all those engaged in the administration of the public affairs of the country.

P. Murrah

Honorable F. S. Stockdale, Lieutenant Governor elect, was then sworn in and delivered his inaugural address.¹¹

¹¹The Lieutenant Governor's Inaugural Address as printed in the *Tri-Weekly Telegraph* (Houston), November 16, 1863, read as follows:

Fellow Citizens:—Confined as my duties are to the Presidency of one branch of the Legislative department of the Government, it would seem unnecessary to prolong the ceremony by words of mine; or to add any pledge to that I have just solemnly taken with the highest religious and judicial sanctions, further than to say, that, in proof of my gratitude to the people for the honor conferred upon me, I shall en-

The Senate then retired to their chamber when the Lieutenant Governor, having taken the chair as presiding officer, made a few appropriate remarks. Adjournment was moved and carried until 10 o'clock A. M. tomorrow.

Senate Chamber, November 6, 1863
10 o'clock A. M.

Senate met, prayer by the chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

Mr. Moore of Davis presented the memorial of James H. Rodgers asking compensation for certain services. Referred to Committee on Claims and Accounts.

Mr. Throckmorton offered the following resolution: "**Resolved** that the Committee on Finance be instructed to inquire into the propriety of reducing the salaries of all the officers of the state government including the pay of members of the Legislature and report by bill or otherwise." Adopted. Also the following: "**Resolved** that the Committee on the Judiciary be instructed to inquire into the expediency of reducing the number of Judicial Districts in the State and that they report by bill or otherwise." Adopted.

Mr. Moore of Davis offered the following: "**Resolved** that the Judiciary Committee inquire into the expediency and constitutionality of stopping interest on all debts where Confederate money has been tendered in payment and refused." Adopted.

Mr. Guinn offered the following resolution: "**Resolved** that the Judiciary Committee be instructed to take into consideration the propriety of reporting a bill to repeal the statute of conventional and legal interest and report at as early a day as practicable." Adopted.

Mr. Kinsey introduced a bill to amend the 4th Section of an act regulating the descent and distribution of estates passed March 18, 1848. Read 1st and 2nd times and referred to Judiciary Committee.

The President announced the following standing committees:

Judiciary: Messrs. Harcourt, Chairman; Guinn, Mitchell, Selman, Shepard, Jordan, Ford.

Military Affairs: Messrs. Throckmorton, Chairman;

deavor to make "all the ends I am at my country's, God's and Truth's."

Wootten, Holland, Jordan, Moore of Bastrop, Jowers, Hord.

Finance: Messrs. Lea, Chairman; Throckmorton, Dickson, Guinn, Moore of Davis, Shepard, Wilson.

Public Lands: Messrs. Charlton, Chairman; Weatherford, Kinsey, Harcourt, Holland, Quayle, Hartley.

State Affairs: Messrs. Shepard, Chairman; Hord, White, Maxey, Kinsey.

Education: Messrs. Dickson, Chairman; Jowers, Harcourt, Wootten, Quayle.

Internal Improvements: Messrs. Parsons, Chairman; Jordan, Throckmorton, Beasley, Hartley, Mitchell, Shepard.

Private Land Claims: Messrs. Weatherford, Chairman; Burney, Charlton, Maxey, Ford.

Claims and Accounts: Messrs. Guinn, Chairman; Moore of Davis, Quayle, White, Dickson.

Printing and Contingent Expenses: Messrs. Ford, Chairman; White, Moore of Bastrop, Wootten, Holland.

Indian Affairs: Messrs. Burney, Chairman; Moore of Bastrop, Montague, Wilson, Magoffin, Selman, Haskell.

Penitentiary: Messrs. Selman, Chairman; Moore of Davis, Dickson, Ford, Burney.

Counties and County Boundaries: Messrs. Wootten, Chairman; Parsons, Durant, Weatherford, Cooley.

Roads, Bridges and Ferries: Messrs. Moore of Bastrop, Chairman; Beasley, Kinsey, Montague, Magoffin.

Confederate Relations: Messrs. Durant, Chairman; Hartley, Jowers, Hord, Wilson.

Engrossed Bills: Messrs. Moore of Davis, Chairman; Jowers, Kinsey, Jordan, Beasley.

Enrolled Bills: Messrs. Wilson, Chairman; Lea, Dickson, Cooley, Maxey.

Mr. Wootten offered the following: “**Resolved** that a select committee of three be instructed to ascertain the amount of university lands heretofore sold upon which no payment has been made; also to inquire the amount of university lands unsold. Also to ascertain the number of sections of land surveyed and belonging to the State within the Memphis and El Paso and Pacific railroad reserve. Also to ascertain the amount of alternate railroad sections of land surveyed and belonging to the State and the amount of land surveyed and field notes returned to the General Land Office of the four leagues of land heretofore set apart for Indian purposes and report the same to the Senate at

as early a day as practicable." Adopted.

A message from the House announced a concurrence in the Senate's amendment to the bill appropriating \$10,000 for contingent expenses of the 10th Legislature.

Mr. Burney offered the following: "**Resolved** that the Committee on the Judiciary be requested to take into consideration the propriety of a further suspension of the laws to enforce the collection of debts and report by bill or otherwise." Adopted.

Mr. Dickson offered the following: "**Resolved** that the Committee on Finance consider the propriety of levying a tax on specie payable in kind and that they report by bill or otherwise." Adopted.

Messrs. Wootten, Dickson, and Mitchell were announced as the committee indicated by Mr. Wootten's resolution.

Mr. Harcourt offered the following: "**Resolved** that the Committee on Printing and Contingent Expenses be authorized to contract for the printing of 2,000 copies of the inaugural address of Governor Murrah and the valedictory of Governor Lubbock for the use of the Senate." Adopted.

Mr. Ford introduced a bill to encourage the erection of certain machinery by donations of land. Read 1st and 2nd times and referred to Committee on State Affairs.

The Senate then adjourned until 4 o'clock P. M.

4 o'clock P. M.

Senate met, roll called, quorum present.

On Mr. Guinn's motion the Sergeant-at-Arms was granted leave of absence for several days.

Mr. Ford offered the following: "**Resolved** that the Committee on Public Printing be authorized to contract for the printing of ten copies for each Senator of the *Tri-Weekly Gazette*."

Mr. Selman moved to amend by adding "and that said copies be delivered to the Senators on the day of publication." Adopted. The resolution was then adopted.

Mr. Harcourt introduced a bill to amend the 1st Section of an Act to fix the salaries of clerks and officers therein named. Read 1st and 2nd times and referred to Committee on State Affairs.

Mr. Durant offered the following: "**Resolved** that the

Committee on Military Affairs be instructed to inquire into the expediency of abolishing all exemptions to service in the State not secured by the Constitution and report by bill or otherwise." Adopted.

A joint resolution relative to the transportation of persons suspected of disloyalty and treason being in order was read 2nd time. Mr. Wootten offered a substitute.¹²

The joint resolution and substitute were referred to Judiciary Committee.

The Senate then adjourned until 10 o'clock A. M. tomorrow.

Senate Chamber, November 7, 1863
10 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

Mr. White from the Committee on State Affairs on behalf of the majority reported the bill to amend the 1st Section of an act to fix the salaries of the officers and clerks therein named and recommended that it do not pass.

The following minority report was also presented: "The Committee on State Affairs have had the bill to amend the 1st section of an act to fix the salaries of the officers and clerks therein named under consideration and I beg leave to make a minority report. It appears that the present salary of the Governor's private secretary is insufficient to support an efficient office or induce the acceptance of the office. The salary of the Governor's private secretary

¹²Wootten's substitute, as printed in the *Tri-Weekly Telegraph* (Houston), November 20, 1863, was:

"Whereas, from a recent order of Major Gen. J. B. Magruder, we are advised that he has discovered the presence in our midst of disloyal citizens:

Resolved 1st, By the Senate, (the House concurring,) that we accord to Major Gen. Magruder, for his vigilance in detecting, and promptness in exposing the civil minded citizens, the plaudit of "Well done thou good and faithful servant," and bid him God speed in the good work.

Resolved 2nd, That Maj. Gen. Magruder will find a ready preliminary solution to any difficulties that may arise in disposing of parties so arrested, in the sixteenth section of the bill of rights, which declares that "No citizen of this State shall be deprived of life, liberty, property, or privileges, outlawed or exiled, or in any manner disfranchised, except by due course of the law of the land."

Resolved 3rd, That the Governor be requested to see that the rights of all citizens of Texas be adjudicated upon the principles formed in the organic law.

is now less than that of any other clerk of equal importance. I therefore as a minority of the Committee recommend the passage of the bill.”

One of the Committee
Rice Maxey

Mr. Ford made the following report: “The Committee on Public Printing and Contingent Expenses have contracted with the publishers of the *State Gazette* for the publication of 2,000 copies each of the Governor’s message and the valedictory at the following price.

For the former	\$293.32
” ” latter	168.00

\$461.32

Under this contract the Senate is to furnish the paper upon which to publish said documents which will cost about the sum of \$280.

The Governor’s inaugural address is not yet ready for the printer. The charges for the *Gazette* are as follows per hundred copies:

For the <i>Tri-Weekly</i>	20 dollars
” ” <i>Weekly</i>	30 dollars.

The committee have not closed a contract for papers as they believe it will be many hundred dollars cheaper to procure the weekly instead of the *Tri-Weekly Gazette*. I am therefore directed to report the accompanying resolution and ask its adoption: “**Resolved** that the Committee on Printing be authorized to contract for 10 copies of the *Weekly Gazette* for the use of each Senator, provided the same shall contain the proceedings of the Senate and be paid for in Confederate States Treasury notes.”

Mr. Guinn introduced a bill for the relief of George E. Burney. Read 1st and 2nd times and referred to Committee on Claims and Accounts.

Mr. Harcourt introduced a bill to incorporate the Columbus Tap Railway Company. Read 1st and 2nd times and referred to Committee on Internal Improvements.

Mr. Holland introduced a bill for the enrollment and organization of state troops. Read 1st and 2nd times and referred to Committee on Military Affairs.

Mr. Harcourt introduced a bill to suspend the location and survey of public lands. Read 1st and 2nd times and referred to Committee on Public Lands.

The report of the Committee on Public Printing was taken up.

Mr. Dickson called for a division of the questions embraced in the reports. So much of said report as refers to the printing of the valedictory address of Governor Lubbock and the inaugural of Governor Murrah was adopted.

The question being on the adoption of the resolution proposed Mr. Guinn offered the following as a substitute: "**Resolved** that it is the sense of the Senate that the Committee on Public Printing do not contract for any copies either of the *Tri-Weekly* or *Weekly Gazette* for the use of Senators under the resolution adopted yesterday."

Mr. Harcourt moved to postpone further consideration of the subject until Tuesday next. Carried.

On Mr. Harcourt's motion a bill to amend the 1st section of an act to fix the salaries of officers and clerks therein named was taken up and the yeas and nays upon the adoption of the majority report stood thus:

Yeas: Messrs. Charlton, Dickson, Durant, Ford, Guinn, Holland, Jowers, Kinsey, Montague, Selman, Throckmorton, Weatherford, Wootten, Wilson, and White—14.

Nays: Messrs. Beasley, Harcourt, Hartley, Haskell, Lea, Maxey, Mitchell, Moore of Davis, Moore of Bastrop, and Quayle—10.

A message from the House announced the appointment of the following committees to act in conjunction with committees of the Senate on the same subjects:

Frontier Defense: Messrs. Kyle, Ranck, Tyler, Jones, Buckley, Howard of LaVaca, Thaxton, Prince, and McCarthy.

Military Board: Messrs. Buckley, Lollar, Patton, McGuire, Walker, Sampson, Bush.

The Senate then adjourned until 10 o'clock A. M. on Monday next.

Senate Chamber, Monday, November 9, 1863
10 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of Saturday was read and adopted.

Mr. Kinsey presented the memorial of sundry citizens of his district asking permission to organize a Minute Company for certain purposes. Referred to Committee on Military Affairs.

The Judiciary Committee by Mr. Harcourt, their chairman, reported a substitute for a bill to regulate continuances in the District Court, also the following reports: "The Judiciary Committee have duly considered a bill to amend the 4th Section of an act regulating the descent and distribution of estates and instruct me to return the same to the Senate and recommend that it do not pass. The bill proposed a radical change in the descent and distribution of property, which we think it unwise and inexpedient to make at the time many of our citizens have entered the military service where their lives will be imperiled with the understanding that in case of their death their property will descend in the mode now prescribed by law. Any change of the law during the present war would we think be an unjust interference with the disposition of property and lead to much discontent and mischief."

"The Judiciary Committee have considered a resolution directing them to inquire into the expediency and constitutionality of the passage of a law stopping interest on all debts where Confederate money has been tendered in payment of the same and direct me to return to the Senate with the following report: "The Constitution of the State of Texas, Section 14, Article 1, declares 'No bill of attainder, *ex post facto* law, retroactive law, or any law impairing the obligation of contracts shall be made etc.' The Constitution of the Confederate States, Section 10, Article 1 declares 'No state shall enter into any treaty of alliance or confederation, grant letter of marque and reprisal, coin money, make anything but gold and silver coin a tender in payment of debts, pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts.'

The Committee feel no hesitation in expressing the opinion that the proposed legislation would be repugnant to each of these Constitutional prohibitions.

The proposition is in effect, if not in fact, to make Confederate money a legal tender as it inflicts the same penalty for a refusal to receive it in payment. The legal effect of a refusal to receive payment of a debt when a legal tender of payment is made is simply that the interest upon the debt shall stop running from the date of such tender, the debt itself is not extinguished.

By the provision of the Confederate Constitution above quoted the states are prohibited from making anything

but gold and silver coin a tender in payment of debts and any law attempting to do this either directly or indirectly would be in violation of the Constitution, unoperative, and void.

The clause of our state Constitution above quoted also contains a prohibition against this class of legislation. As it would be retroactive in effect and impair the obligation of contracts.”

Mr. Guinn introduced a joint resolution relative to the extension of the conscript laws and for other purposes. Read 1st and 2nd times and referred to Committee on State Affairs.

Mr. Montague introduced a bill to prevent deserters from exercising the right of suffrage. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Maxey introduced a bill to prevent Sabbath breaking. Read 1st and 2nd times and referred to Committee on State Affairs.

The following committees to act in conjunction with committees from the House were announced:

On Frontier Defense: Messrs. Quayle, Burney, Moore of Bastrop, Wilson, and Selman.

On Military Board: Messrs. Throckmorton, Jowers, Wootten, Harcourt, and Mitchell.

Mr. Maxey introduced a bill for the benefit of holders of certificates issued to the Memphis, El Paso, and Pacific Rail Road Company. Read 1st and 2nd times and referred to the Committee on Judiciary.

Mr. Jowers introduced a bill to provide for the support of the families of Texas soldiers. Read 1st and 2nd times and referred to Committee on State Affairs.

Mr. Guinn moved to reconsider the vote taken on Saturday adopting the report of the Committee on State Affairs recommending that the bill to amend the 1st Section of an act fixing the salaries of officers and clerks therein named do not pass.

Mr. Parsons moved to postpone the motion to reconsider until Wednesday next. Carried.

Mr. Hartley introduced a bill appropriating \$500,000 as a hospital fund for the sick and wounded soldiers from Texas in the service of the Confederate States. Read 1st and 2nd times and referred to Committee on State Affairs.

The Senate then adjourned until tomorrow morning at 10 o'clock.

Senate Chamber, Tuesday, November 10, 1863
10 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

Mr. Cooley, Senator elect for the 31st Senatorial District, came forward, took the oath of office and his seat.

Mr. Guinn, Chairman of the Committee on Claims and Accounts, reported the bill for relief of George E. Burney and recommended its passage.¹³ Also a substitute for a bill for relief of A. J. Vaughn of Lamar County.

Mr. White from the Committee on State Affairs made the following reports: "The Committee on State Affairs to whom was referred a bill appropriating \$500,000 for the relief of sick and wounded soldiers etc. have had the same under consideration and are of opinion that the first section of said bill should pass, amended by adding after the word "Dollars" the words "in Confederate notes."

Your Committee are of opinion that the 2nd Section should be amended as to provide that the amount appropriated should be raised by other means than the issue of Treasury Warrants which it considers unconstitutional and impolitic because the while it augments a debt already immense to be paid in gold and silver its value is merely nominal—a debt to be paid by the labor of a people now oppressed with heavy burdens. It is also impolitic because it adds to a currency already redundant thereby depreciating its own value and that of the Confederate notes. It is unconstitutional being a violation of the 8th Section, 7th Article, of the Constitution.

The Committee believe that the sum of \$500,000 in Confederate notes may be raised by the sale of the bonds

¹³This bill read as follows:

A Bill

For the relief of George E. Burney

Sec. 1 Be it enacted by the Legislature of the State of Texas that the sum of Six hundred dollars be and the same is hereby appropriated to reimburse George E. Burney for actual expenses incurred by him in going to the State of Mississippi by order of the Governor to demand the delivery of Geo. B. Payne, William Payne, Hezekiah Payne and Jno. T. Berry, fugitives from justice charged with forging and issuing Counterfeit Confederate Treasury Notes.

Sec. 2 That this act take effect from its passage.

of the state bearing interest at from 6 to 8 per cent based alone upon the credit of the state. These bonds with proper management would probably sell in the market for Confederate money at a price ranging from three to six hundred per cent realizing the sum asked for in the bill by liabilities of the state in a sum less than two hundred thousand dollars at the same time obviating the evil of increasing the redundant currency. With this view of the subject your Committee have drawn a substitute and recommend its passage."

"This Committee have had under consideration a bill to prohibit Sabbath breaking and a majority have instructed me to report the same back to the Senate without amendment and recommend its serious consideration. In making this report the Committee are not satisfied that the provisions of the bill are unexceptionable but would call the attention of the Senate to the propriety of some such measure."

Mr. Lea introduced the following which was adopted: "**Resolved** that the Committee on Finance inquire and report concerning the necessity and propriety of adopting a system of taxation which shall be equal and uniform throughout the state on all property in proportion to its value according to the Constitution with its exceptions; and whether the system should provide for taxing respectively in their kinds the articles of specie, bank notes, Treasury Warrants of this state and Treasury notes of the Confederate States of America; and whether the system should further provide for assessing the value of all other kinds of property in such Confederate paper currency as shall be receivable for the ordinary taxes."

Mr. Ford offered the following: "**Resolved** that the Committee on Finance be required to inquire into the necessity of authorizing the County Courts of the several counties to levy and collect a produce tax in kind for the support of such indigent persons as are or may be supported in whole or in part by the country and report by bill or otherwise." Adopted.

Mr. Harcourt introduced a bill to further regulate proceedings in the Supreme Court. Read 1st and 2nd times and referred to Committee on Judiciary.

Mr. Guinn introduced a bill to amend the 11th and 13th sections of an act to organize County Courts. Read

1st and 2nd times and referred to Judiciary Committee.

Mr. Maxey introduced a bill for the relief of Robert Price. Read 1st and 2nd times and referred to Committee on Judiciary.

Mr. Moore of Davis introduced a bill to amend the 1st, 2nd and 3rd sections of an act to punish persons who evade or assist in evading the conscript laws. Read 1st and 2nd times and referred to Judiciary Committee.

A bill to amend the 4th Section of an act relating to the descent and distribution of estates with report of Judiciary Committee recommending that it do not pass. Read 2nd time and reported adopted.

The report of Judiciary Committee on the resolution relative to stopping interest on debts where Confederate money is tendered in payment was adopted as the sense of the Senate on the question.

A bill to regulate continuances in civil and criminal suits with report of Judiciary Committee recommending a substitute. Read 2nd time and the substitute adopted.

Mr. Harcourt offered the following amendment: "Section 2, That during the present war civil causes pending in the District Courts may be continued without prejudice upon suggestion that the parties or their witness are absent in the military service." Adopted.

Mr. Parsons offered the following amendment: "After the word 'Material' insert 'and that he knows of no other witness by whom he can prove the same facts'."

On Mr. Lea's motion the further consideration of the subject was postponed until tomorrow morning at 11 o'clock.

The Senate then adjourned until 10 o'clock A. M. tomorrow.

Senate Chamber, Wednesday,
November 11, 1863

10 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

Mr. Harcourt, Chairman of the Judiciary Committee, on their behalf reported the bill to further regulate proceedings in the Supreme Court and recommended its passage. The following report was also present: "The Judi-

ciary Committee have considered a bill to amend the 11th and 13th sections of an act to organize County Courts approved March 15, 1848, and a majority of the Committee instruct me to return the same to the Senate and recommend that it do not pass.

The object of the proposed amendment is to increase the term of office of the Chief Justice and County Commissioners and County Clerks from two to four years and the Committee are of opinion that at the present time no necessity exists for the proposed change. Without expressing an opinion as to the propriety of the change after the termination of the present war, the Committee think that it would be improper now because a majority of our voting population are absent in the army and could have no voice in filling these important offices."

Mr. Maxey from Committee on State Affairs on behalf of that Committee reported a substitute for the joint resolution asking the repeal of all property exemption and property detail laws.

Mr. Charlton, Chairman of Committee on Public Lands, reported the bill granting lands to Texas soldiers in the present war and recommended its passage with the following amendments: "Strike out the 5th Section and all of the 6th Section after the word 'domain'."

Mr. White offered the following: "**Resolved** that while the country is draped in mourning it is a desecration of the Legislative Halls to permit them to be used for the purpose of balls or other amusements and that the Senate Chamber shall not be used for such purposes during this session." Adopted.

Mr. Durant introduced a bill for the relief of the heirs of Thomas Moore. Read 1st and 2nd times and referred to Committee on Private Land Claims.

Mr. Ford introduced a bill to provide for the employment of additional labor in the State Penitentiary. Read 1st and 2nd times and referred to Committee on Penitentiary.

Mr. Mitchell introduced a bill for the relief of Peter Norton. Read 1st and 2nd times and referred to Committee on Private Land Claims.

The bill to regulate continuances in the District Court during the present war being the special order was on mo-

tion of Mr. Harcourt recommitted to the Judiciary Committee.

The resolution reported by the Committee on Public Printing in relation to subscribing for the *State Gazette* with the substitute offered by Mr. Guinn therefore being in order Mr. Parsons moved to lay the substitute on the table, whereupon Mr. Guinn moved to amend so as to lay the resolution proposed by the Committee on the table also. Mr. Parsons then called a division of the question. The question being on laying the substitute on the table Mr. Parsons moved a call of the Senate, which being sustained and the Senate not being full, the bill to amend the 1st section of an act to fix the salaries of Officers and Clerks therein named was announced as being in order. The absent Senators having returned to the Chamber the question was put on laying on the table Mr. Guinn's substitute and carried by the following vote:

Yeas: Messrs. Beasley, Cooley, Charlton, Ford, Harcourt, Hartley, Haskell, Holland, Hord, Lea, Maxey, Mitchell, Moore of Davis, Moore of Bastrop, Montague, Parsons, Wootten, Wilson, and White—19.

Nays: Messrs. Burney, Dickson, Durant, Guinn, Jordan, Jowers, Kinsey, Quayle, Selman, Throckmorton, and Weatherford—11.

Mr. Guinn then withdrew his motion to table the resolution.

Mr. Dickson moved to amend the resolution of the Committee as follows: "Provided the same shall contain the proceedings of the Senate and be paid for in Confederate Treasury notes." Adopted. The resolution was then adopted by the following vote:

Yeas—Messrs. Beasley, Charlton, Cooley, Ford, Harcourt, Hartley, Haskell, Holland, Hord, Lea, Maxey, Mitchell, Moore of Davis, Moore of Bastrop, Montague, Parsons, Wootten, Wilson, and White—19.

Nays—Messrs. Burney, Dickson, Durant, Guinn, Jordan, Jowers, Kinsey, Quayle, Selman, Throckmorton, and Weatherford—11.

The question on the reconsideration of the vote adopting the report of the majority of the Committee on State Affairs recommending that the bill to amend the 1st section of an act fixing the salaries of Officers and Clerks therein named do not pass being the special order the yeas and

nays were called and stood thus:

Yeas—Messrs. Beasley, Burney, Harcourt, Hartley, Haskell, Jordan, Lea, Maxey, Mitchell, Moore of Davis, Moore of Bastrop, Montague, Parsons, Quayle—15.

Nays—Messrs. Charlton, Cooley, Dickson, Durant, Ford, Holland, Hord, Jowers, Kinsey, Selman, Throckmorton, Weatherford, Wootten, Wilson, and White—15.

There being a tie the President votes Yea.

Mr. Parsons moved to lay the report on the table. Mr. Throckmorton moved to amend by laying the bill on the table also. A division being called for the report was laid on the table and the motion to lay the bill on the table was put and lost by the following vote:

Yeas—Messrs. Burney, Charlton, Cooley, Dickson, Durant, Ford, Holland, Jowers, Kinsey, Selman, Throckmorton, Weatherford, Wootten, Wilson and White—15.

Nays—Messrs. Beasley, Guinn, Harcourt, Hartley, Haskell, Hord, Jordan, Lea, Maxey, Mitchell, Moore of Davis, Moore of Bastrop, Montague, Parsons and Quayle—15.

The President votes Nay. Whereupon Mr. Guinn moved to strike out 1,400 dollars and insert 1,200 dollars. Mr. Selman called for a division. The question on striking out was put and carried. Then Mr. Dickson moved to refer the bill to the Committee on Finance. Carried.

A bill for relief of George E. Burney was read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed.

A bill appropriating 500,000 dollars for the benefit of sick and wounded soldiers in the service of the Confederate States with report of Committee on State Affairs recommending amendments was read 2nd time and made special order for Friday next at 11 o'clock A. M.

A bill to prevent Sabbath breaking was read 2nd time and ordered to be engrossed.

A bill for relief of A. J. Vaughn of Lamar County was read 2nd time.

Substitute adopted and ordered to be engrossed.

The Senate then adjourned until 10 o'clock A. M. tomorrow.

Senate Chamber, Thursday, November 13, 1863
10 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

Mr. Harcourt, Chairman of Judiciary Committee, on behalf of said Committee reported a substitute for bill for relief of Robert Price and recommended its adoption. Also bill to amend the 1st, 2nd and 3rd sections of an act to punish persons who evade or assist in evading the Conscript Laws and recommended that it do not pass. Also the following reports: "The Committee have considered a bill to regulate voting in certain cases and instruct me to report the same back to the Senate and recommend that it do not pass. The qualification of citizenship and the right of exercising the elective franchise are fully defined and guaranteed in the State Constitution and such citizens could not be disfranchised except by due course of the law of the land. Without expressing an opinion as to whether a law upon the subject might be framed so as not to contravene these provisions of the Constitution the Committee are of the opinion that the proposed legislation is unnecessary and inexpedient."

"The Committee have considered a bill for the benefit of holders of Land Certificates issued to the Memphis, El Paso, and Pacific Rail Road Company and instruct me to return the same back to the Senate and recommend that it do not pass. The object of the bill is to grant patents to the holders of Land Certificates issued under the provisions of the act incorporating said railway company and the Committee are of opinion that no legal or equitable grounds are presented which would justify the relief sought. If the parties have any legal rights they can be enforced in the courts. If the rail road is ever completed the distance of 25 miles as provided in the 17th section of the charter the patents will be duly issued. If the road is not so completed the inducement for granting the land will have failed and the title should not be issued."

Mr. Ford, Chairman of the Committee on Public Printing, reported that the Committee had contracted for 10 copies of the *Weekly Gazette* for each Senator at the rate of 30 dollars per hundred and for 2,000 copies of the Inaugural Address of Governor Murrah at the sum of 132 dol-

lars, the Senate furnishing the paper.

Mr. Wootten made the following report showing the data required to be shown by a resolution of the Senate on that subject.

“The number of sections of land in the Memphis, El Paso and Pacific Railroad belonging to the state is 473. Sectionized by other rail roads for the state is 1,858. By the LaVaca Navigation Company, 48 sections. Galveston and Brazos Navigation, 71. Alternate sections of the Fisher and Miller Company, 3,000. Total 5,250 sections. In addition there are twelve leagues set apart for Indian purposes which have not been sectionized or disposed of by legislation. Of the fifty leagues of land set apart for the University there have been sold 58,633 acres and of this amount there are 10,101½ acres sold on which no payment has been made.”

Mr. Lea offered the following: “**Resolved** that the Committee on Finance inquire and report concerning the expediency of selling to the Confederate Government all the cloths made at the penitentiary, except such portions as may be necessary for providing food and other supplies for the establishment and for meeting demands of the Military Board of this state.” Adopted.

Mr. Guinn introduced a bill repealing certain provisions of the revenue laws relative to the tax upon stills. Read 1st and 2nd times and referred to Committee on Finance.

Mr. Durant presented the account of J. C. Glover. Referred to Committee on Claims and Accounts.

Mr. Wilson introduced a bill requiring Aliens to perform service. Read 1st and 2nd times and referred to Committee on Military Affairs.

Mr. Maxey offered the following: “**Resolved** that the Committee on Finance be instructed to inquire into the propriety of reporting a bill requiring the Chief Justices of the several counties to redeem and withdraw from circulation all their issues of a denomination exceeding One Dollar and that they report by bill or otherwise.” Adopted.

Mr. Guinn offered the following: “**Resolved** that the Committee on Public Printing is authorized to contract with the publisher of the *State Gazette* for 10 copies of the *Weekly Gazette* for the use of the President.” Adopted.

A message from the House announced the passage of

a bill prescribing the duties of District Attorneys in certain cases.

Mr. Jowers moved to reconsider the vote taken on yesterday which adopted the resolution offered by Mr. White relative to the appropriation of the Senate Chamber for balls or other amusements. Carried. Mr. Jowers then offered the following substitute: "**Resolved** that the President of the Senate be and he is hereby requested not to grant the use of the Senate Chamber for balls or parties during the present session."

On Mr. Lea's motion the resolution and substitute were laid on the table.

Honorable C. B. Shepard, Senator elect from 23rd Senatorial District, presented his credentials, took the oath of office and his seat.

A message was received from the Governor nominating the Honorable R. J. Townes as Secretary of State, which was on motion taken up and the nomination confirmed.

A bill granting land to Texas soldiers in the Confederate States service was read 2nd time and made special order for Saturday next at 11½ o'clock A. M.

A joint resolution asking the repeal of all property exemption laws was read 2nd time and made special order for Monday next at 11 o'clock A. M.

A bill to further proceedings in the Supreme Court was read 2nd time and made special order for Tuesday next at 11 o'clock A. M.

A bill to amend the 11th and 13th sections of an act to organize County Courts was read 2nd time. A report of the Judiciary Committee recommending that it do not pass was adopted.

House bill prescribing the duties of District Attorneys in certain cases was read 2nd time and referred to Judiciary Committee.

Mr. Moore of Davis reported the following bills correctly engrossed: A bill for relief of George E. Burney; a bill for relief of A. J. Vaughn; and a bill to prohibit Sabbath breaking.

The Senate then adjourned until 10 o'clock A. M. tomorrow.

Senate Chamber, November 13, 1863
Friday, 10 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

Mr. Dickson presented the petition of Philander Priestly asking for land. Referred to Committee on Private Land Claims.

Mr. Lea, Chairman of Committee on Finance, made the following reports: on the resolution relative to change bills issued by County Courts as follows "Article 400 of the Penal Code is a prohibition against the issuing of such bills; and illegality attaches to County Court issues as to those of private persons. Notwithstanding the prohibitory law, public sentiment has tolerated such issues since the commencement of the war. But the supposed necessity for such issues has been gradually diminished by the circulation of small Confederate notes; and public sentiment is now denouncing all such outstanding issues of unofficial persons while it manifests a growing disapprobation of the issues of County Courts especially of bills over the amount of fifty cents.

Both official and private offenders against the existing law may be visited by its penalties unless the modifications of public sentiment be practically respected by those who continually stand liable to prosecutions. As such sentiment shall become impatient with disobedience of its requirements the present law may be enforced; but in the meantime additional legislation might be unavailing.

The Committee deems it inexpedient to legislate so as to sanction any of the past illegalities by discriminations among them, and it is not satisfied that any of the evils would be remedied by additional penalties or other provisions of law.

The Committee recommends that the subject be left in the hands of the public under the existing law until another session of the legislature."

Upon a bill to amend the 1st section of an act fixing the salaries of Officers and Clerks therein named the Committee recommend that the caption be amended by adding the words "approved January 14, 1862" and by a majority of five to two, that the bill as amended in the Senate by striking out 14, inserting 12, be passed. The effect would be to raise the salary of the Governor's private secretary

from 900 dollars to 1,200 dollars and so place this clerkship in the second class among those of the departments at Austin.

The Committee will briefly state some reasons for now making this change.

First the Committee is well satisfied that equality among the clerkships required that this salary should be at least 1,200 dollars. Second the Committee is well informed that the last regular session of the legislature when it passed the act which the present bill proposes to amend would have fixed this salary at 1,200 dollars but for a personal casualty. This circumstance being obviated the Committee thinks that the omission should now be remedied as comparative justice.

Third the Committee is fully persuaded that the public interest requires that this officer should have such qualifications as must entitle him to the proposed salary especially during the continuance of the present war.

Under such circumstances the proposed change is not to be considered as a committal for any other change by the reverse. The Committee is not aware of any similar case and the peculiarities of this case as an exception requiring change only establish the contrary as to other cases."

Mr. Dickson made the following report by leave of the Senate: "The undersigned a minority of the Committee on Finance dissenting from the report of the majority on a bill to increase the annual salary of the Secretary of the Executive report, that in their opinion the proposed measure at the present time is highly injudicious. That officer from the organization of the State Government to the present time has never received more than the salary now fixed by law and while it is admitted that it is but a remuneration now for the service of an active and efficient clerk in view of the enhanced prices of all the necessary articles of life, still the great fact cannot be lost sight of that in the present disturbed and troubled condition of the country with a currency constantly fluctuating in its value that all of the officials of the State government from the highest to the lowest are alike called upon to submit to the same disagreeable condition of things and serve the state for an amount which affords but a precarious living and which under other and more favorable circumstances they

could not be required to submit to. The officers and soldiers of the army with an enlarged and cumulative patriotism through toil, disease and the carnage of the battlefield yield their services to the country arduous and dangerous as they are for comparatively nothing in the way of remuneration in money, thousands of them too are gentlemen well qualified for the discharge of any and all of the important duties of civil station yet their compensation is not sufficient to furnish the commonest necessities of life. Your committee cannot see why this inequality should exist, why the citizen in the army should be required to give his service to the country and the citizens in civil employment with a position of comparative ease should be the reciprocal of governmental favors and advantages.

Contemplating the constantly increasing debt of the state and the fact that our people will be called upon to pay by taxation and otherwise a debt already large and which from our present surroundings must soon be much larger the present is deemed by your committee an inauspicious time to enter upon an increase of the salaries of state officials, they would infinitely prefer to see them reduced and the finances of the state closely husbanded to meet the increasing and constantly accumulating public debt, nor can your committee see why all other state officials should not have as good and equitable a right to an increase of their salaries as the one embraced in this bill.

D. C. Dickson

J. W. Throckmorton

Mr. Kinsey by leave made a minority report on the bill appropriating 500,000 dollars for the relief of the sick and wounded soldiers in the Confederate States Army.

Mr. Guinn, Chairman of Committee on Claims and Accounts, reported on the account of J. C. Glover and recommended its reference to the Finance Committee to be inserted in the general appropriation bill.

Mr. Ford, Chairman of Committee on Public Printing, reported that the Committee had contracted for 10 additional copies of the *Weekly Gazette* for the use of the President of the Senate.

Mr. Lea introduced a bill to require District Attorneys to report to the Comptroller's Office in certain cases. Read 1st time.

Mr. Parsons introduced a bill to fix the prices of certain articles therein named when sold to soldiers or their families. Read 1st and 2nd times and referred to the Judiciary Committee.

Mr. Maxey introduced a joint resolution in relation to the currency. Read 1st and 2nd times and referred to Committee on Confederate Relations.

A bill appropriating 500,000 dollars for a hospital fund was read 2nd time and the whole subject referred to Finance Committee.

A bill for the benefit of holders of land certificates issued to the Memphis, El Paso, and Pacific Rail Road Company. Read 2nd time and laid on the table.

A bill to regulate voting in certain cases. Read 2nd time and report of Committee recommending that it do not pass adopted.

The report of special committee made on yesterday by Mr. Wooten, Chairman, was referred to Committee on Finance.

A bill to amend 1st, 2nd and 3rd sections of an act to punish persons who evade or assist in evading the Conscript Laws. Read 2nd time and report of committee recommending that it do not pass was adopted.

A bill for relief of Robert Price was read 2nd time. Substitute adopted and ordered to be engrossed.

A bill to prevent Sabbath breaking. Read 3rd time and made special order for Wednesday next.

A bill for relief of A. J. Vaughn was read 3rd time and passed.

A message from the House announced the passage of the following bills:

A bill to authorize the Supreme Court for the Galveston District to hold its spring term at the City of Austin. Read 1st and 2nd times and referred to Judiciary Committee.

A bill to amend an act to punish speculation in certain cases. Read 1st and 2nd times and referred to Judiciary Committee.

A bill for the relief of preemption settlers. Read 1st and 2nd times and referred to Committee on Public Lands.

The Senate then adjourned until 10 o'clock A. M. tomorrow.

Senate Chamber, Saturday,
November 14, 1863
10 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

Mr. Jowers presented the memorial of John Murchison in relation to land. Referred to Committee on Private Land Claims.

Mr. Harcourt, Chairman of Judiciary Committee, reported a bill prescribing the duties of District Attorneys in certain cases and recommended its passage.

A bill for relief of Robert Price was reported correctly engrossed.

Mr. Throckmorton, Chairman of Committee on Military Affairs, reported upon the memorial of citizens of San Augustine and Sabine Counties relative to a Minute Company, recommending that no action be had on the subject.

Mr. Moore of Davis introduced a bill to incorporate the Sulphur Iron Company. Read 1st and 2nd times and referred to Committee on Confederate Relations.

A bill to require District Attorneys to report to the Comptroller's Office in certain cases was read 2nd time and ordered to be engrossed.

The report of the Committee on Finance concerning change bills was read and adopted.

A bill for relief of Robert Price was read 3rd time and passed.

A bill to amend the 1st section of an act fixing the salaries of officers and clerks therein named was read 2nd time and ordered to be engrossed by the following vote:

Yeas—Messrs. Beasley, Guinn, Harcourt, Hartley, Haskell, Lea, Maxey, Mitchell, Moore of Davis, Moore of Bastrop, Montague, Parsons, Quayle, Shepard, and Wilson—15.

Nays—Messrs. Burney, Cooley, Dickson, Durant, Ford, Holland, Jowers, Kinsey, Selman, Throckmorton, Weatherford, Wootten, and White—13.

The vote taken on yesterday which adopted the report of Committee adversely to a bill to regulate voting in certain cases was reconsidered and the bill made special order for Monday 16 instant.

A bill donating land to the Texas soldiers in the war

with the United States was read 2nd time and postponed until Wednesday next.

The Senate then adjourned until Monday morning at 10 o'clock A. M.

Senate Chamber, Monday,
November 16, 1863
10 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of Saturday was read and adopted.

The Judiciary Committee reported the following bills recommending their passage:

A bill to amend an act to punish speculation in certain cases.

A bill to authorize the Supreme Court for the Galveston District to hold its spring term at the City of Austin.

The following bills were reported correctly engrossed:

A bill to amend the 1st section of an act to fix the salaries of Officers and Clerks.

A bill to require District Attorneys to report to the Comptroller's Office in certain cases.

The Committee on Public Lands reported a substitute for a bill to suspend the location and survey of land.

Mr. Guinn introduced a joint resolution authorizing the Military Board to pay the Confederate tax levied on Whitescarver, Campbell and Company was read 1st and 2nd times and referred to Committee on Finance.

Mr. White introduced a bill to amend the existing law regulating the disposition of decedents estates in the absence of persons entitled to take the same. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Kinsey introduced a bill to repeal an act to provide for the sale of lots in the City of Austin. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Guinn introduced a bill to amend Article 382 of the Penal Code. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Shepard presented the memorial of Henry K. Harrison which was referred to Judiciary Committee.

The passage of the following bills were announced from the House:

A joint resolution relative to purchasing beeves in

Texas by Payne and Company with counterfeit Confederate money. Read 1st and 2nd times and referred to Committee on Confederate Relations.

A bill to authorize the use of the jails of the several counties for the custody of deserters, etc. Read 1st and 2nd times and referred to Judiciary Committee.

A joint resolution of thanks to Texas soldiers.¹⁴ Read 1st time.

A bill to suspend all laws for the collection of debts etc. Read 1st and 2nd times and referred to Judiciary Committee.

The Committee on State Affairs reported a joint resolution relative to the extension of the Conscript Laws and recommended that the same do not pass.

Mr. Shepard from Judiciary Committee reported for the majority a bill to suspend all laws for the collection of the debts and recommended its passage.

Mr. Ford introduced a bill to prescribe the duties of the Military Board. Read 1st and 2nd times and referred to Committee on State Affairs.

Mr. Throckmorton introduced a bill for the relief of Carey Watson and his assignees. Read 1st and 2nd times and referred to Committee on Private Land Claims.

Mr. Charlton introduced a bill defining the duties of the Agent of the Alabama and Coushatta Indians. Read

¹⁴This resolution, as approved on November 24, 1863, was as follows, taken from the *Tri-Weekly Telegraph* (Houston), Dec. 7, 1863:

1. Resolved by the legislature of the State of Texas, That in consideration of the patriotic service, personal sacrifice, and distinguished gallantry of all Texan soldiers who have been, and who are now in the armies of the Confederate States and State of Texas, battling for Southern honor and independence, we, the representatives of the State of Texas, for ourselves and in behalf of our constituents, tender to them, both officers and men, the sincere, heartfelt thanks of the people of the State of Texas; and that, recognizing them as the brave defenders of our common liberties, we hereby pledge ourselves and the State to the support and maintenance of their families during their absence from home.

2. Resolved by the Legislature, That the Governor is hereby requested to have the above resolution printed and forwarded to each regiment, battalion and independent company, raised in the State of Texas, with a request of their respective commanders to have the same read on dress parade.

M. D. K. TAYLOR
Speaker of the House of Representatives
F. S. STOCKDALE
President of the Senate

Approved, November 24, 1863
P. Murrah

1st and 2nd times and referred to Committee on Indian Affairs.

Mr. White introduced a bill to amend the 3rd part of the Criminal Code. Read 1st and 2nd times and referred to Committee on Judiciary.

A bill to amend the 1st Section of an act fixing the salaries of Officers and Clerks therein named. Read 3rd time and passed by the following vote:

Yeas—Messrs. Beasley, Guinn, Harcourt, Hartley, Haskell, Jordan, Lea, Maxey, Mitchell, Moore of Davis, Moore of Bastrop, Montague, Parsons, Quayle, Shepard, and Wilson—16.

Nays—Messrs. Burney, Charlton, Cooley, Dickson, Durrant, Ford, Holland, Jowers, Kinsey, Selman, Throckmorton, Weatherford, Wootten, and White—14.

A message was received from the House that they had adopted a resolution to adjourn *sine die* on 1st December proximo.

The motion to reconsider the voting adopting Committee's report on a bill to regulate voting in certain cases was put and carried. The subject was then referred to a select committee of Messrs. Kelley, Parsons, Guinn, Lea, and Ford.

A bill to require District Attorneys to report to the Comptroller's Office in certain cases was read 3rd time and passed.

The report of Committee on memorial of citizens of San Augustine and Sabine Counties was adopted.

A bill prescribing the duties of District Attorneys in certain cases therein named was read 2nd time and passed to 3rd reading.

The committee report on the account of J. C. Glover was adopted.

Mr. Holland was excused from attendance on the Senate for the remainder of the session.

Mr. Wilson offered resolutions of respect to the memory of T. C. Neal, Senator elect of the 19th Senatorial District, which were unanimously adopted¹⁵ and thereupon the Senate adjourned until 10 o'clock A. M. tomorrow.

¹⁵The resolution on the death of T. C. Neal cannot be located in the Archives.

Senate Chamber, Tuesday,
November 17, 1863
10 o'clock A. M.

Senate met, roll called, quorum present. The journal of yesterday was read and adopted.

The Committee on Private Land Claims reported a substitute for a bill for the relief of Peter Norton, also a bill for relief of John Murchison founded on his memorial. Read 1st time.

The Judiciary Committee reported a bill to authorize the use of the jails of the several counties for the custody of deserters and recommended its passage. Also a bill to amend Article 392 of the Penal Code recommending that it do not pass. Also a bill for the relief of Henry K. Harrison founded on his memorial. Read 1st time.

The Committee on Internal Improvements reported a bill to incorporate the Sulphur Fork Iron Company recommending its passage.

The Committee on Public Lands recommended the passage of a bill for the relief of pre-emption settlers.

A joint resolution relative to the repeal of all property exemption and property detail laws was read 2nd time.

Mr. Guinn moved to strike out the 2nd Section, whereupon the Senate adjourned until 10 o'clock A. M. tomorrow.

Senate Chamber, Wednesday, November 18, 1863
10 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

Mr. Jordan presented the petition of L. C. Ferguson for land. Referred to Committee on Private Land Claims.

The Finance Committee reported a substitute for a bill appropriating 500,000 dollars as a hospital fund—also recommended the passage of a joint resolution authorizing the Military Board to pay the Confederate tax levied on Messrs. Whitescarver, Campbell and Company.

The Military Committee reported a substitute for a bill for the enrollment and organization of state troops, and a bill requiring aliens to perform military duty, and a resolution on the subject of substitutes, recommending their passage.

The Committee on Private Land Claims recommended

the passage of a bill for the relief of the heirs of Thomas Moore, deceased.

The Committee on Indian Affairs reported recommending the passage of a bill defining the duties of Agent of the Alabama and Coushatta Indians.

The Select Committee on Frontier Defense reported a bill to define a frontier line and to provide for its defense. Read 1st time.

Mr. Durant introduced a joint resolution on the subject of the sequestered property of alien enemies. Read 1st and 2nd times and referred to Committee on State Affairs.

The Committee on Penitentiary recommended the adoption of the following amendments to a bill to provide for the employment of additional labor in the Penitentiary: After "Penitentiary" in 4th line, 4th Section, add "or out of proceeds of sales of articles manufactured therein."

Mr. Wootten offered the following: "**Resolved** that the Finance Committee be requested to consider the practicability of embracing in their tax bill the levying a tax in the year 1864 on all property brought into this state since January 1, 1863; also that they be requested to consider the necessity of levying an income tax on all retailers of spirituous liquors in quantities of less than one quart." Adopted.

The motion to strike out the 2nd Section of a joint resolution requesting the repeal of all property exemption and property detail laws was put and carried.

Mr. Lea moved to strike out all the 1st Section in relation to the levying an ad valorem tax on Negroes employed in agriculture and an ad valorem tax to be levied on raw or uncultivated land. [The vote on this was as follows:]

Yeas—Messrs. Beasley, Dickson, Durant, Ford, Guinn, Hartley, Hord, Jowers, Lea, Moore of Bastrop, Shepard, Throckmorton, Wootten, Wilson, and White—15.

Nays—Messrs. Burney, Charlton, Cooley, Holland, Kinsey, Maxey, Mitchell, Montague, Parsons, Quayle, Selman, and Weatherford—12.

The joint resolution was then ordered to be engrossed by the following vote: Yeas—22, being unanimous.

The bill to prevent Sabbath breaking being the special order was read 2nd time. Mr. Jowers moved to amend by inserting "Provided that in all cases of suits by indictments in the District Courts or prosecuted in magistrated courts

where the parties so prosecuted are not convicted the informer shall pay all costs of suit incurred, and all informers' names shall be endorsed upon the back of the indictment information or warrant of arrest."

Mr. Ford offered the following which was accepted: Strike out all after the word "convicted" and insert "The Judge or Court trying the same is satisfied that the defendant is prosecuted through malice or a desire to inquire him shall adjudge the cost of prosecution against the prosecutor."

The bill and proposed amendments were then referred to a Select Committee of Four and Messrs. Maxey, Guinn, Ford, and Lea were announced.

Mr. Selman introduced a joint resolution relative to the Confederate States owning property for forts, dock yards, etc. Read 1st and 2nd times and referred to Committee on Confederate Relations.

The Senate then adjourned until 10 o'clock A. M. tomorrow.

Senate Chamber, Thursday, November 18, 1863
10 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

A joint resolution asking the repeal of all property exemption and property detail laws was reported correctly engrossed.

The following bills were reported by the Judiciary Committee with the recommendation that they do not pass.

A bill to amend the existing law regulating the disposition of the estates of decedent.

A bill to amend the third part of the Criminal Code.

A bill to fix the prices of articles of necessity therein mentioned.

The Select Committee reported a substitute for a bill to prevent Sabbath breaking.

Mr. Selman introduced a joint resolution proposing an amendment to the State Constitution. Read 1st and 2nd times and referred to the Judiciary Committee.

A bill to further regulate proceedings in the Supreme Court was read 2nd time.

Mr. Hartley offered the following amendment: "Pro-

vided it shall appear to the Court that all the parties in interest are properly represented by counsel and in case it shall not so appear the Court shall pass such case and proceed to the adjudication of other cases."

The further consideration of the bill was then postponed until Monday next at 11 o'clock A. M.

A bill donating land to Texas soldiers was made special order for tomorrow at 11 o'clock A. M.

The substitute of Committee to a bill to prevent Sabbath breaking was adopted.¹⁶

Mr. Dickson moved to exempt postmasters and ferrymen from the provision of the bill. Carried.

Mr. Harcourt offered the following: "Provided that this act shall not apply to any work done on sugar plantations during sugar making season."

Mr. Hartley offered to amend the proposition by extending it to provide for the saving of any crop.

The propositions were laid on the table.

Mr. Mitchell then proposed as an amendment to exempt persons engaged in the vocation of stock raising, which proposition was tabled by a vote of 14 to 12.

Mr. Guinn moved to amend by striking out the words "or society." Adopted.

Mr. Lea moved to insert the word "time" before "or seasons." Adopted.

¹⁶Two versions of the bill are as follows:

(A) A BILL

- To be entitled an Act to prohibit Sabbath breaking
- Sec. 1 Be it enacted by the Legislature of the state of Texas, That no work or business shall be done or performed on the first day of the week commonly called the Sabbath day, except the ordinary household offices of daily necessity or charity. If any person on the Sabbath day shall himself be found at his own or any other trade or calling, or shall employ his apprentices, servants or slaves or other person, bond or free, in labor, or other business, whether the same be for profit or amusement, unless such as is permitted above, he shall be fined not less than two dollars and not more than five dollars for each offense. Every person bond or free, servant or apprentice, so employed shall be deemed a separate offense. Persons who are of any religious opinions, who observe as a Sabbath any other day in the week than the Christian Sabbath, shall not be liable to the penalty prescribed in this section, if they observe as a Sabbath, one day in each seven as herein provided.
- Sec. 2 Nothing in this act shall prevent ferrymen crossing travelers and others over any stream or prevent stage drivers and engineers and conductors on railroad cars from performing their legitimate calling as such.

Mr. Durant offered the following: "Section___: Any person who may keep open on the Sabbath day any billiards, saloon or ten pin alley or any person who shall play at either of these games on the Sabbath shall be subject to the like penalty as is inflicted in Section 5."

Mr. Shepard moved to strike out "5" and "10", "50", and "100." Lost.

Mr. Guinn proposed to amend Mr. Durant's proposition by inserting "for each game played." Adopted. The amendment was then adopted.

Mr. Harcourt proposed to amend the caption as follows: "An act to set apart the Lord's Day as a day of rest." Strike out "Sabbath" and insert "Lord's Day." Lost.

A message from the House announced the passage of a bill to authorize an election in Dallas County. Read 1st time, rule suspended, read 2nd time, and passed to 3rd reading. Rule suspended, read 3rd time and passed.

Whereupon the Senate adjourned until 9 o'clock A. M. tomorrow.

Sec. 3 The district courts and Justices of the peace shall have concurrent jurisdiction of the offense herein named.

(B) A Bill to be entitled an act to prohibit
Sabbath Breaking

- Sec. 1 Be it enacted by the Legislature of the state of Texas that if any person shall himself or require or compel his apprentices, servants or slaves to perform on the Sabbath day any labor except of actual or urgent necessity suddenly arising, and the customary household duties of daily necessity and comfort and labors of charity shall be deemed guilty of a misdemeanor, and on conviction thereof before a district court or Justice of the Peace shall be fined therefor not less than two dollars and not more than five dollars for each offense, and each person so employed shall be a separate offense provided however that stage drivers, post masters, ferrymen, engineers and conductors on rail roads in the legitimate discharge of their duties as such shall not be liable to the provisions of this act, nor shall travelers, waggoners or teamsters on the road in such employment be liable to the penalties of this act.
- Sec. 2 Be it further enacted that any manager of a manufacturing establishment which is required to be run constantly at any particular time or season shall not be guilty of the offense mentioned in the 1st Section by running said machinery on the Sabbath.
- Sec. 3 Any person who conscientiously keeps any than the Sabbath provided he or they shall actually keep any one day in the week as a day of rest.
- Sec. 4 If any person shall in any wise engage on the Sabbath day in running a horse race or training a horse for a race on any tract used for running races, or who may be concerned in the same, or who shall be engaged in shooting at a target or hunting on the Sabbath day

Senate Chamber, Friday, November 20, 1863
9 o'clock A. M.

Senate met, roll called, quorum present. The journal of yesterday was read and adopted.

Mr. Throckmorton presented the petition of J. Brown which was referred to the Committee on State Affairs.

The Committee on Confederate Relations reported a substitute for a joint resolution in relation to the Confederate States owning property for forts, dock yards, etc.

Mr. Montague introduced a bill to authorize the Military Board to dispose of a certain portion of Percussion Caps. Read 1st and 2nd times and referred to Committee on Military Affairs.

Mr. Guinn introduced a bill making owners of slaves responsible for property stolen, destroyed or otherwise injured by them. Read 1st and 2nd times and referred to Committee on Judiciary.

Mr. Throckmorton introduced a bill to authorize the Comptroller to issue a duplicate ten per cent treasury warrant. Read 1st and 2nd times and referred to Committee on Claims and Accounts.

A bill to prevent Sabbath breaking was read 2nd time. After several immaterial propositions to amend, the bill was postponed until tomorrow 11 o'clock A. M.

The Committee on Finance reported a joint resolution providing for the sale of Cloth made at the State Penitentiary. Read 1st time.

The following supplemental to and to amend the 1st and 4th Sections of an act appropriating \$20,000 for recovering the roofs of the Capitol, General Land Office, etc.

shall be fined upon conviction not less than five dollars and not more than ten dollars.

- Sec. 5. Any person who may be engaged in the retail of liquors, distilled or fermented, dry goods or groceries or other articles of traffic except medicines and who keeps his doors open on the Sabbath and sells such articles shall be fined not less than five dollars nor more than ten dollars for each offense to be recovered as aforesaid provided it shall be no offense for a merchant to sell for funeral purposes.
- Sec. 6. Any person who may keep open on the Sabbath day any billiard saloon, nine or ten pin alleys, or any person who shall play at either of these games on the Sabbath shall be subject to the like penalty as is inflicted in Section 5th. for each game played.
- Sec. 7 This act shall take effect and be in force from and after its passage.

Read 1st and 2nd times and referred to Committee on State Affairs.

A joint resolution requesting our Senators and Representatives in Congress to increase the wages of the non-commissioned officers in the Army and Navy of the Confederate States. Read 1st and 2nd times and referred to Committee on Confederate Relations.

A joint resolution in relation to the territories of New Mexico, Arizona, and Colorado. Read 1st and 2nd times and referred to Committee on State Affairs.

A bill to raise one million dollars by sale of cotton bonds, etc. Read 1st and 2nd times and referred to Finance Committee.

A bill donating land to Texas soldiers was read 2nd time. Amendments of committee adopted. Several immaterial amendments having been proposed and Mr. Hartley offering a substitute for the whole measure, the Senate thereupon adjourned until 9½ o'clock A. M. tomorrow.

Senate Chamber, Saturday, November 21, 1863
9½ o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

The Committee on Private Land Claims reported a bill for relief of Carey Watson recommending its passage.

The Committee on Claims and Accounts recommended the passage of a bill to authorize the Comptroller to issue a duplicate ten per cent Treasury warrant and asked to be discharged from the further consideration of the Memorial of James G. Rogers.

Mr. Guinn introduced the following bills:

A bill to incorporate the Waco Manufacturing Company was read 1st and 2nd times and referred to Committee on State Affairs.

A bill supplementary to and amendatory of an act to establish a Penal Code. Read 1st and 2nd times and referred to Committee on Judiciary.

The Committee on State Affairs reported a substitute for a bill to provide for the support of families of Texan Soldiers. Also recommended the passage of a bill on the subject of sequestered property of alien enemies.

The following bill was announced from the House: "To

amend Articles 400 and 401 of the Penal Code and more effectually to suppress the issuance and circulation of paper money. Read 1st and 2nd times and referred to Judiciary Committee.

The Committee on Confederate Relations recommended the passage of a joint resolution to increase the pay of non-commissioned officers and privates in the Confederate States Army.

A bill donating land to Texas soldiers was read 2nd time. A motion to lay Mr. Hartley's substitute on the table was lost by the casting vote of the President. The subject was then postponed until 11 o'clock A. M. on Monday.

Mr. Hartley introduced a bill to establish a Board of Commerce and Manufactures. Read 1st and 2nd times and referred to Committee on Finance.

The Committee on Military Affairs recommended the passage of a bill in relation to the disposition of percussion caps.

Mr. Throckmorton introduced a bill for the relief of James P. Dumas. Read 1st and 2nd times and referred to Committee on Claims and Accounts.

Mr. Hord introduced a bill supplemental to the act of March 6, 1863, for the support of families and dependents of soldiers. Read 1st and 2nd times and referred to Finance Committee.

Mr. Harcourt presented the memorial of J. C. Hayden and E. W. Crawford for land. Referred to Committee on Private Land Claims.

A bill to prevent Sabbath breaking was read 2nd time. Mr. Throckmorton offered a substitute which was adopted. Sundry propositions to amend being made, the Senate adjourned until 9 o'clock A. M. Monday, Messrs. Jowers and Hord having been announced as a Committee on Treasurer's books.

Senate Chamber, Monday, November 23, 1863
9 o'clock A. M.

Senate met, roll called, quorum present. The journal of Saturday was read and adopted.

A bill to punish certain offences committed on Sunday was reported correctly engrossed.

The Committee on Claims and Accounts reported the

blank in the bill for relief of James P. Dumas be filled with \$3325.63/100 and that the bill be passed.

A bill prescribing the duties of the District Attorneys was read 3rd time, amended, and passed.

A joint resolution of thanks to Texan soldiers was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

A bill to amend an act to punish speculation in certain cases was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

A bill to authorize the Supreme Court for the Galveston District to hold its spring term at the City of Austin or elsewhere was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

A bill for the relief of Peter Norton was read 2nd time. Substitute adopted and ordered to be engrossed.

A resolution to adjourn *sine die* on Tuesday, 1st December was postponed until next Saturday at 10 o'clock A. M.

The following bills were announced from the House:

A bill concerning common carriers and defining their liabilities in certain cases. Read 1st and 2nd times and referred to Judiciary Committee.

A bill to regulate the distillation of spirituous or ardent liquors. Read 1st and 2nd times and referred to Committee on Finance.

Mr. Lea introduced a bill to provide for special terms of the district courts for trials of persons charged with high crimes. Read 1st and 2nd times and referred to Committee on Judiciary.

A bill for relief of John Murchison was read 2nd time and ordered to be engrossed.

A bill to authorize the use of jails of the several counties for the custody of deserters was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

A bill to amend Article 392 of the Penal Code was read 2nd time and laid on table.

Mr. Jordan introduced a bill to define and punish the crime of disloyalty to the State of Texas. Read 1st and 2nd times and referred to Judiciary Committee.

A joint resolution authorizing the Military Board to pay the Confederate tax levied on Whitescarver, Campbell

and Company was read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed.

A bill to incorporate the Sulphur Fork Iron Company was read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed on call of yeas and nays unanimously.

A joint resolution in relation to the purchase of beeves in Texas by Payne and Company with counterfeit Confederate money was read 2nd time and substitute adopted. The 1st and 2nd Sections were stricken out and resolution passed to 3rd reading. Rule suspended, read 3rd time and passed.

A joint resolution in relation to the Confederate Government owning land for docks, etc. was read 2nd time. Substitute adopted and ordered to be engrossed. Rule suspended, read 3rd time and passed.

The Senate then adjourned until 9 o'clock A. M. tomorrow.

Senate Chamber, Tuesday, November 24, 1863
9 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

The Committee on Private Land Claims reported a bill for the relief of L. C. Ferguson founded on his memorial. Read 1st time. Also bill for relief of heirs of M. B. Crawford was read 1st time.

The Judiciary Committee reported a bill supplementary to and amendatory of an act to establish a Penal Code and recommended its passage.

A bill for the relief of Peter Norton and a bill for the relief of John Murchison were reported correctly engrossed.

Mr. Jowers introduced a bill for the relief of Messrs. Billips and Hassell. Read 1st and 2nd times and referred to Committee on Finance.

Mr. Hord introduced a bill to provide for electing Senators and Representatives to the 11th Legislature in counties occupied by the public enemy. Read 1st and 2nd times and referred to Committee on State Affairs.

Mr. Lea introduced a bill to amend the 3rd section of an act to change and provide a uniform time for terminat-

ing the fiscal year. Read 1st and 2nd times and referred to Committee on Judiciary.

Mr. Kinsey introduced a bill to provide for a digest of the laws of Texas. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Maxey introduced a bill to organize volunteer militia companies. Read 1st and 2nd times and referred to Committee on Military Affairs.

A joint resolution expressive of the sense of the Legislature relative to the currency was laid on table.

A bill donating land to Texas soldiers being under discussion, the Senate received an invitation to meet in joint session in the Representative Hall to hear the Governor's message. Whereupon a recess of ten minutes was taken and having expired the Senate repaired to the Hall of the House of Representatives.

IN JOINT SESSION

Roll called, quorum present. The message was then read in the presence of both Houses:

Senators and Representatives:¹⁷

In the discharge of the duties imposed upon me by the Constitution, I feel greatly relieved in the performance of the task by the full and able message so recently placed before you, by my predecessor, Governor Lubbock. In many of the recommendations and sentiments contained in that paper, I most heartily concur. Circumstances over which I had no control since my induction into office, have prevented me from communicating with you at an earlier day.

We are still in the midst of Wars and the conflict of arms, and the tramp of soldiers are still heard throughout the Confederacy. But in the midst of the embarrassments and losses incident to revolution, we still have cause for grateful hearts towards the Almighty Disposer of human affairs.

Our harvests have been rich and abundant, almost beyond precedent, even from the rich soils of Texas—our granaries are full to overflowing, and if want prevails elsewhere, Texas is a land of plenty.

Victory crowns our Arms upon almost every field, and

¹⁷From Executive Record Book No. 280, 1863-1865, pp. 10-24 (Archives Division, Texas State Library).

our success has been more uniform and unbroken than ever before fell to the lot of a people struggling with a revolution of such magnitude. The superiority of our soldiery in courage, and of our military leaders in skill, has been established upon an hundred well fought and glorious fields, and the world is already, upon the enduring pages of history, assigning us a place among the first nations of the earth in military courage, prowess, and skill, upon the field our people still remain loyal and true to the banner, of their Country, and, as a general thing, rush with alacrity to the field when their services are called for. It is true that we have met with occasional reverses—that our cause has had its periods of gloom and despondency; but it should be recollected that no cause, however just, however exalted and holy, was ever without them. Our cause is just and God is with us; and periods of gloom should not be to a nation of Patriots, periods of despondency and inaction—but occasions for more stern resolves, for more mature deliberations and for more thorough preparation. Every disappointment and reverse should but redouble our energies, bind us the more closely together, and cause us to remember that in this contest there is but one alternative—success and independence, or political slavery.

The Trans-Mississippi Department by the imperfect correspondence now existing with the States east of the Mississippi River and the Government at Richmond, is rendered almost self dependent for counsel, and for means of prosecuting the war and defending itself. Large portions of Louisiana and of Arkansas are within the federal lines, and their people by thousands, with their property have taken refuge within our borders to escape the presence of an insolent foe, and that foe is even now upon the soil of Texas.

These facts place Texas, necessarily in an imposing and commanding position in the Trans-Mississippi Department. Arms and munitions of war are wanting—the currency is depreciated—prices high, and the Army of the department is deficient in strength and numbers. Were the Conscript laws fully enforced in Louisiana, Arkansas, and Texas, it is believed that they would secure an army sufficient for the complete defense of the Department but they are not enforced with complete success.

These are the circumstances surrounding the State

with their lights and shades, and under which you have assembled to legislate for it. You are fresh from the people—enjoy their confidence, represent their will and wishes, and you are specially charged by them to see that the Republic shall receive no detriment. No Legislature of the State ever assembled under circumstances imposing graver responsibilities—better calculated to inspire the heart with a pure devotion to Country—to raise the mind above all sordid and petty considerations and to direct its entire energies with a comprehensive grasp, patiently, resolutely and firmly, to the contemplation of such measures as concern the general welfare.

I feel that this is no time to shrink from duty or shun responsibility; and I shall not hesitate—distrustful as I am of my experience in public affairs—to recommend such measures as I may deem suited to the wants of the state.

One of the first great wants of the State is increased amounts of arms and munitions of war. The efforts made by the State and Confederate authorities for the procurement of arms from abroad, have been but partially successful, and the supply is still far short of the demand. The manufacture through the agency of contracts, and by operations conducted under the authority of the State, owing to the great scarcity of material, machinery and educated laborers, is necessarily slow, uncertain and unreliable, and must for a long time continue so. While the manufacture of arms and munitions should be encouraged and stimulated, in all the ways found practicable, and as much of a supply obtained in this way as possible, still the main and only certain dependence for immediate supplies must be upon foreign markets.

The great uncertainty and risk attendant upon the introduction of arms from abroad, heretofore, should not deter the state authorities from continuing their exertions for this purpose. It is necessary and the State should measure their exertions and the use of her credit alone by the extent of this necessity. A few millions of dollars, timely and judiciously expended in the introduction of arms and munitions, sufficient for all her people, might not only prevent the loss of property—countless in value—but save her from the cruel and horrid inflictions which have been visited upon but too many of her sister States.

In view of the necessity that exists for procuring these

supplies with as much dispatch and certainty, as possible it would seem not improper to look to more plans and expedients than one for the accomplishment of this purpose. The more energy, skill, enterprise, daring and character that can be engaged, the greater the assurance of success. If the mercantile pride—patriotism and skill of the State, could be aroused and induced to come to her aid, through the agency of contracts promising reasonable compensation and certainty of pay, either in bonds or cotton, as the contractor might prefer, good results might be accomplished. To leave the way open for contracts to be made—should favorable opportunities be presented is not at all in conflict with the plan of sending an agent to Europe, or employing one already there, to use the bonds that may be entrusted to him. It only multiplies the chances of success by introducing more laborers in the field, and perhaps, at no greater cost to the State. In determining the amount in bonds to be provided for the purpose of procuring arms and other supplies, I will be indulged in calling to your minds to the fact, that we are procuring no arms from east of the Mississippi River—that the Confederate authorities have succeeded, thus far, very slowly in procuring them—that reverses upon the field might cause the loss of arms to us—that you can make no other provision for two years to come, unless called together in extra session, and that the Trans-Mississippi Department depends greatly upon Texas, her resources and her credit, and that upon a supply of arms and munitions of war, obtained by her exertions, may even depend her own liberties.

The dangers that threaten the State from without and from within require a military organization so complete and thorough, as to embrace, control and direct the entire fighting strength of the State. This organization should be practically secure, without delay, to meet any emergency that may arise, the action of the forces proportioned to the emergency. To attain this end, thorough organization, as well as ready obedience to the proper authorities must be impressed upon it.

The men between the ages of eighteen and fifty years, are already subjected by law to military duty. Seventy-five per cent of them have been drafted for service, and a large portion are already in the field. Quite a number, however, who were drafted, have been permitted to remain

in their own counties to assist in the defense of the frontier; and hundreds, I regret to say, persevere in refusing to enter the service. Those who are in the field were permitted to make organizations satisfactory to themselves, and they are said to be a fine body of soldiery. The twenty-five per cent not drafted may be added to it whenever necessity may call for their presence in the field, provided this organization continues as it now exists.

This organization is composed of men partly subject to conscription, and partly of men not subject—in what proportions I am not informed. Whether this organization shall continue permanent as it now stands, is a question for you to determine, and the difficulties attending the subject will at once present themselves to your minds. The period of service for which these troops were drafted, will expire in February or March, and from signs of the times their services may be then most needed in the field. So long as the organization stands as it now does, neither the conscripts nor the men not subject to conscription can be removed from the State without separating them.

In this connection, I beg leave to lay before you a very elaborate and interesting communication from Major General Magruder upon this and other subjects, and bespeak for it the full consideration which the great value of facts and suggestions contained in it deserve.

Whatever may be your conclusions as to continuing this organization as it now stands, the men between the ages of eighteen and fifty should be held as the more available State force for operations in the field, and their organization should be complete and permanent, so that they can be readily moved and employed to meet any emergency.

But should you stop with this organization, I cannot concede that the full military strength of the State would be embraced, or the necessities and dangers threatening it provided for. The men between the ages of fifty and sixty years should be subject to military duty, organized into companies in their own counties, and their muster roll returned to the office of the Adjutant and Inspector General. They should not be regarded as a force for operations in the field, unless the fortunes of the State should become more desperate, but as a force to meet emergencies which may arise at home assist in preserving a wholesome

police in the community, and aid in the execution of the laws, civil and military and for these purposes, they should be subject to the orders of the Executive. They should be used, when necessary, by authority of law, for arresting and forcing into service those who refuse to obey the laws of the State—those who may desert or loiter, beyond the time allowed, from their Commands. The desertions from the Army of the Trans-Mississippi Department are fearful in number and frequency, and not only weakens, but tends to its demoralization. This organization if made with reference to these objects—its duties well defined, and its movement sanctioned and directed by law—will carry a moral influence with it that will soon be felt throughout the State.

The habit of deserting, and refusing to enter the service in obedience to law, and the harboring, concealing, and screening men guilty of outrages against their country, will be broken up. The lawless bands, who have forgotten their obligations to society and to themselves, will find in this organization a pursuer armed with authority—the power, and the terror of the law, in whatever direction they may turn to commit depredations and will be forced to own that the way of the transgressor is hard.

Such an organization, in reference to these and other facts, seem to be absolutely necessary, in order to preserve the State, or sections of it at least, from lawless violence, to arrest and punish the wicked in the manner the law may say he shall be punished, and to protect the innocent and weak from the strong and reckless.

I have strenuously urged the complete organization of the entire military strength of the State, that it might be promptly used, just as the emergencies might require. This I fully believe to be right. But the discussion of determining when, how long, and in what numbers they shall be called into the field, can, in my estimation, be vested with no one except the Executive consistently with the dignity or safety of the State. Because they are organized, is no reason for their services. They should continue their attentions to producing from the soil—raising stock &, as far as consistent with the military defense of the State. If the civilian overlooks the necessity of production, of keeping up supplies of bread and meat for the army, and for home consumption, no less, perhaps, could be expected of military

commanders, whose minds are constantly fixed upon operations in the field. It should not be overlooked, that the army of the Trans-Mississippi Department depends greatly for supplies from Texas, that thousands are flying with their property from Louisiana and Arkansas to her borders, are consuming her substance—that the absence of men from home in the service at the call of the State, has, from all that I can learn, together with other causes, resulted in much less grain being sown in the grain region, than was sown last season. We should shape our policy in reference to the uncertain duration of this contest, and we must produce and fight, and fight and produce again. Thus our forefathers reasoned, and thus they labored upon the soil, and fought in the field, for seven weary years, until they achieved the institutions for which we are now battling.

The subject of the protection of the frontier counties against the Indian Savage, is doubtless engaging your attention; and I sincerely hope that you may achieve greater success in devising a plan than has been achieved heretofore. Very great and general interests depend upon the successful defense of the border countries. If the population of the extreme frontier Counties are forced to leave their homes and farms, from want of protection, and to fall back upon the adjoining counties, they, in their turn become border counties, and the area for grazing stock and producing the cereals is constantly contracted. After the failure of so many plans, plans, too, devised by the most experienced frontiersmen, one without experience in the habits of the savage, and in his mode of warfare, might well doubt the propriety of suggesting one. The loss of life and property has been greater, judging from representations, within the last months, than for the same period for years past; and yet there has been stationed, for nearly twelve months, on the frontier, a full regiment of mounted men, and these men, in the main, frontiersmen, selected for their supposed fitness for this service.

And besides this, in quite a large number of counties, over fifty the men subject to draft upon the last calls of Governor Lubbock, were ordered to organize into companies and remain in their respective counties for border defense; and numbers of others liable to conscription were permitted to remain at home for the same purpose. I submit an illustration to these facts, General Orders No. 36,

issued from the office of the Adjutant and Inspector General, by order of Governor Lubbock. From these facts you can judge of the number of troops assigned to the defense of the frontier, and kept for that purpose out of the Confederate service; and you can also judge of the efficiency and propriety of this plan of defense, and the reasons of its failure. I am decidedly impressed with the belief that it would secure better results to entrust the protection of the frontier, in the main, if not entirely, to Confederate authority. There the charge and the responsibility properly belongs, and it is not right in principle to pursue a line of policy unnecessarily, which implies a doubt of willingness of the Confederacy to discharge her Constitutional obligations to Texas.

Confederate troops, to some extent are already concentrated upon the frontier for its defense, and the establishment of a military district in the Northern portion of the State strengthens the assurances of defense from this source. And besides, I think that we have a guaranty in the disposition of the Commander of the Trans-Mississippi Department, that if he is trusted with the defense of the frontier—the responsibility imposed upon him, and he is left untrammelled, that this service will receive from him a full share of his attention and energy. This does not interfere even with the policy of protecting the frontier by frontiersmen, for as the object will be complete and successful defense, should they be found the most efficient troops for this purpose, they would doubtless be assigned to this service. If men are to be left at home in the frontier counties for home defense, they certainly should be forced to organize in a way to make them efficient, and subject them to proper command and authority; and in case it should become necessary, in order to meet the emergencies that might arise, for the companies to prosecute campaigns beyond the limits of their counties, would it not be well, in such instances to subject them to the command of the Confederate authorities entrusted with the frontier defense, and commanding troops regularly for this purpose?

What should be aimed at is full protection; but in securing this, men must be at their posts, and in the discharge of their duties. Such is the condition of the country, that its resources in men and means must be care-

fully husbanded, and idleness and shirking from duty nowhere allowed. I am satisfied that posts must be established, and points more distant from the settlements of the whites, seized and held—that we must approach nearer the homes and the haunts of the savage, before the frontier can ever be freed from his thieving habits and murderous disposition.

The policy already inaugurated of receiving Confederate notes in payment of taxes, in order to sustain and uphold that currency, should still be adhered to, although the great depreciation of those notes is becoming very embarrassing to the operations of the Government. But the system should be rendered more perfect. The collections in that currency should be made equal to the ordinary expenditures of the Government in order to avoid, from this time forward, the use of State Treasury Warrants at the ruinous rates of depreciation which mark Confederate Notes.

The practice of paying out, in the transactions of the Government, Treasury Warrants & Confederate Notes, at the same depreciated rates, not only involves bad financing, but is actually unjust to the people—results to the benefit of a few [*sic*] keen-sighted observers upon the course and tendency of the currency, and will, if persevered in for any great length of time, greatly embarrass the finances of the State.

Why should Texas Treasury Warrants, with her vast resources, and the small debt against her Treasury be paid out to her citizens at the rate of ten cents on the dollar? There is now outstanding, of these Warrants, including the 10 per cent Warrants, about the sum of one million, five hundred and twenty five thousand, four hundred and eighty seven dollars and twenty-two cents, (\$1,525,487.72), and they are hoarded with the belief and expectation on the part of the holders, that Texas is not only bound, but has the ability, and will, ultimately, to redeem them at their face value in specie, and yet many of them are paid out at the ruinous rate of depreciation mentioned.

The condition of the State, at present, as well as the circumstances under which they were issued, forbid that they should be funded, and yet, it would be well, could a way be opened for their return to the Treasury. The propriety of receiving these Warrants in payment of debts

due to special funds not annually distributable, and in payment for land script at not less than one dollar per acre, might well be considered, and maturely investigated. I believe that the Public Domain should be husbanded and guarded as a mine of wealth, to strengthen the credit of the State, and from which to draw means to aid in the discharge of pecuniary and other obligations necessarily growing out of this war, and to provide for the disabled soldiery of Texas, who will find help nowhere else. Could these Warrants be thus returned to the Treasury, and the State should ultimately find herself under an absolute necessity of changing her present policy and relying upon a currency of her own, she would be in a better condition to enter upon such a course, being more free from obligations pressing immediately upon the Treasury for payment.

I respectfully suggest the propriety of taking steps, at your present session, for having all claims of the State against the Confederate Government, including expenditures for the protection of the frontier, placed before Congress, that they may be adjusted, admitted and if desired by the State, acknowledged in the form of Confederate Bonds. I cannot believe that Congress will refuse to repay the State her expenditures for the support of the frontier Regiment, should the subject be properly laid before them. Should you fail, or deem it, under existing circumstances, unnecessary to call the attention of Congress to this subject, it will be two years, of course, before it can be done. The subject is before you to dispose of as you may deem best.

The condition of the Treasury is fully before you in the Message of Governor Lubbock and the report of the Comptroller, and it is unnecessary for me to repeat the facts and figures contained in them. The rate of Taxation, one half of one per cent, recommended in the report of the Comptroller, is also before you. This, if the Treasury is relieved of the burden of supporting troops for frontier defense, will perhaps, raise a sufficient revenue for the State. Depreciated as the Currency is, it becomes very difficult to make estimates in advance. You will be better able to judge of the taxation necessary, when the sum of your appropriations, and the burden imposed by your legislation upon the Treasury, are summed up.

It is to be hoped that the Confederate tax laws will

result in the appreciation of the Currency. Time will determine. To Congress we must look, mainly, for whatever of good we may expect, to be accomplished, in this respect, by legislation. That body created this Currency, and put it afloat in these States, and to it pertains the power of regulating the policy connected with it.

To arrain or criticize the policy of the Confederacy, in reference to the currency, or to make suggestions in regard to it, in this paper, could, perhaps, accomplish no practical good.

But it should be universally borne in mind by the people, that the currency consists in the promised and obligations of the Government—that the Government entered upon this revolution without money, and that the honor of the Government and of the people, as well as their means, so far as Government can pledge them, and as far as they, by freely and voluntarily entering into the revolution, could pledge them, and solemnly pledged to the redemption of these promises and obligations. This simple, but stern and unbending fact, shows, that from the beginning of this revolution, the condition of our Country was such, that the ordinary rules applied as tests to determine the soundness of a currency—rules applicable where trade is untrammelled, and commerce with the world free and unembarrassed, could not, with any propriety or justice, be applied as a rest to our currency, and that such an application should have been forbidden by the people and by the practice of the Government. To apply to it the rule that a paper currency is valuable in proportion to the degree and the readiness with which it is convertible into specie, is at once to proclaim it chaff, and in fact a repetition of the folly of putting new wine into old bottles. And again, it should not have been expected, nor was it promised on the part of the Government, that these obligations would be redeemed, or placed upon a specie basis, until the last battle in our glorious cause should be fought and won.

And even when that glorious consummation should be reached it was supposed that it would require years of contributions from the people to extinguish the debt, but that its extention over a period of years would keep alive the glorious memories of a struggle which resulted in our freedom and independence. But the Government itself, in some instances in practice and the people almost uni-

versally, have forgotten all these facts and truths, and admitted to their own injury and impoverishment, gold as : standard by which the value of the credits, promises and solemn pledges of the Government were to be determined. The adventurer brings from abroad a few dollars in specie and in a given community proclaims that every specie dollar is worth ten or fifteen in Confederate Notes; the people yield to the assertion without question, as if true, and straightway the community is subjected to the loss, perhaps in a few days, of seeing all the Confederate notes, in it sink in value five hundred per cent. Practically this allows the Yankee and the Mexican on your borders, and the trader in your midst, to fix and regulate the value of your currency, without reference to the obligations and ability of your Government ultimately to make it good.

The question is a plain and direct one: Is this currency to be redeemed? If so, why should the people be misled in this to their own detriment and led into practices which will fix upon their own shoulders and upon their posterity, a load of debt ten times greater than it should be?

The propriety of suspending the operations of the Land Office, so far as to prevent the location and survey of land until the war shall close, unless it shall be for special purposes connected with the credit and financial operations of the Government, I conceive to be obvious. Its operations, in the present condition of the State, in the absence of so many citizens from home, and the liability of so many others to be called from home to the Army, must result, mainly, to the benefit of but few.

I fully concur in the message of Governor Lubbock, in regard to arresting the growing evil of distilling grain into ardent spirits.

As to the support to be provided for the families of soldiers, as this policy is already inaugurated, I can only say, that it should be ample, and leave no room for complaint. It is a subject of congratulation throughout the State, that the people in various counties, upon this subject, have exhibited a liberality fully commensurate with the importance of this matter. In this respect, their patriotism and kindness have been unforced, and the past, I hope, gives assurance of the continuation of this liberal and patriotic disposition for the future.

The reasons for continuing the suspension of the Laws

for the collection of debts, are not altogether the same as those existing two years ago, and yet there are reasons for it no less commanding, and which will readily suggest themselves to every mind.

The subject of the Asylums for the Lunatic, the Blind and the Deaf and Dumb, are before you; and I invite your attention, especially, to the report of the Superintendent of the Lunatic Asylum in regard to the operations of the laws and regulations connected with that institution.

The introduction of machinery, and the establishment of manufactories for cotton cards, and for cotton and woolen cloths, the development of the iron and mineral resources of the State, are so obviously necessary that it becomes the duty of the State, so far as she can, to encourage and stimulate such enterprises by all the legitimate means within her power. The attention of the people should be aroused to this subject, and they should, if possible, be moved to combinations, to associations, and the most strenuous exertions for the accomplishment of these ends. The enemy has already taken possession of Brownsville, and how soon we may be cut off from foreign markets, and made entirely dependent upon ourselves, no one can tell. But current events are significant, and should satisfy the wise of the necessity of immediate and determined exertions. Iron is wanting, and its rich beds of ore expose themselves to the gaze of the Texan in every direction. Sulphur, Salt-petre and other minerals are wanting, and the material and caves from which they may be drawn and manufactured, are found in many localities. God has provided the means for the complete independence and self-reliance of Texas; and all that is wanting is, that the hand of science, and the spirit of enterprise shall seize hold of and make manifest His bounty.

The enlargement of the operations of the Penitentiary, if found practicable, is a consideration of the highest moment. The value of the productions of that Institution to the Trans-Mississippi Department cannot be estimated, and could its capacity be doubled, the good results to the soldiers and the people would soon be felt throughout the Department. This can only be accomplished by the introduction of machinery from abroad, and the propriety, necessity, and practicability of undertaking this, by the authority of the State, should be maturely considered by

you. The additional labor necessary can be employed. The condition of that Institution and its operations for the last two years are fully before you in the message of Governor Lubbock, and the Reports of the Comptroller and Financial Agent, and requires no recapitulation from me.

Revolutions breed offenses and crimes, natural to the agencies and motives at work in them; and it is the business of the civil Government to define and provide modes for their prevention and punishment. This is a delicate and difficult task, and will require no little labor and investigation; but its importance warrants all the attention that you can bestow upon it. The laws upon this subject are defective, and society is not as well protected by their provisions as it should be. Every attempt to lessen the confidence in our ultimate success—to produce or cherish disloyalty to the cause, either in the public mind, or in the mind of individuals—every attempt to produce disloyal and reasonable combinations, or to carry on a correspondence of this character, or having this tendency, should be checked and punished. Surely government is adequate to the protection of society, by the punishment of crimes and offenses against it, and by making provisions for this purpose with a wise forecast, the authority of law will be vindicated, and the necessity and excuses for irregular unauthorized will have no foundation. The suggestions already made in this paper, if carried out, by imposing it as a duty upon the military organizations at home, to arrest and return to service all deserters, and all who refuse to enter the service, when commanded by law, will have a strong tendency to break down disloyalty in the State.

To harbor or aid in any way a deserter from service, should be made an offense, and punished with severity. Every man who abandons the State in this hour of need, to avoid military service, should be disfranchised, and never permitted again to return to it as a citizen; and if he has no family, and is the owner of property, his property should be confiscated to the use of the State; and even in instances where the family also abandons the State; I do not see why the same rule should not be applied. I could not, however, recommend the visiting of the sins of the father upon the suffering wife and children, when they remain among us; though the withdrawal of property from the State, in such instances, might well be prohibited.

Whatever laws of this character you may provide, you should make it the duty of the Judges of the various districts to give them in charge, specially, to the Grand Juries, that they may be brought prominently before the public mind, and put in execution. And in my opinion, it should be made the duty of the judges to hold their Courts regularly, at least for such purposes as these, and to labor zealously to secure the execution of such laws. Is the Judiciary to die out during the war? Cannot this branch of the government do much good by keeping the Criminal laws prominently before the public mind, and by seeing that they are executed as far as practicable?

I feel constrained to bring to your attention the subject of Common Schools, and the condition of the support provided for them by law, for the past two years the amount distributed in support of these schools has been insignificant. The report of the Treasurer and Ex-officio Superintendent is before you, and reveals the aid received by them from the State for the period mentioned. The cause of education is a sacred one, and if neglected, the only satisfactory excuse that can be given to society, and to the rising generation, must be *Necessity*. We know not how long the war may continue, and we should shape our ends in reference to this uncertainty. This fact alone is sufficient to demonstrate the real and general interests involved to the growing minds of the State, in making that system, whose foundations rest in the Constitution, as efficient as the facts connected with the subject and the surroundings of the Country will permit for their benefit. The benefits to flow from this system of popular education, were intended primarily for the poor; and if this fountain is dried up, their prospects and hopes of mental culture and training are blasted. The interests of society and of government, the future usefulness and respectability of many a poor boy—sons, perhaps, of fathers who have perished upon the field of glory in defending their country—sons of those who are still battling in freedom's cause, but who are unable to provide for the education of their children are involved in this matter.

I know that the subject is surrounded by embarrassments, and perhaps the greatest embarrassment is the currency.

There is due to the Common School Fund, upon bonds

of RR Co's, about three hundred and forty five thousand and three hundred and seventeen dollars, and sixty cents (\$345,317.60). The annual accumulation of interest upon these bonds, as they now stand, is about one hundred and six thousand, eight hundred and fifty eight dollars and eighty cents (\$106,858.80). The bonds of these Companies will, in a few years, begin to fall due—then, with years of accumulated interest against them, their rolling Stock, bridges, superstructures all worn and deteriorated during the war, while they have no chance to procure a new supply, it is not difficult to foresee that some of them, if not all, may be greatly embarrassed.

The interests of the RR System and the Common School system, are connected through the policy of State legislation, and the State is interested in fostering, preserving and extending both systems; but this policy is defeated so soon as one system is permitted to destroy the other.

The currency renders the subject exceedingly embarrassing. From what I have learned, companies have failed to pay the interest upon their bonds, only because they were not permitted to do so in such currency as they could command. What the condition of the companies now is, and what their ability to pay, I am not informed. I have heard that some would pay, if permitted to do so, in Treasury Warrant, but I vouch not for the correctness of the statement.

The practical end to be aimed at, as it seems to me, is to secure to the State the same amount of tuition, or approach to it, for the sums due the School Fund, that might have been secured heretofore, under existing laws. Is this end attainable? Of course, I do not intend to be understood as indicating that in opposition to the general policy of the State in suspending the laws for the collection of debts, that an exception should be made of R.R. Co's. To make such an exception, and to force or attempt to force them to payments in a currency that they could not command, I should deem unjust and oppressive, and it would certainly, for a long time, defeat the objects that might be attained by managing this whole subject with practical wisdom, that may secure justice to the School fund, upon some plan that would, under the circumstances,

surrounding the Country, be at the same time just to RR Companies.

I have thus arrayed these facts and considerations, that this whole subject might receive at your hands that full, liberal, and practical consideration which its great and general importance deserves, and with the hope that you may be able to work out practical results, just to the two great public interests involved.

Numerous evils afflict the land. The currency is depreciated, speculation is abroad, and prices are enormous. The suggestions for the correction of these evils are numberless.

They are in fact, evils which have attended every revolution and protracted war recorded by history, and history proclaims the remedies applied for their correction, and the results of their application. Its pages are open before you. I shall express some homely ideas, but if practiced upon, they would go far to abate these evils, and hush these complaints. Let every man and woman comprehend the surroundings of the country, and appreciate the necessity of making the habits unsuited to the times be abandoned and habits suited to them, be universally adopted. Let every family, rich and poor, depend for their clothing upon their own looms and spindles, tan their raw-hides into leather and convert their leather into boots and shoes, convert native wool and furs at the shops, into plain, substantial hats, and let the fair hand of woman convert into hats and bonnets the grasses and the straws plucked from the fields, the forests, and the prairies. Then the merchant may charge enormous profits for his goods, but there will be but little dependence upon him. Let labor and capital unite, and introduce and work machinery for the making of wearing apparel from our native products, let the iron and mineral resources of the State, through combinations entered into for the purpose, be developed, and then such supplies will be more abundant and cheap. Had such a course been adopted by our people two years ago, they would today be well clothed and independent of foreign markets. If the women of Rome in ancient times, and the maids and matrons of Prussia in modern times, influenced by patriotism and love of Country, could strip themselves of their silver plate, their jewelry and golden ornaments, and lay them upon the altar of their bleeding country, surely our

noble women, who have from the beginning of this contest exhibited a spirit so devoted, so self-sacrificing, should not be ashamed to array themselves in the plain products of domestic manufacture, bearing evidence of a self-reliant spirit and self-sustaining homes, in a country bleeding at every pore, and clad in the weeds of mourning for the thousands of her heroic dead.

And above all let the people again solemnly remember that this war debt, to the utmost farthing, is to be paid, that its payment is to be a part of the Nation's glory and of the people's glory; that a failure to pay would be a stigma upon the Nation and the people; and let them, in remembrance of this fact, reject the false standard of value, in foreign gold, erected by the speculator and the heartless money-dealers, to determine the value of the Confederate currency; let them fund and retire from circulation every dollar that can be spared, and let them be content with fair remunerative prices for their labor, their products and their property, and the currency will appreciate in value and all will be well again. The remedy is with the people at large, a partial application of it can do no good, the application must be universal as the evil, and if universally and rigidly applied by the people, the country would be saved and the currency restored. Surely every true man should be as ready to follow the good example of his neighbor in reducing prices, retiring the currency from circulation, and striving to improve it, as he would be to copy the bad example of the speculation in raising prices, and decrying the value of the currency.

In concluding this paper, allow me to indulge the hope that the utmost harmony and success may prevail in your councils, that God in His goodness may watch over and guide you in your deliberations, and that the results of your labors may entitle you to the lasting gratitude of your Countrymen.

P. Murrah

The Senate having returned to their chamber, the following bills were reported correctly engrossed:

A bill to amend the acts to cede jurisdiction, etc.

A bill to incorporate the Sulphur Fork Iron Company.

A joint resolution relative to the payment of the Confederate tax.

The following bills were reported correctly enrolled and presented to the Governor:

A bill to amend an act to punish speculation in certain cases.

A joint resolution of thanks to Texas soldiers.¹⁸

The Senate then adjourned until tomorrow 9 o'clock A. M.

Senate Chamber, Wednesday, November 25, 1863
9 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

Mr. Davis presented the memorial of W. B. Burns relative to land. Referred to Committee on Private Land Claims.

The Judiciary Committee recommended the passage of the following bills:

A bill to amend an act concerning common carriers and defining their liabilities.

A bill to define and punish the crime of disloyalty; and recommended that the following do not pass:

A bill to amend the 3rd section of the act to provide a uniform time for closing the fiscal years.

A bill to amend Articles 400 and 401 of the Penal Code.

The Finance Committee recommended the passage of a joint resolution for the relief of Messrs. Billips and Hassell.

A resolution was offered by Mr. Quayle requesting the Committee on Printing to procure 200 copies of the Governor's message which was adopted.

¹⁸The resolution of thanks, as reported by the Texas State Gazette (Austin), December 7, 1863, is as follows:

JOINT RESOLUTION OF THANKS.—The following Resolution, which was recently passed by both Houses, unanimously declares:

"That in consideration of the patriotic service, personal sacrifice and distinguished gallantry of all Texan Soldiers who have been, and who are now in the Armies of the Confederate States and State of Texas, battling for Southern Honor and Independence, we, the Representatives of the State of Texas, for ourselves and in behalf of our constituents, tender to them, both officers and men, the sincere, heartfelt thanks of the people of the State of Texas; and that recognizing them as the brave defenders of our common liberties, we hereby pledge ourselves and the State to the support and maintenance of their families during their absence from home."

A resolution by Mr. Beasley instructing the Committee on Military Affairs to inquire into the practicability of organizing all men between the ages of 50 and 60 years for home defense was adopted.

A resolution by Mr. Durant referring so much of the Governor's message as relates to the school system to Committee on Education was adopted.

A bill further regulating proceedings in the Supreme Court was read 2nd time and ordered to be engrossed.

A bill to amend the 1st section of an act concerning wills was read 2nd time and re-referred to Judiciary Committee.

The following bills were announced as having passed the House:

A bill for relief of A. J. Vaughn.

A bill to amend the caption and 1st section of an act relating to forfeitures, etc., was read 1st and 2nd times and referred to Judiciary Committee.

A bill to establish the boundaries of Live Oak and McMullen Counties was read 1st and 2nd times and referred to Committee on County Boundaries.

A bill to amend the 71st section of an act to regulate proceedings in County Court pertaining to estates of deceased persons was read 1st and 2nd times and referred to Judiciary Committee.

A bill to amend an act to organize County Courts was read 1st and 2nd times and referred to Judiciary Committee.

A bill to amend the 1st section of an act to regulate proceedings of the District Courts was read 1st and 2nd times and referred to Judiciary Committee.

A bill to authorize County Courts to regulate the pay of sheriffs in certain cases was read 1st and 2nd times and referred to Judiciary Committee.

A bill defining the county line between the counties of Harrison and Marion was read 1st and 2nd times and referred to Committee on County Boundaries.

A bill to relieve Carro M. Quarles of the disability of minority was read 1st and 2nd times and referred to Committee on Judiciary.

A bill to amend the acts to cede jurisdiction, etc., from the Senate.

A bill to suspend the location and survey of public

lands was read 2nd time and amended. Rule suspended, read 3rd time and passed.

A joint resolution in relation to the repeal of all property exemption and property detail laws was read 3rd time and passed.

The report of Judiciary Committee on a bill to amend Article 392 of the Penal Code adversely thereto was adopted.

A bill donating land to Texas soldiers was considered and referred to a Select Committee of seven; whereupon Messrs. Jordan, White, Throckmorton, Weatherford, and Dickson [5] were announced as the Committee.

A bill for relief of pre-emption settlers was read 2nd time and passed to 3rd reading. Rules suspended, read 3rd time and passed.

Resolutions of respect to the memorial of the late Honorable Mark Milton Potter were presented by Mr. Hartley and unanimously adopted. Then the Senate adjourned until 10 o'clock A. M. tomorrow.

Senate Chamber, Thursday, November 26, 1863
10 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

The Committee on Public Lands reported adversely to a bill to repeal an act to provide for the sale of lots in the City of Austin.

The Judiciary Committee recommended the passage of the following bills:

A bill to authorize the County Courts to regulate the pay of sheriffs in certain cases.

A bill to amend the 1st Section of an act to regulate proceedings in the District Courts.

A bill to amend the 71st section of an act to regulate proceedings in the County Courts pertaining to estates of deceased persons.

A bill to amend the caption and 1st section of an act relating to forfeitures.

A bill to relieve Carro M. Quarles of the disability of minority and recommend that a joint resolution proposing to amend the State Constitution do not pass.

The Committee on State Affairs recommended the

passage of a substitute for a bill further to prescribe the duties of the Military Board; and recommended the passage of a bill to provide for electing Senators and Representatives to the 11th Legislature for 1865 in counties occupied by the public enemy; also a bill appropriating 20,000 dollars for recovering public buildings with amendments.

The Finance Committee reported a bill to raise 1,000,000 dollars by sale of cotton bonds, etc., and recommended that 1,000,000 dollars be stricken out and 2,000,000 dollars inserted. Report taken up, amendments adopted, and bill passed to 3rd reading.

The following bills were reported correctly engrossed:

A bill further regulating proceedings in the Supreme Court.

A bill to suspend the location and survey of public lands.

The Judiciary Committee reported a substitute for the bill to amend an act concerning wills.

The Committee on County Boundaries reported the following bills and recommended their passage:

A bill defining the county line between Harrison and Marion counties.

Mr. Guinn offered a resolution requesting the Committee on Military Affairs to consider the expediency of so modifying the law in relation to the Frontier Regiment as to place the power in the hands of the Executive to turn it over to the Confederate States Government. Adopted.

Mr. Burney offered a resolution requesting the Committee on Penitentiary to consider the propriety of increasing the bond of the Financial Agent and require him to make return monthly. Adopted.

Mr. Harcourt introduced a bill to amend Article 960 of the Code of Criminal Proceedings. Read 1st time.

Mr. Guinn introduced a bill to repeal the proviso of the 2nd section of an act to provide for defense of the frontier, etc., etc. Read 1st and 2nd times and referred to Committee on Military Affairs.

Mr. Ford introduced a bill to provide for the manufacture of Spinning Jennies. Read 1st and 2nd times and referred to Committee on State Affairs.

A bill to provide for the employment of additional labor in the State Penitentiary was read 2nd time. Amendments of committee adopted, and bill ordered to be en-

grossed. Rule suspended, read 3rd time and passed.

A joint resolution in relation to the extension of the Conscript Laws. Report of Committee adversely to its passage was adopted.

A bill to suspend all laws for the collection of debts was read 2nd time and postponed until 10 o'clock A. M. tomorrow.

A bill defining the duties of the Agent of the Alabama Coushatta and Muscogee Indians was read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed.

The following bills were announced from the House:

A bill respecting guardianships was read 1st and 2nd times and referred to Judiciary Committee.

A bill to incorporate the Paluxy and Brazos Sulphur Nitre and Powder Manufacturing Company was read 1st and 2nd times and referred to Committee on State Affairs.

A bill making an appropriation for the mileage and per diem pay of the members and per diem pay of officers of the 10th Legislature was read 1st and 2nd times and referred to Committee on Finance.

A Senate joint resolution for the payment of Confederate tax and joint resolution asking the repeal of all property exemption detail laws.

A bill for the relief of the heirs of Thomas Moore was read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed.

A bill appropriating 500,000 dollars as a hospital fund. Read 2nd time, substitute adopted, and ordered to be engrossed. Rule suspended, read 3rd time and passed.

A bill to fix the prices of articles of necessity therein mentioned, etc. was read 2nd time and made special order for Monday next 11 o'clock A. M.

A bill to amend 3rd part of Criminal Code was read 2nd time and made special order for Tuesday next 10 o'clock A. M.

A bill supplementary to and amendatory of an act to establish a Penal Code was read 2nd time and made special order for Saturday, 11 o'clock A. M. to be considered in Committee of the Whole.

The report of Judiciary Committee adversely to a bill to amend the existing laws in relation to the disposition of estates, was adopted.

Mr. Hord introduced a bill to authorize the Governor to appoint certain general officers. Read 1st and 2nd times and referred to Committee on Military Affairs.

A bill to provide for the support of families of Texan soldiers being under consideration and Mr. Quayle having moved to reconsider a vote adopting Mr. Harcourt's substitute to a bill granting land to Texas soldiers, the Senate adjourned until 10 o'clock A. M. tomorrow.

Senate Chamber, Friday, November 27, 1863
9 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

The Committee on Finance reported adversely on a bill to create a Board of Commerce and Manufactures.

The following bills were reported correctly engrossed:

A bill to provide for the employment of additional labor in the State Penitentiary.

A bill for relief of heirs of Thomas Moore.

A bill defining the duties of the agent of the Alabama Coushatta and Muscogee Indians.

Mr. Jowers introduced a joint resolution to provide for the preparation of a roll of honor of the citizens soldiery of the state. Read 1st and 2nd times and referred to Committee on Confederate Relations.

Mr. Harcourt introduced a bill to define the boundary of the headright league of land granted to James McNair and W. E. McLain. Read 1st and 2nd times and referred to Committee on State Affairs.

A bill to further prescribe the duties of the Military Board was read 2nd time, substitute adopted, and ordered to be engrossed. Rule suspended, read 3rd time and passed.

A bill to provide for the families of Texan soldiers. Read 2nd time, rule suspended, read 3rd time and passed.

The Committee on Printing reported a contract for 2,000 copies of the Governor's message for \$144.00, binding 40 dollars, Senate furnishing paper.

Mr. Selman introduced a joint resolution relative to the contract of Short, Briscoe and Company with the Military Board. Read 1st and 2nd times and referred to Committee on State Affairs.



**A frontiersman sent to Austin
Senator Daniel Montague
of Cooke County**

Source: A. Wharton Smith,
**The First 100 Years in Cooke
County** (San Antonio:
Naylor, 1955), xii.

A bill to suspend all laws for the collection of debts was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

A bill to raise 2,000,000 dollars by sale of cotton bonds was read 3rd time and passed.

A bill to authorize the sale of percussion caps was read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and referred to a Select Committee consisting of Messrs. Montague, Lea, and Throckmorton.

A joint resolution in relation to increase of pay of soldiers. Read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

The Senate then adjourned until 9 o'clock A.M. tomorrow.

Senate Chamber, Saturday, November 28, 1863
9 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

A bill providing for the support of families of Texan soldiers, and a bill to provide for the manufacture of iron by the Military Board were reported correctly engrossed.

Mr. Montague, chairman of Select Committee, reported a substitute for a bill to authorize the sale of percussion caps.

Mr. Moore of Davis introduced a joint resolution requesting the Commanding General to detail men for the Texas iron works. Read 1st and 2nd times and referred to Committee on State Affairs.

Mr. Dickson introduced a bill to authorize the Governor to employ a suitable person to take charge of the libraries and other property belonging to the Capitol. Read 1st and 2nd times and referred to Committee on State Affairs.

Mr. Montague introduced a joint resolution concerning the manufacture of slate. Read 1st and 2nd times and referred to Committee on State Affairs.

The Committee on State Affairs reported a substitute for a bill to provide for the manufacture of spinning jennies; a substitute for a joint resolution for the relief of Short, Briscoe and Company; and recommended the passage of the bill to define the boundaries of the McNair and

McLain league of band; also reported adversely to the memorial of James Browne.

A bill to amend the 1st section of an act concerning wills. Read 2nd time, a substitute adopted, and ordered to be engrossed. Rule suspended, read 3rd time and passed.

A bill for the relief of Carey Watson was read 2nd time. Rule suspended, read 3rd time and passed.

A bill to relieve Carro M. Quarles of the disability of minority was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

A bill to provide for the manufacturing of spinning jennies was read 2nd time. Rule suspended, read 3rd time and passed.

A bill for the relief of Short, Briscoe and Company was read 2nd time. Rule suspended, read 3rd time and passed.

A bill for the relief of Messrs. Billips and Hassell. Read 2nd time. Rule suspended, read 3rd time and passed.

A bill defining the county line between the counties of Harrison and Marion was read 2nd time. Rule suspended, read 3rd time and passed.

A bill to establish the boundaries of Live Oak and McMullen counties was read 2nd time. Rule suspended, read 3rd time and passed.

A bill for the relief of Peter Norton was read 3rd time and passed.

The resolution to adjourn *sin die* was postponed until Saturday next.

The following bills were announced from the House:

Senate bill to incorporate the Sulphur Fork Iron Company with amendments which were concurred in; and a bill for relief of Robert Price.

House bill to incorporate the East Texas Manufacturing Company Read 1st and 2nd times and referred to Committee on State Affairs.

A bill amendatory of and supplemental to an act to establish a Penal Code being the order the Senate went into Committee of the Whole, Mr. Dickson in the chair. After some time spent therein, the Committee rose, reported progress, and asked leave to sit again at 3 o'clock P. M. next Tuesday, and recommended that 150 copies of the bill be printed. Adopted.

The Senate then adjourned until 9 o'clock A. M. on Monday.

Senate Chamber, Monday, November 30, 1864

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

The Committee on Private Land Claims reported adversely upon the memorial of P. Priestly.

The Finance Committee recommended the passage of a bill making an appropriation for the mileage and per diem pay of the members and the per diem pay of officers of the 10th Legislature.

A bill for relief of H. K. Harrison and a bill to provide for the manufacture of spinning jennies was reported correctly engrossed.

A substitute for a bill granting land to Texan soldiers was reported by the Special Committee.

Mr. Lea introduced a bill to regulate distilleries and to repeal the law authorizing license therefor. Read 1st and 2nd times and referred to Committee on Finance.

Mr. Jowers introduced a bill for the benefit of minor heirs of John D. Long. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Beasley introduced a bill to legalize the acts of C. C. Galloway, Notary Public of Upshur County. Read 1st and 2nd times and referred to Judiciary Committee.¹⁹

Mr. Ford introduced a bill to provide for the appointment of Superintendent of Public Works and to prescribe his duties. Read 1st and 2nd times and referred to Select Committee of five, consisting of Messrs. Ford, White, Jordan, Throckmorton, and Lea.

A joint resolution on the subject of sequestered property of alien enemies was indefinitely postponed.

A bill for relief of John Murchison was read 3rd time and passed.

¹⁹The report of the Judiciary Committee is not mentioned hereafter, but the undated manuscript with the bill read as follows:

The Judiciary Committee have considered a bill to be entitled an act to legalize the acts of C. C. Galloway, a Notary Public in Upshur County and instruct me to report the same back and recommend that it do not pass.

If the person acting as Notary was in point of fact acting under authority of a Commission duly issued, he was an officer *de facto* and so far as the public are concerned his official acts could not be collaterally called in question.

Jno. T. Harcourt Chairman

Mr. Ford introduced a bill to punish speculation in permits to export cotton. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Throckmorton introduced a bill for relief of J. M. Bound's Company. Read 1st and 2nd times and referred to Committee on Claims and Accounts.

Mr. Shepard introduced a bill to establish the Texas Manufacturing Company. Read 1st and 2nd times and referred to Judiciary Committee.

A substitute was reported for a bill to establish the Waco Manufacturing Company which was adopted and ordered to be engrossed. Rule suspended, read 3rd time and passed on call of Yeas and Nays, unanimously.

A joint resolution concerning the disposal of cloth made at the Penitentiary being under consideration, the Senate adjourned until 3 o'clock P. M.

3 o'clock P. M.

Senate met, roll called, quorum present.

The joint resolution concerning the disposal of cloth made at the penitentiary being again considered was ordered to be engrossed. Rule suspended, read 3rd time and passed.

Mr. Moore of Bastrop introduced a bill to incorporate the Bastrop Iron Company. Read 1st and 2nd times and referred to Committee on State Affairs.

A bill to authorize the Comptroller to issue a ten per cent Treasury warrant was read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed.

A substitute for bill donating land to Texas soldiers was taken up and having been considered for some time, the Senate adjourned until 9 o'clock A. M. tomorrow.

Senate Chamber, Tuesday, December 1, 1863
9 o'clock A. M.

Senate met, roll called, quorum present. The journal of yesterday was read and adopted.

The Judiciary Committee reported adversely to a bill for the benefit of the heirs of John D. Long.

The Committee on Education recommended the passage of a bill to incorporate San Saba Masonic College.

Mr. Hord introduced a bill for relief of owners of land

sold for taxes. Read 1st and 2nd times and referred to Committee on State Affairs.

Mr. Cooley introduced a bill to incorporate the Comal Oil Company. Read 1st and 2nd times and referred to Committee on State Affairs.

Mr. Lea introduced a bill to provide for military organizations, etc. Read 1st and 2nd times and referred to Committee on Military Affairs.

The substitute for the bill granting land to Texas soldiers was adopted and ordered to be engrossed.

The Committee on Penitentiary reported the following bills which were severally read 1st time: a bill to amend Article 123, Chapter 6, of the Penal Code; a bill to amend the 1st section of an act requiring the Financial Agent of the Penitentiary to settle his accounts quarterly.

A bill to amend the 3rd part of the Criminal Code was referred to Committee on Penitentiary.

A bill making an appropriation for mileage and per diem pay, etc. was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

Mr. Shepard introduced a bill to incorporate the Hempstead Manufacturing Company. Read 1st and 2nd times and referred to Committee on State Affairs.

The House amendments to a bill to incorporate the Sulphur Fork Iron Company were concurred in.

The substitute proposed for a bill authorizing the sale of percussion caps was adopted and ordered to be engrossed. Rule suspended, read 3rd time and passed.

A bill to define the boundaries of Live Oak and McMullen counties was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

A bill for relief of James P. Dumas was read 2nd time. Rule suspended, read 3rd time and passed.

A bill for the relief of Lewis C. Ferguson was read 2nd time.

A bill for relief of heirs of M. B. Crawford was read 2nd time. Rule suspended, read 3rd time and passed.

A bill to amend an act concerning common carriers was read 2nd time. Rule suspended, read 3rd time and passed.

The Senate then adjourned until 3 o'clock P. M.

3 o'clock P. M.

Senate met, roll called, quorum present.

A bill fixing the prices of articles of necessity when sold to soldiers or their families being in order was discussed and pending a call of the Senate thereon, an adjournment was moved until 9 o'clock A. M. tomorrow and carried.

Senate Chamber, Wednesday, December 2, 1863

9 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

The Committee on Education recommended the passage of a bill to prohibit the sale of intoxicating liquors in the neighborhood of San Saba College.

The Committee on State Affairs recommended the passage of a bill to authorize the Governor to employ a suitable person to take charge of the library, etc., in the Capitol.

The Committee on Military Affairs reported a substitute for a joint resolution in relation to two flags captured from the enemy²⁰ and a bill to aid enrolling officers

²⁰The substitute is as follows:

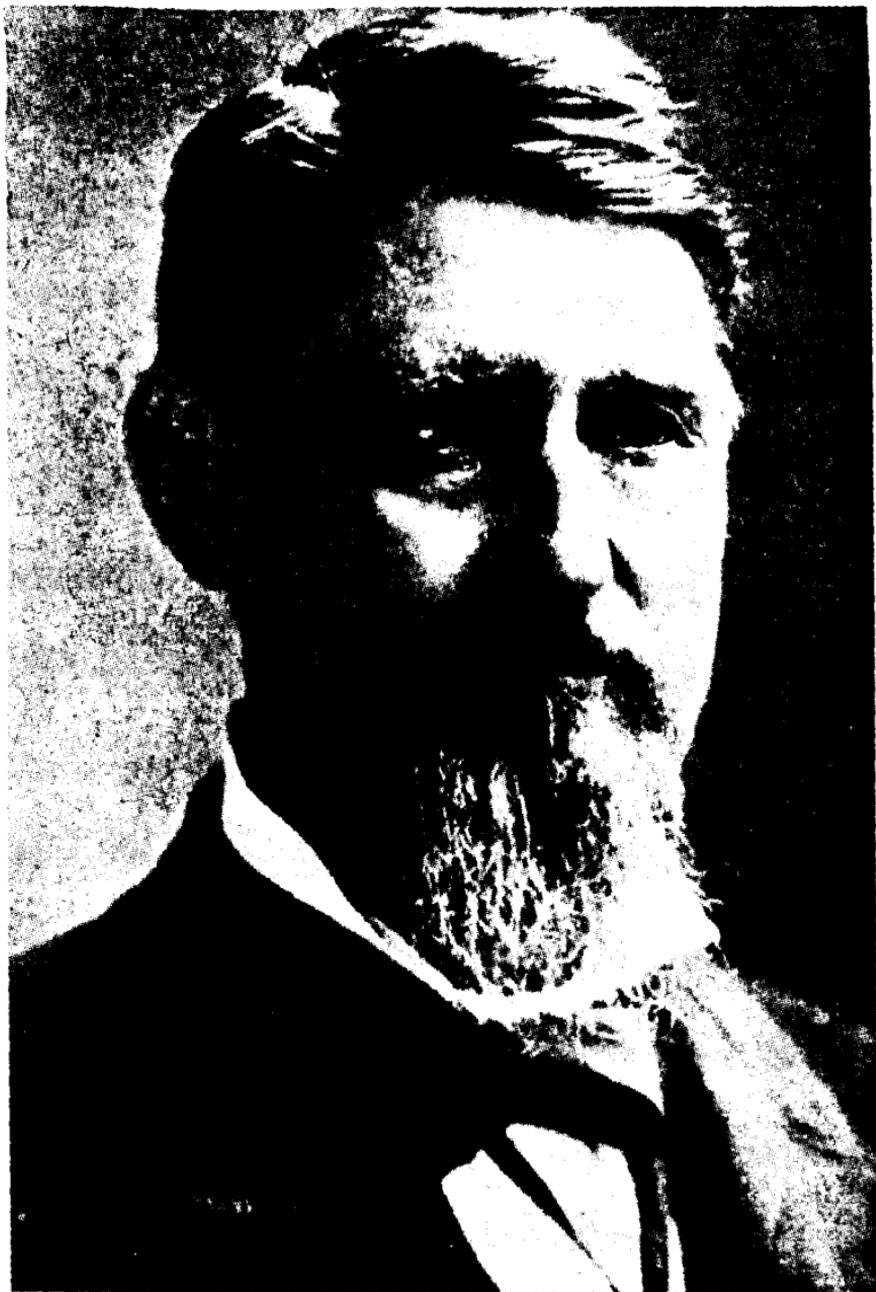
Joint resolution in relation to two Yankee flags captured from the enemy—

Resolution 1st—Be it resolved by the legislature of the State of Texas, That we have received with feelings of patriotic pleasure the stand of color of the 4th New Jersey regiment captured by the 5th Texas infantry in the battle of Richmond June 27th 1862; and also a Yankee flag captured at the battle of La Fourche by the 4th Texas cavalry July 13th 1863.

Res. 2nd—That the capture of these standards from our boastful numerous and infuriated foes is evidence again repeated of the heroic and indomitable courage of southern soldiers, fighting for freedom and independence, evincing their firm and unalterable determination to stand by their country, through sunshine and through storm, until the unprincipled enemy is driven from the soil of our native land, and covers the name of Texas and of the Confederate States with imperishable glory, challenging the admiration of the world.

Res. 3rd—That these mementoes of Texan chivalry be assigned a place among the archives of the State and preserved as trophies glorious to the captors and to the people of Texas proud of their invincible sons.

Res. 4th—That in further token of our admiration and the admiration of the people of Texas, these resolutions be forwarded by the Governor to be read at the head of the regiments above named.



**He voted against secession in 1861,
but later became a state Senator.**

**Senator James W. Throckmorton
of Collin County**

Source: Claude Elliott, *Leather-
coat, The Life of a Texas
Patriot* (San Antonio:
Standard Printing Company,
1938), frontispiece.

in the discharge of their official duties recommending its passage.

The Committee on State Affairs reported the following bills and recommended their passage:

A bill to incorporate the Paluxy and Brazos Sulphur Nitre and Powder Manufacturing Company.

A bill to suspend the operation of the estray laws.

A bill for relief of owners of land sold for taxes.

A joint resolution to authorize the Military Board to manufacture salt.

A bill to incorporate the Comal Oil Company.

A joint resolution requesting the detail of men for Texas Iron Works.

A bill to incorporate the East Texas Manufacturing Company.

A bill to incorporate the Hempstead Manufacturing Company.

A bill to incorporate the Bastrop Iron Company.

The Committee on Claims and Accounts recommended a substitute for a bill for the relief of J. M. Bound's Company.

The Committee on Private Land Claims reported upon the memorial of W. B. Burns, a bill for his relief. Read 1st time.

The bill amendatory of and supplemental to an act to establish a Penal Code was again considered in Committee of the Whole, and amendment thereto being reported, the subject was made special order for tomorrow at 10 o'clock A. M.

A substitute for a bill to provide for the appointment of a superintendent of the public works was reported by the Select Committee.

The Committee on Private Land Claims recommended the passage of a bill for the relief of Francis L. Toncary.

Mr. Throckmorton introduced a bill to regulate the cancellation of patents in certain cases. Read 1st and 2nd times and referred to Committee on Public Lands.

A bill in relation to the McNair and McLain league of land was ordered to be engrossed. Rule suspended, read 3rd time and passed.

The Senate then adjourned until 10 o'clock A. M. tomorrow.

Senate Chamber, Thursday, December 3, 1863
10 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

The Committee on County Boundaries reported recommending the passage of a bill to provide for ascertaining conflicts in surveys and county boundaries.

The Committee on Confederate Relations recommended the passage of a joint resolution for the improvement of Confederate Treasury Notes.

The Judiciary Committee recommended the passage of the following bills:

A bill to incorporate the Texas Manufacturing Company.

A bill to authorize George W. Glasscock to sue the state.

A bill to provide for special terms of the District Court for the trial of persons charged with high crime, recommending that it do not pass.

The Committee on State Affairs recommended the passage of a bill to charter the City of Galveston.

The Committee on Finance recommended a substitute for the measures referred to them with regard to the distillation of grain, and the passage of Senate's bill to regulate distilleries and to repeal the law authorizing licenses therefor.

A bill to charter the City of Galveston was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

Mr. Durant introduced a bill to incorporate the Port Sullivan College. Read 1st and 2nd times and referred to Committee on Education.

Upon the frontier bill the Committee on Military Affairs reported amendments and recommended the passage of the bill.

The bill amendatory of and supplemental to an act to establish a Penal Code being freely discussed, was ordered to be engrossed. Rule suspended, read 3rd time and passed.

A bill granting land to Texas soldiers was read 3rd time and passed.

The report of Judiciary Committee recommending that

a bill to amend Articles 400 and 401 of the Penal Code do not pass, was adopted.

A bill to suspend the operation of the estray laws was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

The report of Judiciary Committee recommending that a joint resolution to change the Constitution do not pass, was adopted.

A bill for relief of heirs of Francis L. Toncary was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

The Senate then adjourned until 10 o'clock A. M. tomorrow.

Senate Chamber, Friday, December 4, 1863
10 o'clock A. M.

Senate met, roll called quorum present. The journal of yesterday was read and adopted.

The Committee on Public Lands reported adversely to a bill to regulate the cancellation of patents.

The Committee on Finance recommended the passage of a bill intended to relieve the heirs of Benjamin D. Nobles.

The Committee on Education recommended the passage of a bill to incorporate Port Sullivan College.

The Committee on Confederate Relations recommended the passage of a bill in relation to Confederate money.

Mr. Parsons introduced a bill to incorporate the Rusk County Iron Company. Read 1st and 2nd times and referred to Committee on State Affairs.

A bill to provide for electing Senators and Representatives to the 11th Legislature of the State in counties occupied by the public enemy was read 2nd time and ordered to be engrossed.

A bill to amend the 1st section of an act to regulate proceedings in the District Courts was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

A bill to authorize the County Courts to regulate the pay of the sheriffs in certain cases was read 2nd time. Rule suspended, read 3rd time and passed.

The report of Committee on Public Lands adversely to a bill to repeal an act to provide for the sale of lots in the City of Austin was adopted.

A bill to amend the caption and 1st section of an act relating to forfeitures was read 2nd time. Rule suspended, read 3rd time and passed.

The report of Finance Committee adversely to a bill to establish a Board of Commerce and Manufactures was adopted [by a vote of 20 to 3. Source: *Tri-Weekly Telegraph* (Houston), December 7, 1863].

A bill to provide for the protection of the frontier was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

The report of Committee on State Affairs adversely to the memorial of James Browne was adopted.

A bill to incorporate the Texas Manufacturing Company was read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed.

A bill to amend Article 960 of the Code of Criminal Procedure was read 2nd time. Rule suspended, read 3rd time and passed.

A bill to incorporate the Bastrop Iron Company was read 2nd time. Rule suspended, read 3rd time and passed.

A bill for relief of J. M. Bound's Company was read 2nd time. Rule suspended, read 3rd time and passed.

A bill for relief of William B. Burns was read 2nd time. Rule suspended, read 3rd time and passed.

Mr. Hartley introduced a bill to establish the salaries of members of the Military Board. Read 1st and 2nd times and referred to Judiciary Committee.²¹

The Senate then adjourned until 9 o'clock A. M. tomorrow.

Senate Chamber, Saturday, December 5, 1863
9 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

The Committee on State Affairs recommended the

²¹The report of the Judiciary Committee is as follows:
Hon. F. S. Stockdale—Pres. Senate:

The Committee on the Judiciary have had the bill to be entitled an act to establish the salary of the members of the Military Board under consideration.

The committee are of opinion that the passage of other bills has rendered this unnecessary and I am directed to report it back to the Senate and recommend that it do not pass.

Spencer Ford
One of Committee

passage of the following bills:

A bill to encourage the erection of certain machinery.

A bill to prevent the sale of liquors near the town of Dallas.

The Judiciary Committee recommended the passage of the following bills:

A bill to amend an act organizing County Courts.

A bill to validate the official acts of Joseph Wallis.

A bill to provide for the organization of McMullen County.

A bill to amend the 58th section of an act to regulate proceedings in County Courts.

Reported adversely to a bill to amend the 23rd section of an act to organize District Courts.

The Committee on Education recommended the passage of a bill to incorporate Parsons Female Seminary.

Mr. Shepard introduced a bill in relation to the heirs of W. J. Mills. Read 1st and 2nd times and referred to Judiciary Committee.

The resolution to adjourn *sine die* on 16th December was adopted.

The Committee on Military Affairs presented a bill for the relief of the Tonkawa Indians. Read 1st time, rule suspended, read 3rd time and passed.

The Finance Committee recommended the passage of a bill to prohibit the retail of liquor near Round Rock.

The Committee on Penitentiary reported adversely to a bill to amend the 3rd part of the Penal Code.

A bill to regulate distilleries and to repeal the law authorizing licenses therefor having been discussed on its 2nd reading was ordered to be engrossed. Rule suspended, read 3rd time and passed.

A joint resolution to authorize the Military Board to manufacture salt was ordered to be engrossed. Rule suspended, read 3rd time and passed.

A motion to reconsider the vote adopting report of Finance Committee adversely to a bill to create a Board of Commerce and Manufactures was made, whereupon the Senate adjourned until Monday 9 o'clock A. M.

Senate Chamber, Monday, December 7, 1863
9 o'clock A. M.

Senate met, roll called, quorum present. The journal of Saturday was read and adopted.

Mr. Davis presented the petition of S. J. Galbraith relative to University lands. Referred to Committee on Private Land Claims.

The Judiciary Committee reported a substitute for a bill to define and punish sedition.

Mr. Dickson introduced a bill authorizing the Comptroller to receive from railroad companies the interest due on their bond. Read 1st time, rule suspended, read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time, and passed.

Mr. Beasley introduced a bill for relief of railroad companies. Read 1st and 2nd times and referred to Committee on Internal Improvements.

Messrs. Ford, Burney, and Quayle were appointed a committee to report a bill making appropriation to pay deficits in appropriations for pay and support of a regiment of state troops etc., in accordance with a resolution offered by Mr. Ford and adopted on that subject.

A bill to incorporate Port Sullivan Male and Female College was read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed.

A bill to prevent the sale of liquors in or near the town of Dallas was read 2nd time. Rule suspended, read 3rd time and passed.

A bill for relief of Lewis C. Ferguson was read 2nd time. Rule suspended, read 3rd time and passed.

A bill to amend the 71st section of an act to regulate proceedings in County Courts was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

A bill to amend the 1st section of an act to require the financial agent of the Penitentiary to settle his accounts quarterly was read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed.

A bill to amend Article 126, chapter 6, of the Penal Code was read 2nd time. Rule suspended, read 3rd time and passed.

A bill to incorporate San Saba Masonic College was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

Mr. Guinn introduced a bill authorizing the appointment of a fiscal agent. Read and referred to a Select Committee.

A joint resolution in relation to two Yankee flags was read 2nd time. Rule suspended, read 3rd time and passed.

A bill to aid enrolling officers in the discharge of their official duties was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

A joint resolution requesting the detail of men for Texas Iron Works was read 2nd time. Rule suspended, read 3rd time and passed.

A bill to authorize George W. Glasscock to sue the state was discussed on its 2nd reading and made the order for next Saturday.

The Senate adjourned pending the consideration of a bill on the subject of the distillation of grain until tomorrow morning at 9 o'clock A. M.

Senate Chamber, Tuesday, December 8, 1863
9 o'clock A. M.

Senate met, roll called, quorum present. The journal of yesterday was read and adopted.

The Committee on State Affairs reported and recommended the passage of a bill to incorporate the Rusk County Iron Company.

The substitute of Finance Committee for House bill in relation to the distillation of spirits was discussed and adopted. The question on its passage to 3rd reading was then put and carried. Rule suspended, read 3rd time and passed.

The Senate refused to reconsider the vote passing the bill to regulate distilleries and to repeal the law authorizing licenses therefor.

A bill to provide for electing Senators and Representatives to the 11th Legislature in counties occupied by the public enemy was read 3rd time and passed.

The Committee on Private Land Claims recommended the passage of a bill for the relief of Samuel J. Galbraith. Read 1st time, rule suspended, read 2nd time, and ordered to be engrossed. Rule suspended, read 3rd time and passed.

Mr. Hartley introduced a bill to remit the state and county taxes on property situated on Galveston Island and

Virginia Point. Read 1st and 2nd times and referred to Judiciary Committee.

A joint resolution relative to Confederate currency was read 3rd time and laid on the table.

The Senate then adjourned until 9 o'clock A. M. tomorrow.

Senate Chamber, Wednesday, December 9, 1863
9 o'clock A. M.

Senate met, roll called, quorum present. The journal of yesterday was read and adopted.

The Judiciary Committee reported and recommended the passage of a bill in relation to the heirs of W. J. Mills.

A bill to amend an act to punish sedition and to prevent the dangers which may arise from persons disaffected to the state was read 2nd time, substitute adopted, and passed to 3rd reading. Rule suspended, read 3rd time and passed.

A bill to relieve the heirs of Benjamin D. Nobles was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

A bill to punish the crime of disloyalty to the State was read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed.

A bill to suspend the location and survey of public lands was read 1st and 2nd times and referred to Committee on Public Lands.

The Committee on State Affairs recommended the passage of a bill to incorporate the Gonzales Mutual Aid Association, and a bill to incorporate the Seguin Mutual Aid Association.

A bill to encourage the erection of certain machinery by donations of land and otherwise was read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed.

Mr. Hartley, Chairman of Select Committee, reported a bill to create a Board of Public Works and Supplies, and recommended its passage.

A bill for relief of William D. Dillon was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed. Reconsidered and referred to Judiciary Committee.

A bill to provide for ascertaining conflicts in surveys,

etc., was read 2nd time. Rule suspended, read 3rd time and passed.

A joint resolution relative to Confederate money was read 2nd time and referred to Finance Committee.

A bill to incorporate the Paluxy and Brazos Sulphur Nitre and Powder Manufacturing Company was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed unanimously.

A bill for relief of owners of land sold for taxes was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

A bill to incorporate the Hempstead Manufacturing Company was read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed.

A bill to authorize a suitable person to take charge of the library, etc., was read 2nd time. Mr. Kinsey offered a substitute which was adopted and ordered to be engrossed. Rule suspended, read 3rd time and passed.

The Judiciary Committee reported adversely to a bill to remit the taxes on property on Galveston and Virginia Point and recommended the passage of a bill to suspend location and survey of public lands, which was taken up, read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

A bill to incorporate the East Texas Manufacturing Company was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

A bill to incorporate the Rusk County Iron Company was read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed.

Mr. Hord introduced a joint resolution concerning the impressment of land. Read 1st and 2nd times and referred to Committee on Judiciary.

The Senate then adjourned until 9 o'clock A. M. tomorrow.

Senate Chamber, Thursday, December 10, 1863
9 o'clock A. M.

Senate met, roll called, quorum present. The journal of yesterday was read and adopted.

The Judiciary Committee reported adversely to a bill for relief of William D. Dillon. Adopted.

A Select Committee reported, recommending the pass-

age of a bill relative to recovering the public buildings, which was taken up, read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

Messrs. Shepard, Parsons, and Quayle were appointed a Committee of Free Conference on the disagreement of the two Houses on a bill to provide for the support of the families of Texan soldiers.

A bill to prohibit the sale of intoxicating drinks in the neighborhood of San Saba Masonic College was read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed.

A bill to incorporate the Comal Oil Company was read 2nd time. Rule suspended, read 3rd time and passed.

The report of Penitentiary Committee on a bill to amend 3rd part of the Penal Code, recommending that it do not pass, was adopted.

A bill to amend the act organizing County Courts was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

A bill to validate the official acts of Joseph Wallis was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

A bill to incorporate the Parsons Female Seminary was read 2nd time. Rule suspended, read 3rd time and passed.

The report of Judiciary Committee adversely to bill to amend the 23rd section of an act to organize District Courts was adopted.

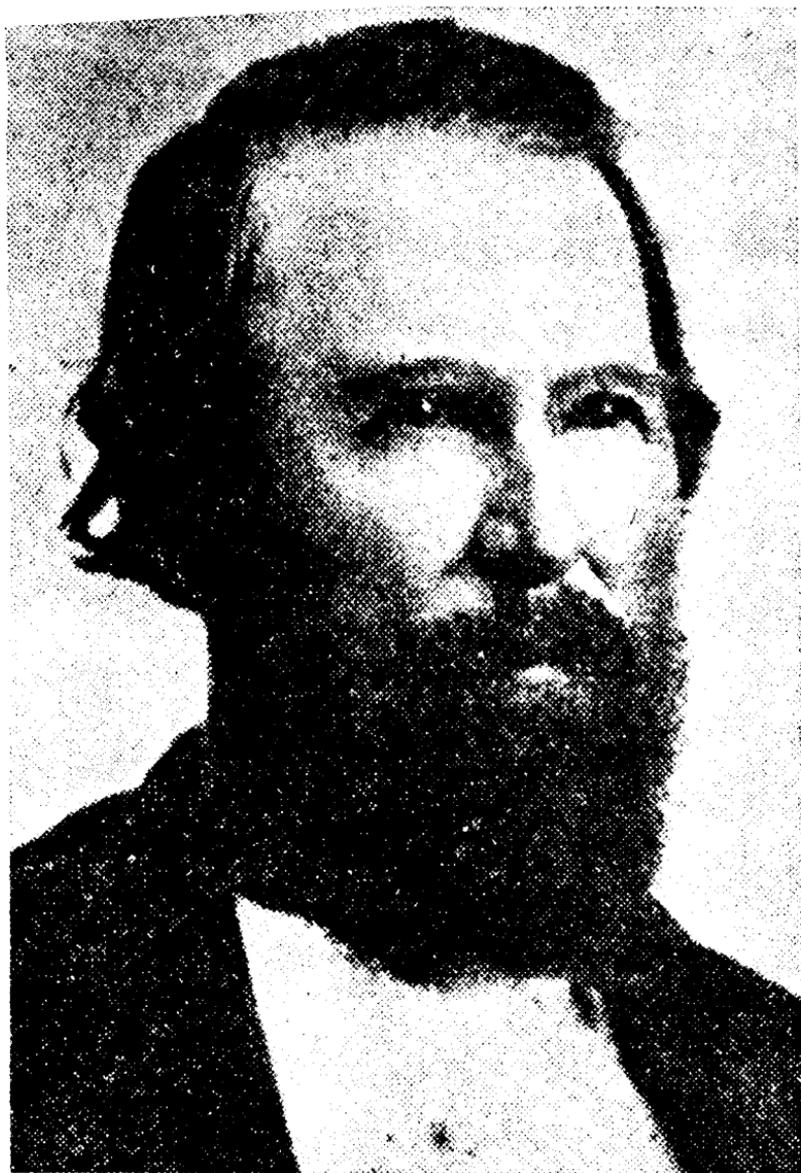
Mr. Jowers introduced a joint resolution in relation to public printing which was referred to Committee on Public Printing.

A bill to provide for appointment of Superintendent of Public Works was read 2nd time, substitute adopted, and the further consideration postponed.

A bill to amend 58th section of an act to regulate proceedings in County Courts pertaining to estates of deceased persons was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

A bill providing for the organization of McMullen County was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

A bill to provide for special terms of the District Courts was ordered to be engrossed.



**His committee appointments were Military Affairs,
Education, Confederate Relations, and Engrossed Bills.**

**Senator W. G. W. Jowers
of Anderson County**

*Source: Pauline Buck Hohes,
A Centennial History of
Anderson County, Texas
(San Antonio: Naylor,
1936), 46.*

The Committee on Private Land Claims recommended the passage of a bill for relief of heirs of Ayres Moody.

The Senate then adjourned until 9 o'clock A. M. tomorrow.

Senate Chamber, Friday, December 11, 1863
9 o'clock A. M.

Senate met, roll called, quorum present. The journal of yesterday was read and adopted.

The Select Committee to which was referred the subject of making an appropriation to supply deficits in former appropriations, etc., reported a bill for that purpose. Read 1st time, rule suspended, read 2nd time, rule suspended, read 3rd time and passed.

A bill for the relief of Ayres Moody was read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

A bill authorizing special terms of the district courts was read 3rd time and passed.

Mr. Ford introduced a bill supplementary to and amendatory of the estray law. Read 1st time, rule suspended, read 3rd time and passed.

A bill to create a Board of Public Works and Supply was read 2nd time and laid on table.

A bill to prohibit the sale of liquors near Round Rock was read 2nd time. Rule suspended, read 3rd time and passed.

A bill to punish persons who may remove or destroy timber rails or lumber belonging to the several asylums of this state was reported from the House and read 1st time. Rule suspended, read 2nd time, rule suspended, read 3rd time and passed.

A bill to prescribe the equivalent to be rendered by persons having conscientious scruples against bearing arms. Read 1st and 2nd times and referred to Judiciary Committee.

A bill to raise a revenue by taxation was read 1st and 2nd times and referred to Committee on Finance.

A bill to authorize the Comptroller to issue to A. R. Crozier a duplicate ten per cent warrant. Read 1st time, rule suspended, read 2nd time, rule suspended, read 3rd time and passed.

A bill providing for the auditing and settling the claims

of the State of Texas against the Confederate States. Read 1st time, rule suspended, read 2nd time, rule suspended, read 3rd time and passed.

A bill to better provide for the defense of the state was read 1st and 2nd times and referred to Committee on Military Affairs.

A joint resolution in relation to Confederate money was read 2nd time and passed to 3rd reading.

A bill to incorporate the Seguin Mutual Aid Association was read 2nd time, rule suspended, read 3rd time and passed.

A bill to remit taxes on property on Galveston Island and Virginia Point was read 2nd time and referred to Finance Committee.

Mr. Ford introduced a bill amendatory to the law regulating attachments. Read 1st time, rule suspended, read 2nd time, rule suspended, read 3rd time and passed.

Bill in relation to heirs of W. J. Mills was read 2nd time, rule suspended, read 3rd time and passed.

A bill to incorporate the Gonzales Mutual Aid Association was read 2nd time. Rule suspended, read 3rd time and passed.

A bill to create a Board of Public Works and Supply was read 2nd time. Rule suspended, read 3rd time and passed.

A bill relative to providing assistance for soldiers' families was read 2nd time. Rule suspended, read 3rd time and passed.

A bill to prescribe an equivalent for persons having conscientious scruples, etc., was reported by Committee, taken up, and read 2nd time. Pending a motion to indefinitely postpone, the Senate adjourned until 9 o'clock A.M. tomorrow.

Senate Chamber, Saturday, December 12, 1863
9 o'clock A. M.

Senate met, roll called, quorum present. The journal of yesterday was read and adopted.

The Judiciary Committee reported a bill respecting guardianship without any recommendation, and a joint resolution regarding impressments recommending its passage.

The Committee on Claims and Accounts reported, recommending no action on the bill for relief of Q. J. Nichols.

A bill in relation to marks and brands from the House was read 1st and 2nd times and referred to Committee on State Affairs.

A bill to aid in punishing offences committed against the postal laws was referred to the Judiciary Committee.

A bill for relief of Milton M. Justice was referred to Committee on Private Land Claims.

A bill for relief of Thomas G. McGehee was referred to Committee on Private Land Claims.

A bill to amend the 2nd section of an act to regulate interest was referred to Judiciary Committee.

A bill to suspend the act to authorize Comal County Court to levy a specie tax was referred to Finance Committee.

A joint resolution to provide for paying state troops was read 1st time, rule suspended, read 2nd time, rule suspended, read 3rd time and passed.

A joint resolution to pay the 4th Regiment, Texas Volunteer Militia, for certain property was read 1st time. Rule suspended, read 2nd time, rule suspended, read 3rd time and passed.

A bill for relief of purchasers of University lands was referred to Committee on Public Lands.

A bill relative to runaway slaves was referred to Judiciary Committee.

A joint resolution relative to Negroes impressed in Confederate Service was referred to a Select Committee.

A bill amendatory of an act to regulate County Courts was referred to Judiciary Committee.

A bill to establish a division line between Falls and Limestone counties was read 1st time. Rule suspended, read 2nd time, rule suspended, read 3rd time and passed.

A bill for relief of W. H. Howard was referred to Committee on Claims and Accounts.

A bill for the relief of Joseph A. Black was read 1st time. Rule suspended, read 2nd time, rule suspended, read 3rd time and passed.

A bill relative to public mills was referred to Select Committee.

A bill relative to Pecos Bridge Company was referred to Committee on State Affairs.

A bill to provide an equivalent for persons having

conscientious scruples, etc., was referred to Judiciary Committee.

A bill to authorize George W. Glasscock to sue the state was read 2nd, rule suspended, read 3rd time and passed.

Mr. Maxey introduced a bill to incorporate the Sons of the South.²² Referred to Committee on State Affairs.

²²The resolution creating the Sons of the South cannot be located. The purposes of the organization as explained in the Memoirs of John Salmon Ford, VII, 1203-1205 (typescript, Archives Division, Texas State Library), were as follows:

In order to prevent the dangers arising from these causes the Order of the Sons of the South was set on foot. It was a disquisition on the principles enunciated in the constitution of the Confederate States. It taught that these principles were the supreme law of the States which had acknowledged them. The supreme authority was really inherent in the people, but was vested in the Confederate Government by articles in the constitution, and had that extent and no more. The military, the army, created by law, was subordinate to the civil authority. A soldier could not draw a ration, or an article of clothing, except by authority of civil law. The bayonet when acting in obedience to law was the defender of right, of liberty, and when not supported by law was simply the despotic instrument of tyranny and oppression. In the latter case it violated and suppressed the natural rights and privileges of free men.

The assumption in the declaration of independence that "all men are created equal" was not intended to include the African race, or was a falsehood on its face.

The constitution provided for the recognition of the civil authority as superior to the military. It included the propriety of assisting disabled confederate soldiers—of getting control of the meat markets, and reducing prices within reason—of creating a fund to be used in purchasing marketable articles—of issuing these articles to those unable to purchase them—of seeking employment for soldiers' wives and children in need, in fact to make the members of the Sons of the South the friends and the assistants of the poor and the distressed. There were families in Austin who were furnished with provision, wood, etc., and who did not know, for a time, from whom the supplies came. The meat market was controlled, and prices reduced to a rate enabling the poor to buy.

The lecture delivered before the inauguration of an applicant mentioned the points which differ in constitution of of [sic] republics from those of monarchical governments, and form the basis, the groundwork of the United and the Confederate States. The oath was made to accord with the declarations contained in the lecture, and inculcate the fact that the civil was superior to the military [sic] to the military powers of a State, and protected against violations of law.

The Sons of the South obtained a dissemination quite general throughout Texas, and in portions of the confederate forces outside the State. When the United States army entered Texas the pamphlets of the order were generally destroyed or hidden. The writer would not have destroyed a single pamphlet. He would have avowed the authorship, and have faced the music. He was the fabricator of the whole matter, but received the assistance of Capt. John J. Dix in the preparation of a portion.

A joint resolution in relation to Confederate currency was referred to a Select Committee.

Mr. Wootten offered resolutions of respect to the memory of the late J. J. Dickson²³ which were unanimously adopted, adjourning the Senate until 9 o'clock Monday morning.

Senate Chamber, Monday, December 14, 1863
9 o'clock A. M.

Senate met, roll called, quorum present. The journal of Saturday was read and adopted.

The Committee on Claims and Accounts reported adversely to a bill for relief of W. H. Howard.

The Committee on Private Land Claims recommended the passage of the following bills:

A bill for relief of heirs of Joseph Shepherd.

A bill for relief of Thomas G. McGehee.

A bill for relief of Milton M. Justice.

The Committee on Internal Improvements reported with sundry amendments a bill to incorporate the Powder Horn Dredging Company.

The Finance Committee reported a substitute for a bill to raise revenue by taxation. Adopted.

Mr. Shepard introduced a bill to incorporate the Brazos Manufacturing Company. Read 1st time, rule suspended, read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed.

Mr. Wootten introduced a joint resolution endorsing the ability and patriotism of President Davis. Read 1st and 2nd times and referred to Committee on State Affairs.

The Committee of Conference reported a substitute for a bill in relation to soldiers' families which was adopted.

Mr. Burney introduced a bill to incorporate the Gathings' Male and Female College. Read 1st and 2nd and 3rd times on suspension of rules and passed.

Mr. Harcourt introduced a bill authorizing the Governor to suspend the Writ of Habeas Corpus. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Jowers submitted a report relative to Treasury books.

The bill to raise revenue by taxation was passed to

²³The resolution on the death of J. J. Dickson cannot be located in the Archives.

3rd reading. Rule suspended, read 3rd time and passed.

Mr. Dickson introduced a bill to regulate publication notices in certain cases. Read 1st time, rule suspended, read 2nd time and ordered to be engrossed.

A bill to provide for the defense of the State was read 2nd time, substitute adopted, and passed to 3rd reading. Rule suspended, read 3rd time and passed.

The Committee on Military Affairs reported sundry amendments to the bill to amend the military law, which being discussed, the Senate resolved itself into Committee of the Whole thereon, Mr. Guinn in the chair. After some time spent therein, the Committee rose, reported progress, and asked leave to sit again.

The Senate then adjourned until 9 o'clock A. M. tomorrow.

Senate Chamber, Tuesday, December 15, 1863
9 o'clock A. M.

Senate met, roll called, quorum present. The journal of yesterday was read and adopted.

The Committee on Public Lands reported with amendments the bill for relief of purchasers of University lands, which was taken up and read 2nd time. Rule suspended, read 3rd time and passed.

The Finance Committee reported a bill to provide for procuring cotton to meet the authorized cotton bonds. Read 1st time, rule suspended, read 2nd time, and passed to 3rd reading. Rule suspended, read 3rd time and passed.

Mr. Jowers introduced a bill supplementary to the act in relation to selling liquors near the town of Dallas. Read 1st, 2nd, and 3rd times on suspension of rule and passed.

The bill to donate the state and county taxes of Galveston to that county for the relief of indigent families was laid on the table. Afterwards it was taken up, read 3rd time and passed.

The House reported a substitute for Senate bill to create a Board of Public Works and Supplies, which was adopted, and read 1st, 2nd, and 3rd times and passed.

A bill appropriating money to defray the expenses of defending the frontier for 1864 and 1865 was read 1st, 2nd and 3rd times and passed.

A bill to amend the act organizing the state troops was read 3rd time and passed.

A bill to incorporate the Trinity Manufacturing Company was read 3rd time and passed.

A bill to regulate estrays in certain counties was read 3rd time and passed.

A bill to incorporate the Washington County Iron Company was read 3rd time and passed.

A Joint Committee on Military Board made a report which was withdrawn in order to submit it to the House of Representatives.

A bill to regulate publication notices in certain cases was read 3rd time and passed.

A bill to amend the act to regulate the sale of beef cattle was read 3rd time and passed.

A bill for the relief of Milton M. Justice was read 3rd time and passed.

A joint resolution endorsing the ability of President Davis was read 3rd time and passed.

The report of the Committee of the Whole recommending that a bill to incorporate the Powder Horn Dredging company do not pass was adopted.

A joint resolution accepting two pieces of artillery captured by Colonel John R. Baylor in Arizona was passed.

Mr. Davis introduced a joint resolution authorizing the Military Board to issue percussion caps to the members of the Legislature was read 1st, 2nd and 3rd times on suspension of rules and passed.

A bill to prohibit the sale of intoxicating liquor within ten miles of the town of Huntsville was read 1st, 2nd, and 3rd times and passed.

A bill to incorporate the Sons of the South was read 3rd time and passed.

A bill for relief of the heirs of Joseph Shepherd was read 3rd time and passed.

A bill supplemental to the act to provide for protection of the frontier was read 3rd time and passed.

A joint resolution to the purchase of cotton by John S. Besser, Financial Agent of the Penitentiary, was laid on table.

A bill to amend an act to incorporate the Dallas Bridge Company was read 3rd time and passed.

A bill for the relief of Thomas G. McGehee was read 3rd time and passed.

The Senate then adjourned until 9 o'clock A. M. tomorrow.

Senate Chamber, Wednesday, December 16, 1863
9 o'clock A. M.

Senate met, roll called, quorum present. The journal of yesterday was read and adopted.

A joint resolution in relation to public printing was read 3rd time and passed.

A bill to prescribe the punishment for encouraging desertion was read 3rd time and passed.

A joint resolution in relation to the currency was passed.

A bill to amend Articles 412 and 418 of the Penal Code from House, was read 1st, 2nd and 3rd times on suspension of the rules and passed.

The general appropriation bill was considered, amended and passed.

Mr. Dickson offered a resolution of thanks to the President of the Senate which was unanimously adopted.

A bill to amend an act to provide for the erection and support of the Lunatic Assylum was read 3rd time and passed.

Mr. Jowers offered a resolution of thanks to the officers of the Senate which was unanimously adopted.

The Committee on Enrolled Bills reported a close of the labors.

Messrs. Burney, Dickson and Moore of Bastrop were appointed a committee to inform the House of the readiness of the Senate to adjourn *sine die*, who performed that duty, and announced the readiness of the House to do likewise. Whereupon the Senate adjourned *sine die*.

APPENDIX I²⁴

MEMBERS AND OFFICERS

OF THE

SENATE

OF THE

TENTH LEGISLATURE

REGULAR SESSION

²⁴From a broadside State Senatorial and Representative Districts, with Counties composing each District, and members of the Tenth Legislature of Texas, Nov. and Dec., 1863. (Given to Archives Division, Texas State Library, by Mr. and Mrs. H. H. Seele, San Antonio.)

**LIST OF THE NAMES, &c, OF MEMBERS AND OFFICERS OF THE SENATE OF THE TENTH
LEGISLATURE, REGULAR SESSION**

NAME	DISTRICT	RESIDENT COUNTY	POST OFFICE	COUNTIES REPRESENTED
R. K. Hartley	1	Galveston	Galveston	Galveston, Liberty, Jefferson, Chambers
N. B. Charlton	2	Tyler	Woodville	Polk, Tyler, Jasper, Newton, Orange, Hardin
H. M. Kinsey	3	San Augustine	San Augustine	Angelina, Nacogdoches, San Augustine
S. Holland	4	Panola	Carthage	Sabine, Shelby, Panola
J. H. Parsons	5	Rusk	Henderson	Rusk
S. W. Beasley	6	Upshur	Gilmer	Harrison, Upshur
J. W. Moore	7	Davis	Linden	Davis, Bowie
G. H. Wootten	8	Red River	Clarksville	Titus, Red River
R. Maxey	9	Lamar	Paris	Lamar, Hopkins
R. H. Guinn	10	Cherokee	Rusk	Cherokee
W. G. W. Jowers	11	Anderson	Palestine	Houston, Anderson, Trinity
B. T. Selman	12	Smith	Tyler	Wood, Smith, Van Zandt
J. Weatherford	13	Dallas	Lancaster	Kaufman, Dallas, Henderson
Jas. B. Davis	14	Fannin	Bonham	Fannin, Hunt
J. W. Throckmorton	15	Collin	McKinney	Grayson, Collin
A. N. Jordan	16	Harris	Houston	Brazoria, Fort Bend, Harris
D. C. Dickson	17	Grimes	Anderson	Montgomery, Grimes, Walker
J. W. Durant	18	Leon	Centerville	Madison, Leon, Robertson, Brazos, Burleson
W. C. Wilzor	19	Freestone	Fairfield	Limestone, Freestone, Navarro, Ellis

**LIST OF THE NAMES, &c, OF MEMBERS AND OFFICERS OF THE SENATE OF THE TENTH
LEGISLATURE, REGULAR SESSION**

NAME	DISTRICT	RESIDENT COUNTY	POST OFFICE	COUNTIES REPRESENTED
W. Quayle	20	Tarrant	Norton's Grove	Johnson, Tarrant, Erath, Parker, Palo Pinto
D. Montague	21	Cooke	Gainesville	Cooke, Denton, Wise, Montague, Jack, Young, Clay, Wichita, Archer, Wilbarger, Baylor, Throckmorton, Hardeman, Knox, Haskell, Stephens, Shackelford, Jones
J. T. Harcourt	22	Colorado	Columbus	Matagorda, Wharton, Colorado, Fayette
C. B. Shepard	23	Washington	Brenham	Austin, Washington
S. A. White	24	Victoria	Victoria	Calhoun, Jackson, Victoria, DeWitt, LaVaca
S. Ford	25	Caldwell	Lockhart	Gonzales, Guadalupe, Caldwell
A. W. Moore	26	Bastrop	Bastrop	Bastrop, Travis, Hays
J. A. Haskell	27	Milam	Cameron	Milam, Williamson, Burnet, Bell, Lampasas
G. E. Burney	28	McLennan	Waco	Falls, Coryell, McLennan, Bosque, Coman- che, Brown, Hamilton, Eastland, Callahan, Coleman, Taylor, Runnels, Hill
P. Lea	29	Goliad	Goliad	Refugio, San Patricio, Nueces, Goliad, Bee, Live Oak, Karnes, McMullin, La Salle, Dimmit

**LIST OF THE NAMES, &c, OF MEMBERS AND OFFICERS OF THE SENATE OF THE TENTH
LEGISLATURE, REGULAR SESSION**

NAME	DISTRICT	RESIDENT COUNTY	POST OFFICE	COUNTIES REPRESENTED
N. A. Mitchell	30	Bexar	San Antonio	Bexar
A. O. Cooley	31	Gillespie	Fredericksburg	Blanco, Comal, Bandera, Kerr, Gillespie, Llano, San Saba, Medina, Uvalde, McCulloch, Concho, Mason, Menard, Kimball, Edwards, Dawson, Kinney, Maverick, Atascosa, Frio, Zavala
E. R. Hord	32	Cameron	Brownsville	Cameron, Hidalgo, Starr, Zapata, Webb, Encinal, Duval
J. W. Magoffin	33	El Paso	El Paso	El Paso, Presidio

OFFICERS OF THE SENATE

Phineas de Cordova	Secretary
N. C. Raymond	Assistant Secretary
R. H. Clements	Sergeant at Arms
John McCall	Doorkeeper
William M. Gilleland	Enrolling Clerk
Henry Thomas	Engrossing Clerk
_____ Langford	Chaplain

APPENDIX II²⁵

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

²⁵Main Miscellaneous Folder, Military Board Papers (Archives Division, Texas State Library).

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.

Sargeant James Tackitt of our escort was one of the

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 III²⁶**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

²⁶*Ibid.* 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 could be procured. The great drouth which prevailed over

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 Steel'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 expended 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	\$ 44,102.00
--------------------------------	--------------

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.* 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

*See 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 P. 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 " Lavenburg in payment of first invoice of goods
- 150 bales given to Lavenburg 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

APPENDIX IV²⁷

**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

²⁷From 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 correspondenc, 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 guarranteeing [*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 undertanding, 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 unreserved 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 determined, that no greater calamity can befall them than subjugation or submission to the Federal Government. Reference, in general to arms only, is here made to the resources of the States, because your Committee have not the requisite 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 statistics 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 carriages for a like number complete and in process of Construction, 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 Regiment, 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 furnished 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 immense 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 excess of corn, sugar and molasses.

As to the manufacture of clothing and the mineral resources, 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 infeled.

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

EXECUTIVE MESSAGES
TO THE
SENATE
OF THE
TENTH LEGISLATURE
REGULAR SESSION

Editor's Note

The following are additional messages sent by the Governor to the Senate but are not mentioned in the Senate Journal. They are taken from the Executive Record Book, No. 280, 1863-1865, pp. 8-46 (Archives Division, Texas State Library).

Executive Department
Austin Texas Nov 5, 1863

Gentlemen of the Senate

I have this day appointed the Hon. R. J. Townes Secretary of State, and to which appointment I respectfully ask your advice and consent.

Very Respectfully
P. Murrah

Senate Chamber
Austin 12th Nov 1863

Governor

I have the honor to inform your Excellency, that the Senate in session this morning confirmed the appointment of the Hon. R. J. Townes as Secretary of State.

Very Respectfully
Your Obt Servt

His Excellency
P. Murrah

P. De Cordova
Secretary of the Senate

I, Robert J. Townes, do solemnly swear that I will faithfully and impartially discharge and perform all the

duties incumbent on me as Secretary of State of the State of Texas, according to the best of my skill and ability, agreeable to the Constitution and Laws of the State of Texas, and also to the Constitution and Laws of the Confederate States of America, so long as the State of Texas, shall remain a member of that Confederacy. And I do further solemnly swear, that since the second day of March A. D. 1861, I being a citizen of this State, have not fought a duel with deadly weapons within this State nor out of it; nor have I sent or accepted a challenge to fight a duel with deadly weapons, nor have I acted as second in carrying a challenge: or aided, advised, or assisted anyone thus offending So Help Me God

Sworn to and subscribed before me this the 12th day of Nov. 1863.

R. J. Townes

Fred J. Robards

J.P. P No 2 Travis County

Department of State

Austin November 12th 1863

Mr. James B Morris

Sir

You are hereby appointed Chief Clerk of this Department. You will take the requisite Oath of office, and enter upon the discharge of your duties as such forthwith

Respectfully

R. J. Townes

Secr'y of State

I James B Morris, do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent on me as Chief Clerk of the Department of State of the State of Texas, according to the best of my skill and ability, agreeable to the Constitution and Laws of the Confederate States of America, so long as the State of Texas shall remain a member of that Confederacy. And I do further solemnly swear, that since the second day of March A. D. 1861, I being a citizen of this State, have not fought a duel with deadly weapons, within this State nor out of it, nor have I sent, or accepted a challenge to fight a duel with deadly weapons, nor have I acted as second in

carrying a challenge, or aided, advised, or assisted any person thus offending — *So Help Me God*

James B. Morris.

Sworn to and subscribed
before me this November 12th

A.D. 1863

(signed) Geo. F Moore
Associate Justice
of the Supreme Court

Executive Department

Austin, Texas, 1863 Nov 12th

Gentlemen of the Senate

I have the honor to submit to you the following appointment of Notaries Public, to which I most respectfully ask your advice and consent.

Austin County

W. W. Cook, vice J. W. Collins

Bell County

W. W. Bishop, vice E. Mills

Bosque County

L. H. Scrutchfield, vice William Stedham

Brazos County

Arthur Edwards, re-appointment

Burleson County

Louis L. Childs, vice William J. Hill

James Shaw, vice J. W. Thomas

Colorado County

Charles Elhinger, vice H. E. Jordt, deceased

Comal County

Robert Becham, re-appointment

Cooke County

Squire Hellems, vice A. B. Manion

DeWitt County

Oliver H. Stapp, vice Joseph G. Clonsey

William J. Glass, vice John A. King

Ellis County

A. J. Farrer, vice C. T. F. Lee

Furquer Campbell, vice J. P. T. Self

Grimes County

Thomas Pinckney, vice W. C. Shepherd, deceased

Harris County

William P. Hamblin, vice George Goldthwaite

Hays County

L. H. Armstrong, vice William C. Hutchison

Henderson County

John Moore, vice Thomas F. Murchison

William Richardson, vice Madison Richardson

Hill County

D. S. Fields, vice William Blackbourne

F. Weatherhead, vice John B. Wright

Hopkins County

Laneras Bowman, vice Oliver B. McCoy

Jefferson County

H. S. Janes, vice Thomas Fletcher

A. J. Ward, vice A. J. Tevis

Lamar County

H. H. Henderson, vice Robert Price

William Bonner, vice Ulysses Matthison

Leon County

James O. Andrews, vice William A. Reavis

Hugh A. McWhorton, vice David Mc D Barclay

Benjamin Burroughs, vice John Thomas

Orange County

Reading, vice Hugh Ochiltree (Laid on the table)

Panola County

Thomas Ellison, vice Libon House

Parker County

John Maclock, vice J. P. Cole

A. L. Pinckard, vice John Deavonis

Robertson County

William P. Townsend, vice Reuben Herndon

Titus County

C. Huff, vice J. G. Chambers

Travis County

Charles L. Robards, vice William Carleton

Trinity County

James Marsh, vice A. Blacksheare

William Cox, vice Calor D. Brent

Tyler County

Dr. W. S. Caldwell, vice George W. Van Vleck

Victoria County

John L. Nicholson, vice James A. Moody

Washington County

A. C. Baker, vice Thomas B. Haynes

Hunt County

M. B. Drake, vice W. R. Lane

Shelby County

William Lanier, vice E. B. Desark

Refugio County

William Doughty, vice F. Crawford [Carpenter?]

John Low, vice J. M. Rodgers

San Patricio County

Pat O'Docherty, vice R. Carroll

Very Respectfully,
P. Murrah

Executive Department

Austin, Texas, 1863 Nov 16th

Gentlemen of the Senate

and of the House of Representatives

I herewith lay before you a supplemental Report of the Quarter Master of the Frontier Regiment to the office of the Adj. and Inspector Genl. 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 into the expedience of working certain Salines near Double-Mountains, on the North-western frontier of the State—and making it still further their duty, should they find the enterprize 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 expedient 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.

I herewith transmit the communication of the Military Board on the subject to me.

The nature of the communications accompanying this

paper will explain its appearance in advance of a regular Message.

P. Murrah

Executive Department

Austin, Texas, 1863, Nov 17th

Gentlemen of the Senate

I have this day appointed Col. D. B. Culbertson, of Marion County, State of Texas Adjutant and Inspector General, to which appointment I most respectfully ask your advice and consent.

P. Murrah

Executive Department

Austin, Texas, 1863. Nov 18th

Hon R J Townes
Secy of State
Austin, Texas

Sir

I have this day appointed the following named gentlemen Trustees of the Blind Asylum:

Abraham Hendricks, vice James H. Raymond

W. S. Hotchkiss, vice William Von Rosenberg

Please issue to them letters of appointment.

Very Respectfully

P. Murrah

In the Name and by the Authority
of the State of Texas

To All to Whom These Presents Shall Come, Greeting

Know Ye that I Governor of the State of Texas placing special trust and confidence in the Integrity Diligence and Discretion of Abraham Hendricks do hereby appoint him a Trustee of the State Blind Asylum, and I do hereby authorize and empower him to execute and fullfill the duties of this appointment according to law for and during the term of four years, from the date hereof: unless sooner removed by the Governor of this State for the time being.

In Testimony Whereof, I have hereunto signed my name and caused the Great Seal of the State to be

The State affixed, At Austin This the 18th
of Texas day of November A. D. 1863
And in the year of the independence
of Texas the twenty eighth
P. Murrah

By the Governor
R J Townes
Secy of State

Note

A commission similar to the above was also issued to W. S. Hotchkiss.

Executive Department
Austin, Texas 1863, Nov 27th

Senators

I have the honor to submit to you the following appointments of Notaries Public, to which I most respectfully ask your advice and consent:

Austin County

John P. Osterhout, re-appointment
W. B. Witty, vice Zimri Hunt

Bastrop County

Elias S. Jones, re-appointment
Adam Thomas, re-appointment
Daniel Johnson, original

Bowie County

Julias Battle, vice John Loope
John A. Talbot, vice B. T. Estis
W. K. Dalley, original appointment
W. J. Wise, original appointment
James Holloway, original appointment

Bell County

John M. Pope, vice J. H. Ledbetter
W. B. Armstrong, vice D. T. Chamberlain

Brazoria County

Thomas C. Nelson, re-appointment
J. T. Shannon, re-appointment
Charles Bennet, re-appointment

Cherokee County

James D. Long, vice J. H. Baty
Hiram B. Stephens, vice D. A. Gates
Jefferson Shook, vice J. T. Gamage

Cooke County

Benjamin Hubert, vice James M. Perry
John Welbourne, vice R. W. B. Oliver
James Ritchie, vice D. C. McCall
Samuel Green, vice George T. Bird

Fannin County

Thomas Givim [Givins?], vice Sylvanus Howitt
Richard Ryle, vice Samuel Day
Johnothan Ruth, vice Jefferson Parish
John R. Garnett, vice Gidion Smith

Gonzales County

Isaac Miller, re-appointment.
John A. King, vice Everett H. Lewis

Grimes County

Joseph B. Edmonson, re-appointment

Harrison County

Judge J. T. Williams, vice George L. Hill

Hays County

Albert Heaton, re-appointment
Thomas Johnson, original appointment

Henderson County

James Colthrope, vice H. J. Bridges, deceased
James Dean, vice L. W. Moore

Jack County

Berry Merchant, vice William J. Hays

Jasper County

H. Good, vice William Allen

Karnes County

S. G. Daily, vice C. A. Russell
C. H. Skiles, vice James L. Calvert

Kaufman County

William Gibbard, vice R. H. English
D. W. Boughton, vice Jasper W. Johnson

Lamar County

John R. Chenault, vice Thomas Skidmore
Thomas L. Lane, vice John Maxwell

Lampasas County

T. C. Jackson, vice Albert G. Lane

Leon County

Henry M. Cook, re-appointment

Liberty County

Benjamin Robb, vice John E. DeBlanc
T. B. Smith, vice P. L. Palmer

Llano County

Samuel Tate, original appointment

A. Erlenmeyer, vice William Bradford, deceased

Live Oak County

George Parr, vice George L. Givens

McLennan County

John H. Long, vice W. D. Chambers

John A. M. Murray, vice S. S. Sears

Charles S. Robinson, original appointment

John R. Harris, original appointment

McCulloch County

R. D. Bedwell, original appointment

Marion County

E. G. Bermers, vice W. P. Sanfley

John M. Hobday, vice John Winsley

B. F. Williams, original appointment

Montgomery County

J. C. Davis, vice Charles L. S. Jones

Vincent Vicks, vice Charles B. Stewart

Matagorda County

Henry Thrope, re-appointment

D. E. E. Braman, original appointment

J. B. Hawkins, original appointment

George Williams, vice James H. Cutler

John B. Rudgley, vice Albert Wadsworth

Newton County

Dr. David McMahan, re-appointment

Col. John Moore, re-appointment

Rusk County

Slade Barwell, re-appointment

Thomas M. Likins, vice Frank H. Nelson

Frank Elkins, vice Isaac Wherry

Sabine County

John Polly, vice John A. Whittlesen

San Saba County

B. Trowbridge, re-appointment

R. W. Gray, original appointment

H. H. Harrell, original appointment

Tarrant County

A. J. See, re-appointment

James Joice, vice Jonas Harrison

John S. Courterey, vice James Watson (Laid on
the table)

Van Zandt County

John Settles, vice William Settles

Walker County

Henry Beaham, vice Gus A. Wiser, deceased

Wise County

S. M. Gose, vice Absolom Bishop

William H. Hunt, vice William S. Oatis

Wharton County

W. J. Ward, vice Jackson Rust

Ezekial George, vice W. J. Phillips

Wood County

James M. Hay, vice A. Baird

E. R. Shuford, vice R. S. Marvill

Nathan Warren, vice A. L. Adams

J. W. Northout, vice Joel Mabry

W. S. Stahler, vice Henry Grogan

Williamson County

W. C. Dallard, vice Thomas P. Hughes

Denton County

George Harper, vice O. G. Welsh

Red River County

John P. Dale, vice N. C. Gould

George F. Lawton, vice John A. Corley

Grayson County

George A. Dickman, vice Thomas H. Browne

Colman Watson, re-appointment

Upshur County

Thomas Crawfield, vice L. D. Berry

J. W. Wright, vice J. W. Ayres

C. C. Galloway, vice W. Dickson

P. Murrah

Executive Department

Austin Texas Dec 1st 1863

Senators

and Representatives

I deem it proper to place before [you] some papers received from Maj. Genl. 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 Genl. 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 Genl. Magruder in relation to the transfer of the Frontier Regiment to Confederate Service.

P. Murrah

Executive Department

Austin Texas Dec 2nd 1863

Senators

and Representatives

I herewith transmit to you, for your consideration, some further communications from Maj. Genl. 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 to-day.

P. Murrah

Executive Department

Austin, Texas, Dec 3rd 1863

Senators:

I have this day appointed the following officers of the State Penitentiary:

Thomas Carothers of Walker County, Superintendent, and S. B. Hendricks of Harrison County, Financial Agent, to which appointments I respectfully ask your advise and consent.

P. Murrah

Executive Department

Austin, Texas, Dec 4th 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 Col. John 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 for their subsistence have been forwarded to the office of the Adjutant and Inspector Genl. 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, &c, 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.

So 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 Col. McCord Comdg the Frontier Regiment directing him at once to correspond with the Confederate Military authorities of the Northern Sub District of Texas, or with Genl. 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 persuing the true policy in trying to rid herself of the presance 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 Correspon-

dence 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 Adt. and Insp. General, and it is important that they should be returned to that office.

P. Murrah

Executive Department

Austin, Texas, Dec 12th, 1863

Senators,

I have the honor to submit the following appointments of Notaries Public, to which I most respectfully ask your advice and consent:

Austin County

Ernest Kleberg, vice Rufus E. Campbell

Blanco County

Thomas Shugart, original appointment

Burleson County

John Goodwin, original appointment

Comanche County

T. M. Collier, vice T. C. Frost

Enoch Jones, vice Levon Price

Jesse Mercer, original appointment

Coryell County

R. B. Wells, original appointment

James H. Collard, original appointment

Ellis County

M. M. Knight, vice William Peel

E. C. Newton, re-appointment

Fort Bend County

John W. Crump, vice S. M. Cross

Ira Fuller, vice Patrick Perry

Seth Walker, vice M. Y. Mays

Gillespie County

J. D. Robinson, vice G. W. Todd

William Wathmand, vice John E. Sandstron

Jasper County

Seymore White, re-appointment

Johnson County

William C. McGee, vice William F. Pierce

Jonathan Burke, vice George W. Hutchison

John C. Barnes, vice S. A. Carpenter

Ware Bengé, vice William O. Manifee

Karnes County

W. R. Calloway, original appointment

Kendall County

Theodore Wiedenfelt, original appointment

Madison County

Job Collard, vice A. S. Abercrombie

George L. Harrison, vice John Rogers

Merriweather Cormer, vice Hugh McGriffin

Joseph McIver, vice James S. Fairley

George B. Forest, original appointment

Montague County

John O. Neil, original appointment

Albin Gordon, original appointment

W. W. Quillan, original appointment

Robertson County

Aaron Woods, vice John D. Johnson

Smith County

Harvey Lindsey, vice John M. Douglass

Tarrant County

William Poe, vice John S. Courterey

Cherokee County

C. T. Jay, re-appointment

Titus County

Elam Riddle, re-appointment
 Campbell English, re-appointment
 G. W. G. Haynes, re-appointment
 A. G. Hamilton, re-appointment
 Sibron Bicerstaff, vice William M. S. Houghton

Van Zandt County

D. M. Deadman, vice A. P. Sullivant
 William Murrah, vice J. R. C. Henderson
 John M. Patterson, vice John Rosenbaum

Walker County

Thomas G. Birdwell, re-appointment

Young County

M. V. Bowers, vice J. H. Latimer
 R. H. Mathews, original appointment
 W. N. P. Martin, original appointment

Brazoria County

James S. Rodgers, re-appointment

Collins County

George F. Pagues, re-appointment
 John C. Easton, vice James M. Dunlap

Liberty County

Simpson Pattillo, vice J. W. Stephens

Rusk County

S. Slade Burnett, vice Slade Barwell

Travis County

Jason Enock, vice E. Stockton

Washington County

Adolph Giesecke, re-appointment

Williamson County

W. C. Dalrymple, vice Thomas Hughes

Galveston County

James W. Moore, vice E. T. Austin
 F. N. Kauder, vice J. G. Seawall
 Allan Coward, vice T. E. Compton

Van Zandt County

John Lollar, vice James M. Harrison
 P. Murrah

Executive Department

Austin Texas Dec 16th 1863

Senators:

I return without my approval, A Bill entitled "An

Act for the relief of William B. Burns.”

I have no evidence satisfactory to my mind, that the survey made for William B. Burns does not conflict with League No. 6 University Lands. If it does so conflict, I cannot see the justice of depriving the University of that amount of Land and donating it to a citizen, even if the Legislature could do so. It is clear, that if the survey of said Burns does not conflict, that he needs no relief from the Legislature.

I herewith transmit certificate of the Commissioner of General Land Office showing the conflict between these

Executive Department

Austin Dec 16th 1863

Senators

I have the honor to submit the following appointments of Notaries Public, to which I respectfully ask your advice and consent:

Bastrop County

O. H. B. McGinnis, vice E. J. Jones

Bell County

Hiedlus Spurgeon, vice John M. Pope

Trinity County

Z. Norton, vice Frank Harper

S. T. Robb, re-appointment

P. Murrah

Executive Department

Austin, Texas, Dec 16th, 1863

Senators

I withhold my sanction from a Bill entitled “An Act for the relief of the heirs at law of Thomas Moore deceased,” for the reason that it is now in the power of the parties interested, by complying with the laws in existence, to obtain what is granted to them by the provisions of this Bill. The report of the Clerk of the County Court of Robinson [Robertson?] County to the Commissioner of the General Land Office, of the issuance of said certificate as required by law, and a correction of the field notes so that they may be freed from imperfection, and made to come up to the requirements of the laws, will scure the patent claimed. To force the Commissioner of the General Land Office to patent lands upon imperfect field notes would not only derange the maps and plats of surveys required by law to

be made out and kept, but cherishes carelessness in District Surveyors, and negligence in parties interested. For the fact in relation to this case you are respectfully referred to the certificate of the Commissioner of the General Land Office herewith transmitted.

P. Murrah

Executive Department

Austin, Texas Dec 16th, 1863

Senators

I have this day appointed the following named Gentlemen Directors of the State Penitentiary:

Samuel Randall, vice Benjamin Robinson

Joseph F. May, vice Louis Roe

J. Carrol Smith, vice Benjamin J. Walker

to which appointments I respectfully

ask your advice and consent.

P. Murrah

Page 198 left blank in original

INDEX

— A —

- Abercrombie, A. S.: 194
Ad valorem tax: 82
Adams, A. L.: 190
Adjutant and Inspector General: 158, 162; report in Governor's message, 12-15, 98
Adjournment sine die: 80, 89, 116, 125, 138
African race: 134(f)
Alabama and Coushatta Indians: 79, 82
Alabama, Coushatta and Muscogee Indians: 29, 113, 114
Alamo: 52
Aliens: 45, 71, 81, 82, 87, 117; portion of Governor's message concerning, 22-23
Allen, William: 188
Alleyton, Texas: 164
Anarchy: 53
Anderson County: 2, 35, 140, 158
Andrews, James O.: 184
Angelina County: 1, 35, 37, 140
Appropriation: 12, 16, 25, 75, 131, 138
Archer County: 2, 141
Arizona: 87, 137
Arkansas: 8, 23, 52, 92, 97, 171, 176, 180
Arms: 11, 25, 41, 92, 93, 94, 150, 151, 152, 155, 157, 158, 159, 160, 161, 162, 167, 168, 176
Armstrong, L. H.: 184
Armstrong, W. B.: 187
Army: 42, 87, 102
Army of Lincoln: 44
Army of Meade: 41
Army of Rosencranz: 41
Artillery: 137
Assistant Sergeant-at-Arms, H. of R.: 6
Asylum for the Blind: 103
Asylum for the Deaf and Dumb: 103
Asylum for the Lunatic: 103
Atascosa County: 3, 35, 142
Attorney General: 38
Audited debt: 28
Austin, E. T.: 195
Austin, Texas: 1, 47, 74, 76, 78, 89, 134(f), 152, 155, 156, 158, 181, 195; sale of lots in, 78, 111, 123
Austin County: 2, 35, 141, 183, 187, 193
Ayres, J. W.: 190

— B —

- Becham, Robert: 183
Baird, A.: 190
Baker, A. C.: 184
Ball, Hutchings, & Co.: 163, 166
Bandera County: 3, 35, 142
Baptist Church: resolution concerning ringing of the bell of, 4
Barclay, David Mc D.: 184
Barley: 33
Barnes, John C.: 194
Barry, J. B.: 143
Barwell, Slade: 189, 195
Bastrop, Texas: 160
Bastrop County: 2, 35, 141, 187, 196
Bastrop Iron Company: 118, 121, 124
Battle, Julias: 187
Baty, J. H.: 187
Baylor, Colonel John R.: 137, 192
Baylor County: 2, 141
Bayou City: 11, 162
Beaham, Henry: 190
Beasley, S. W.: 140; appointment to committee of, 34, 57; bills introduced by, 117, 126; report made by, 37-38; resolution by, 110; roll call answered by, 1; votes of recorded, 61, 68, 69, 77, 80, 82
Bedwell, R. D.: 189
Bee County: 3, 35, 141
Beeves: 78, 79, 90, 137, 146
Bell County: 2, 35, 141, 183, 187, 196
Benge, Ware: 194
Bennet, Chas.: 187
Bermers, E. G.: 189
Berry, Jno. T.: 64(f)
Berry, L. D.: 190
Besser, John S.: 137
Bexar County: 3, 35, 142
Biclerstaff, Sibbon: 195
Bill of attainder: 62
Billiards: 85
Billips & Hassel: 90, 109, 116, 158
Billips & Son: 158, 159
Birdwell, Thomas G.: 195
Bird, George T.: 188
Bishop, Colonel A.: 12, 149, 165, 166; report of, 143-149
Bishop, Absolom: 190
Bishop, W. A.: 183
Black, Joseph A.: 133
Black sulphur water: 145
Blackbourne, William: 184
Blacksheare, A.: 184

- Blanco County: 3, 35, 142, 193
 Blind Asylum: 25, 26, 186
 Board of Censors: 20
 Board of Commerce and Manufacturers: 88, 114, 124, 125
 Board of Public Works and Supplies: 128, 131, 132, 136
 Bonds: 12, 25, 27, 28, 31, 65, 94, 105, 126, 153, 167
 Bosque County: 2, 35, 141, 183
 Boughton, D. W.: 188
 Bounds, J. M.: 118, 121, 124
 Bowers, M. V.: 195
 Bowie County: 1, 35, 140, 187
 Bowman, Laneras: 184
 Braman, D. E. E.: 189
 Brands: 133
 Brazoria County: 2, 35, 140, 187, 195
 Brazos County: 2, 35, 140, 183
 Brazos River: 144, 146
 Brazos Manufacturing Company: 135
 Brenham, Texas: 169
 Brent, Calor D.: 184
 Bridges, H. J.: 188
 British Consul: 165
 Brown County: 2, 35, 141
 Brown, Major John Henry: 152
 Browne, James: 86, 116, 124
 Browne, Thomas H.: 190
 Brownsville, Texas: 103, 163, 169
 Bryan, Major Guy M.: 172
 Buckley, C. W.: 61
 Buffalo Station: 143
 Bunting, _____: 5
 Burke, Jonathan: 194
 Burleson County: 2, 35, 140, 183, 193
 Burnet County: 2, 35, 141
 Burnett, S. Slade: 195
 Burney, George: 126, 141; appointment as teller of, 3; appointment to committee of, 5, 57, 63, 138; bill for relief of, 64, 69, 72, 160; bill introduced by, 135; motion made by, 6; nominations made by, 3, 5; oath of office sworn to by, 1; report made by, 6; resolutions offered by, 4, 39, 58, 112; roll call answered by, 3; votes of recorded, 68, 69, 77, 80, 82
 Burnes, _____: 52
 Burns, W. B.: 109, 121, 124, 196
 Burroughs, Benjamin: 184
 Bush, N. W.: 61

— C —

- Caldwell County: 2, 35, 141
 Caldwell, Dr. W. S.: 184
 Calhoun County: 2, 35, 141
 Callahan County: 2, 141
 Calloway, W. R.: 194
 Calvert, James L.: 188
 Cameron County: 3, 35, 142
 Camp Colorado: 192
 Camp Cooper: 143, 146
 Campbell, A. G.: 6
 Campbell, Furquer: 183
 Campbell, Rufus E.: 193
 Cannon: 11
 Cap factory: 156, 157
 Capitol: 46, 86, 115, 120; dome of, 5
 Carleton, Fred: 6
 Carleton, Wm.: 184
 Carothers, Thomas: 191
 Carpenter, S. A.: 194
 Carroll, R.: 185
 Carter, _____: 52
 Cattle: driving of, 9
 Cereals: 97
 Chamberlain, D. T.: 187
 Chambers County: 1, 35, 140
 Chambers, J. G.: 184
 Chambers, T. J.: votes counted for office of Governor for, 35-37
 Chambers, W. D.: 189
 Chancey Suit: 153
 Change bills: 73, 77
 Chaplain: 5, 6, 34, 38
 Charleston "The Doomed City": 41
 Charlton, N. B.: 140; appointments to committee, 5, 57, bill introduced by, 79; bill reported by, 67; oath of office sworn to by, 1; roll call answered by, 1; votes of recorded, 61, 68, 69, 80, 82
 Chemicals: 156
 Chenault, John R.: 188
 Cherokee County: 2, 35, 140, 187, 194
 Chief Justices: 38, 67, 71
 Childs, Louis L.: 183
 Citizen soldiery: 114
 Citizenship: 24, 70
 Civil officers: 24
 Civil service: 28
 Civil suit: 66
 Claims: 131
 Clark, _____: 5
 Clay County: 2, 35, 141
 Clements, R. H.: 142; nomination and election as Sergeant-at-Arms of, 3
 Clonsey, Joseph G.: 183
 Clough, _____: 52
 Clothing: 11, 19, 86, 118
 Clothing Bureau: 152

- Code of Criminal Proceedings: 112; Article 960 of, 124
- Coin: 63
- Cole, J. P.: 184
- Coleman County: 3, 141
- Collard, James H.: 194
- Collard, Job: 194
- Collier, T. M.: 193
- Collin County: 2, 35, 140, 147, 195
- Collins, J. W.: 183
- Colorado: 87
- Colorado County: 2, 35, 141, 183
- Colthroppe, James: 188
- Columbus Tap Railway Company: 60
- Comal County: 3, 35, 142, 183
- Comal County Court: 133
- Comal Oil Company: 119, 121, 130
- Comanche, Texas: 192
- Comanche County: 2, 35, 141, 193
- Committee of Conference: 135
- Committee of Free Conference: 130
- Committee of the Whole: 113, 116, 121, 136, 137
- Committee on Arrangements for the inauguration: report of, 36-37
- Committee on Claims and Accounts: 71, 87, 88, 132; appointments to, 57; bills referred to, 38, 60, 86, 88, 118, 133; bill reported by, 135; memorial referred to, 56; report of, 64, 75; substitute recommended by, 121
- Committee on Confederate Relations: 86, 88, 114, 122, 123; appointments to, 57; bill referred to, 77; joint resolutions referred to, 76, 79, 83, 87
- Committee on Counties and County Boundaries: 57; bill referred to, 110; bill reported by, 112; report by, 122
- Committee on Education: 110, 118, 120, 123, 125; appointments to, 57; bill referred to, 122
- Committee on Engrossed Bills: appointments to, 57
- Committee on Enrolled Bills: 138; appointments to, 57
- Committee on Finance: 69, 71, 75, 77, 81, 82, 86, 109, 117, 123, 125; appointments to, 57; bills referred to, 76, 87, 88, 89, 90, 113, 117, 131, 132, 133; bills reported by, 112, 136; joint resolution referred to, 78, 129; minority report of, 74-75; reports of, 73, 114, 124; report referred to, 76; resolution regarding, 56, 58, 65; substitute recommended by, 122, 127, 135
- Committee on Frontier Defense: appointments to, 63
- Committee on Frontier Defense of House of Representatives: 61
- Committee on Indian Affairs: 82; appointments to, 57; bill referred to, 80
- Committee on Internal Improvements: 81, 126; appointments to, 57; bill referred to, 60; bill reported by, 135
- Committee on the Judiciary: 56, 62, 66, 70, 76, 78, 79, 81, 83, 90, 109; bills recommended for passage by, 111; bills referred to, 34, 56, 63, 65, 66, 76, 78, 79, 80, 86, 87, 88, 89, 91, 110, 113, 117, 118, 125, 131, 133, 134, 135; bills reported by, 118, 122-123, 125, 128, 129, 132; bill re-committed to, 68; joint resolution referred to, 59, 83, 129; reports of, 72, 77, 111, 113, 122, 123, 124, 130; resolution regarding, 56, 58; substitutes reported by, 112, 126
- Committee on Military Affairs: 77, 86, 88, 91, 110, 112; amendments reported by, 122, 136; appointments made to, 56-57; bills referred to, 60, 71, 112, 114, 119, 132; bills presented by, 125; memorial referred to, 61; resolution regarding, 59; substitutes offered by, 81, 120
- Committee on Military Board: appointments to, 63
- Committee on Military Board of the House of Representatives: 61
- Committee on Private Land Claims: 81, 90, 117, 127; appointments to, 57; bills referred to, 67, 79, 133; bills reported by, 87, 121, 131, 135; memorials referred to, 77, 88, 109; memorial reported on, 121; petition referred to, 73, 87, 126
- Committee on Public Lands: 67; appointments to, 57; bill introduced by, 121; bills referred to, 38, 60, 76, 128, 133; bills reported by, 123, 136; recommendation made by, 81; report by, 111; substitute reported by, 78

- Committee on Public Printing and Contingent Expenses: 39, 61, 70, 71, 109, 114; appointments to, 57; joint resolution referred to, 130; reports by, 75, 160; resolution regarding, 58; resolution reported by, 68
- Committee on Penitentiary: 82, 112; appointments to, 57; bills referred to, 67, 119; bills reported by, 119, 125; report of, 130
- Committee on Revision of the Rules: 5, 6, 7
- Committee on Roads, Bridges, and Ferries: appointments to, 57
- Committee on State Affairs: 56, 58, 67, 68, 69, 82, 87, 111, 120, 122; appointments to, 57; bills referred to, 79, 87, 90, 112, 113, 114, 116, 118, 119, 123, 133, 134; bills reported by, 121, 124-125, 127, 128; joint resolution referred to, 34, 63, 118, 135; joint resolution reported by, 79; minority report of, 59; motion concerning report of, 63; petition referred to, 86; reports by, 64, 124; substitute reported by, 115
- Committee on Treasurer's Books: 80
- Committee to act with a like committee from the House to make inauguration arrangements: 34
- Committee to Inform House of the Organization of the Senate: appointment of members to, 5, 6
- Committee to Inform House of the Readiness of the Senate to Adjourn sine die: 138
- Committee to Report Upon the Penitentiary: 17
- Common Carriers: 89, 109, 119
- Common schools: 105, 106
- Compton, T. E.: 195
- Comptroller: 12, 31, 75, 77, 78, 80, 86, 87, 100, 104, 118, 126, 131, 150, 170; portion of Governor's message referring to biennial report of, 27-30
- Concho County: 3, 142
- Confederate States of America: 17, 28, 40, 48, 83, 86, 98, 132, 134, 157, 158, 168; army of, 10, 13, 22, 75, 88, 152, 164, 177; bonds of, 100; Congress of, 9, 20, 29, 87, 100, 101; Constitution of, 40, 62, 182; currency of, 30, 56, 62, 108, 123, 128, 129, 132, 135; flag of, 5; government of, 11, 16, 24, 27, 29, 43, 50, 71, 90, 100, 112, 157, 162; President of, 12, 175; Senators of, 23, 150; Supreme Court judges of, 23; tax of, 78, 81, 89, 108, 113; treasury notes of, 5, 29, 30, 33, 39, 60, 64, 73, 99, 102, 122, 151, 160, 163; warrants of, 65
- Conference of Governors of the States West of the Mississippi: portion of Governor's message concerning, 23
- Conscientious scruples: 14, 131, 134
- Conscript laws: 63, 66, 70, 76, 79, 92, 113, 153, 177
- Constitution: 1, 4, 13, 15, 26, 32, 39, 50, 53, 54, 55, 62, 63, 65, 70, 91, 105, 111, 123, 182
- Continuances: 34, 62, 66, 67
- Contingent fund: 5
- Convict labor: employment of other than of, 17
- Contraband: 156
- Cook, Henry M.: 188
- Cook, W. W.: 183
- Cooke County: 2, 35, 141, 147, 183, 187
- Cooley, A. O.: 142; appointment to committee of, 57; bill introduced by, 119; oath of office sworn to by, 64; roll call answered by, 3; votes of recorded, 68, 69, 77, 80, 82
- Copper: 155, 156, 167, 176
- Corley, John A.: 190
- Corner Merriweather: 194
- Corpus Christi, Texas: 161
- Coryell County: 2, 35, 141, 194
- Cotton: 18, 25, 29, 30, 94, 103, 118, 136, 137, 150, 152, 161, 165, 166, 167, 168, 169, 176, 177, 178
- Cotton bonds: 25, 87, 112, 115, 136
- Cotton cards: 10, 103, 163
- Counterfeit treasury notes: 64
- Counterfeit money: 79, 90
- County Clerks: 67
- County Commissioners: 67
- Courterey, John S.: 189, 194
- County Courts: 21, 65, 67, 72, 73, 110, 111, 123, 125, 126, 130, 133
- County School Lands: 26
- Coward, Allan: 195
- Cox, Wm.: 184
- Crawfield, Thomas: 190
- Crawford, E. W.: 88
- Crawford, M. B.: 90, 119
- Criminal Code: 80, 83, 113, 119
- Criminal suit: 66
- Crockett, J. M.: 3
- Cross, S. M.: 194

Crozier, A. R.: 131
 Crump, John W.: 194
 Culbertson, Col. D. B.: 186
 Currency: 10, 29, 47, 64, 76, 91,
 92, 99, 100, 101, 102, 105, 106,
 107, 138
 Cutler, James H.: 189

— D —

Daily, S. G.: 188
 Dale, John P.: 190
 Dallard, W. C.: 190
 Dallas, Texas: 125, 126, 136
 Dallas County: 2, 35, 85, 140,
 160
 Dallas Bridge Company: 137
 Dalley, W. R.: 187
 Dalrymple, W. C.: 195
 Darden, S. H.: votes counted for
 office of Lieutenant Govern-
 or for, 35-37
 Davis County: 1, 35, 140
 Davis, James B.: 140; joint res-
 olution introduced by, 137;
 memorial presented by, 109;
 petition presented by, 126;
 roll call answered by, 2
 Davis, J. C.: 189
 Davis, Jefferson: 135, 137
 Dawson County: 3, 142
 Day, Samuel: 188
 Deadman, D. M.: 195
 Deaf and Dumb Asylum: por-
 tion of Governor's message
 concerning, 25; report of Su-
 perintendent of, 125
 Dean, James: 188
 Deavonis, John: 184
 DeBlanc, John E.: 188
 Debt: 29, 56, 58, 62, 66, 79, 101,
 103, 113, 115
 Decatur, Texas: 143, 148, 166
 De Cordova, Phineas: 142, 181;
 election as Secretary of Sen-
 ate, 3; nomination as Secre-
 tary of Senate, 3
 Defense: 110, 132, 136
 Denton County: 2, 35, 141, 147,
 190
 DeRyee, William: 156, 157
 Desark, E. B.: 185
 Desertion: 20, 24, 45, 63, 79,
 81, 89, 96, 104, 138
 De Witt County: 2, 35, 141, 183
 Dickman, Geo. A.: 190
 Dickson, D. C.: 3, 52, 61, 111,
 116, 126, 140; appointment as
 teller, 3; appointments to
 committees, 5, 57, 58, 138;
 bills introduced by, 115, 136;
 motions made by, 7, 69, 84;
 nominations made by, 4, 5;
 petition presented by, 73; re-
 port made by, 7; resolutions
 offered by, 4, 5, 58, 138; roll
 call answered by, 2; votes of
 recorded, 61, 68, 69, 77, 80, 82
 Dickson, J. J.: 135
 Dickson, W.: 190
 Dillon, William D.: 128, 129
 Dimmit County: 2, 141
 Disabled soldiers: 100
 Disloyalty: 89, 104, 109, 128
 Distilleries: 21, 45, 117, 122,
 125, 127
 District attorneys: 72, 75, 77,
 78, 80, 89
 District Court: 62, 66, 67, 82,
 85, 89, 110, 111, 122, 123,
 125, 130, 131
 Dix, Captain John J.: 134
 Dock yards: 83, 86
 Doorkeeper: election of, 3
 Doorkeeper of the House of
 Representatives: 6
 Double Mountain: 12, 143, 144,
 149, 185
 Douglass, John M.: 194
 Doughty, Wm.: 185
 Drake, M. B.: 185
 Droege, Oetling, & Co.: 152,
 153, 154, 163, 164, 165, 169
 Dumas, James P.: 88, 89, 119
 Dunlap, James M.: 195
 Durant, J. W.: 71, 85, 140; ap-
 pointments to committees, 5,
 57; bills introduced by, 67,
 122; joint resolution intro-
 duced by, 83; motion by, 34;
 resolutions offered by, 58-59,
 110; roll call answered by, 2;
 votes of recorded, 61, 68, 69,
 77, 80, 82
 Duval County: 3, 142

— E —

Eagle Pass, Texas: 168
 Eastland County: 2, 141
 Easton, John C.: 195
 East Texas Manufacturing
 Company: 116, 121, 129
 Edmonson, Joseph B.: 188
 Education: 105
 Edwards County: 3, 142
 Edwards, Arthur: 183
 Eleventh Legislature: 90, 112,
 123, 127
 Elhinger, Charles: 183
 Elkins, Frank: 189
 Ellis County: 2, 35, 140, 161,

183, 194
 Ellison, Thomas: 184
 El Paso County: 3, 142
 Encinal County: 3, 142
 Enfield Rifle: 157, 158
 England: 32, 156
 English, Campbell: 195
 English, R. H.: 188
 Enrolling Clerk: election of, 3
 Enrolling officers: 120, 127
 Engrossers: 45

Engrossing Clerk: election of, 3
 Enock, Jason: 195
 Erath County: 2, 35, 141
 Erlenmeyer, A.: 189
 Estates: 56, 62, 66, 78, 83, 111, 113, 130
 Estray laws: 121, 123, 131, 137
 Europe: 10, 152, 153, 163
 Exemptions: 9, 10, 13, 14, 45, 59
 Ex post facto law: 62
 Extortioners: 45

— F —

Fairley, James S.: 194
 Falls County: 2, 35, 133, 141
 Families of Texan soldiers: 21, 43, 45, 63, 87, 88, 102, 114, 115, 120, 130, 132, 135; cloth allotted to, 17; portion of Governor's message providing for, 20
 Fannin County: 2, 35, 140, 188
 Farmers: 9, 33
 Farrer, A. J.: 183
 Fayette County: 2, 35, 141
 Ferguson, Lewis C.: 90, 119, 126
 Ferguson, L. C.: 81
 Fields, D. S.: 184
 Fifth Texas Infantry: 120
 First Assistant Clerk, House of Representatives: 6
 First Assistant Secretary: election of, 3
 Fiscal agent: 127
 Fiscal year: 91, 109
 Fisher and Miller Company: 71
 Flanagan, Gov. _____: 171
 Fletcher, Thomas; 184
 Flour: 146
 Ford, John Salmon: 134
 Ford, S.: 117, 126, 141; amendment offered by, 83; appointments to committees, 56, 57; appointment to select committees, 156, 157; bills introduced by, 58, 67, 79, 112, 117, 118, 131, 132; reports made

by, 60, 70, 75, 124; resolutions offered by, 58, 65; roll call answered by, 2; substitute offered by, 39; votes of recorded, 61, 68, 69, 77, 80, 82
 Foreign consuls: 22
 Forest, George B.: 194
 Forts: 83, 86
 Fort Arbuckle: 144
 Fort Belknap: 143, 144, 146, 147, 148, 149, 192
 Fort Bend County: 2, 35, 140, 194
 Fort Cobb: 192
 Foundry: 11, 155, 156; Superintendent of, 156
 Fourth New Jersey Regiment: 120(f)
 Fourth Regiment, Texas Volunteer Militia: 133
 Fourth Texas Cavalry: 120
 France: 32, 156; government of, 173, 174
 Franchise: 70
 Freestone County: 2, 35, 140
 Frio County: 3, 142
 Frontier bill: 122
 Frontier defense: 16, 28, 38, 82, 95, 97, 98, 100, 112, 124, 136, 137; portion of Governor's message concerning, 15-17
 Frontier Regiment: 16, 112
 Frost, T. C.: 193
 Fuller, Ira: 194

— G —

Galbraith, Samuel J.: 126, 127
 Galloway, C. C.: 117, 190
 Galveston, Texas: 122, 136, 160, 162
 Galveston County: 1, 35, 140, 195
 Galveston Island: 127, 129, 132
 Galveston and Brazos Navigation: 71
 Gamage, S. T.: 187
 Garnett, John R.: 188
 Gates, D. A.: 187
 Gathings' Male and Female College: 135

General Land Office: 57, 86, 196, 197; portion of Governor's message concerning, 31
 Gentry, _____: votes counted for office of Lieutenant Governor for, 35-37
 George, Ezekial: 190
 Gibbard, Wm.: 188
 Giddings, George H.: 150
 Giesecke, Adolph: 195
 Gilleland, William M.: 3, 142
 Gillespie County: 3, 35, 142, 194
 Givim [Givins?], Thomas: 188
 Glass, William J.: 183

- Glasscock, George W.: 122, 127, 134
 Glover, J. C.: 71, 75, 80
 Goldthwaite, George: 183
 Goliad County: 3, 35, 141
 Gonzales County: 2, 35, 141, 188
 Gonzales Mutual Aid Association: 128, 132
 Good, H.: 188
 Goodwin, John: 193
 Gordon, Albin: 194
 Gose, S. M.: 190
 Gould, N. C.: 190
 Government officials: portion of Governor's message concerning, 19-20
 Governor: 5, 6, 114, 115, 120, 135, 150; count of vote for, 34, 35-37; inauguration of, 38; messages of, 6, 7, 7-33, 39, 72, 91-108, 109, 110, 114, 181-197; secretary of, 60, 74
 Governors: 43
 Governors Conference: 171-180
 Grain: distillation of, 21
 Granaries: 7
 Grand Juries: 105
 Gray, R. W.: 189
 Grayson County: 2, 35, 140, 147
 Green, Samuel: 188
 Gregg, Reverend A.: 6
 Grimes County: 2, 35, 140, 183, 188
 Grogan, Henry: 190
 Guadalupe County: 2, 35, 141
 Guardianships: 113, 132
 Guinn, R. H.: 61, 85, 136, 140; appointments to committees of, 56, 57, 80, 83; bills introduced by, 60, 65, 71, 78, 86, 87, 112, 127; election as President Pro Tem of, 3; joint resolutions introduced by, 63, 78; motions made by, 58, 63, 68, 69, 81, 84; reports made by, 64, 75; resolutions offered by, 56, 71, 112; roll call answered by, 2; substitute offered by, 68; votes of recorded, 61, 68, 69, 77, 80, 82
 Gun boat: 11
 Guns: 45

— H —

- Hamblin, William P.: 183
 Hamilton County: 2, 36, 141
 Hamilton, A. G.: 195
 Harcourt, John T.: 84, 85, 114, 141; amendments offered by, 4, 66; appointments to committees, 5, 56, 57, 63; bills introduced by, 58, 60, 65, 112; 114, 135; bill reported by, 66; credentials presented by, 37; memorial presented by, 88; motions made by, 61, 68; oath of office sworn to by, 1; reports made by, 77, 117; resolutions offered by, 4, 58; roll call answered by, 2; substitutes reported by, 62, 70; votes of recorded, 61, 68, 69, 77, 80
 Hardeman County: 2, 141
 Hardin County: 1, 36, 140
 Harper, Frank: 196
 Harper, George: 190
 Harrell, H. H.: 189
 Harris County: 2, 35, 140, 183
 Harris, John R.: 189
 Harrison County: 1, 36, 110, 112, 116, 140, 188, 191
 Harrison, George L.: 194
 Harrison, Henry K.: 78, 81, 117
 Harrison, James M.: 195
 Hartley, R. K.: 88, 140; amendments offered by, 83, 84; appointment to committee, 57; bills introduced by, 63, 88, 127; bill reported by, 128; memorial presented by, 111; roll call presented by, 1; substitute offered by, 87; votes of recorded, 61, 68, 69, 77, 80, 82
 Haskell County: 2, 141
 Haskell, John A.: 141; credentials of presented, 37; appointment to committee, 57; roll call answered by, 2; votes of recorded, 61, 68, 69, 77, 80
 Hawkins, J. B.: 189
 Hay, James M.: 190
 Hayden, J. C.: 88
 Haynes, G. W. G.: 195
 Haynes, Thomas B.: 184
 Haynie, George E.: 6
 Hays County: 2, 36, 141, 184, 188
 Hays, Wm. J.: 188
 Heaton, Albert: 188
 Hellems, Squire: 183
 Hemphill, John: 150
 Hempstead Manufacturing Company, 119, 121, 129
 Henderson County: 2, 36, 140, 184, 188
 Henderson, J. R. C.: 195
 Hendricks, Abraham: 186
 Hendricks, S. B.: 191
 Herndon, J. H.: 6
 Herndon, Reuben: 184
 Hessians: 10, 40, 43
 Hidalgo County: 3, 36, 142
 Hill County: 3, 36, 184, 188
 Hill, George L.: 188

- Hill, William J.: 183
 Hobday, John M.: 189
 Holland, Spearman: 80, 140; appointment to committee, 57; bill introduced by, 60; oath of office sworn to by, 1; roll call answered by, 1; votes received by, 3; votes of recorded, 61, 68, 69, 77, 80, 82
 Hollander, William: 6
 Holloway, James: 187
 Holmes, Lt. Gen. _____: 158
 Hopkins County: 2, 36, 140, 184
 Hord, E. R.: 142; appointments to committees, 57, 88; bills introduced by, 88, 90, 114, 118; joint resolution introduced by, 129; roll call answered by, 3; votes of recorded, 68, 69, 82
 Horse race: 85
 Hospital fund: 76, 81, 113
 Hospitals: portion of Governor's message concerning, 27
 Hotchkiss, W. S.: 186, 187
 Houghton, William M. S.: 195
- House, Libon: 184
 House of Representatives: 137, 185; bills announced by, 16, 89-90, 110-111; committee to wait upon the Governor from, 5; report of organization, 6
 Houston, Texas: 103, 166
 Houston County: 2, 36, 140
 Howard, W. H.: 133, 135
 Howard, _____, of Lavaca, 61
 Howitt, Sylvanus: 188
 Hubert, Benjamin: 188
 Huff, C.: 184
 Hughes, Thomas P.: 190, 195
 Hunt County: 2, 36, 140, 184
 Hunt, Wm. H.: 190
 Hunt, Zimri: 187
 Huntsville, Texas: 137
 Hutchings, Ball, and Company: 163, 166
 Hutchins, J. H.: nomination as Engrossing Clerk of, 4; votes received by, 4
 Hutchison, George W.: 194
 Hutchison, William C.: 184

— I —

- Impressment Law: 20-21, 29, 177
 Inauguration: 33, 38, 39
 Indians: 15, 17, 71, 97, 146; entrance into Confederate service, 26
- Indian agents: portion of Governor's message concerning, 26
 Indian depredations: 15
 Informers: 83
 Interest: 130
 Iron: 11, 103, 107, 115, 118

— J —

- Jack County: 2, 36, 37, 141, 147, 188
 Jackson County: 2, 36, 141
 Jackson, T. C.: 188
 Jails: 79, 81, 89
 Jasper County: 1, 36, 140, 188, 194
 Jay, C. T.: 194
 Jefferson, Texas: 146
 Jefferson County: 1, 36, 140, 184
 Jefferson, Thomas: 33
 Johns, C. R.: 150, 170
 Johnson County: 2, 141, 194
 Johnson, Daniel: 187
 Johnson, Jasper W.: 188
 Johnson, John D.: 194
 Johnson, Robert M.: 171, 172
 Johnson, Thomas: 188
 Johnson, Capt. _____: 158
 Johnson, Senator _____: 180
 Joice, James: 189
 Joint Committee on Military Board: report, 137
 Jones County: 2, 141
 Jones, _____: 61
- Jones, Chas. L. S.: 189
 Jones, E. J.: 196
 Jones, Elias S.: 187
 Jones, Enoch: 193
 Jones, H. S.: 184
 Jordan, A. N.: 111, 117, 140; appointments to committees, 56, 57; bill introduced by, 89; petition presented by, 81; roll call answered by, 2; votes of recorded, 68, 69, 80
 Jordt, H. E.: 183
 Jowers, W. G. W.: 140; appointment to committees, 34, 57, 63, 88; bills introduced by, 63, 90, 117, 136; joint resolution introduced by, 114, 130; memorial presented by, 77; motions made by, 72, 82; oath of office sworn to by, 1; reports made by, 135; resolutions offered by, 72, 138; roll call answered by, 2; votes of recorded, 61, 68, 69, 77, 80, 82
 Judges: 43, 105
 Judicial districts: 56

Jurisdiction: 108, 110
Justice, Milton M.: 133, 135,

137
Justices of the Peace: 85

— K —

Karnes County: 3, 36, 141, 188, 194
Kander, F. N.: 195
Kaufman County: 2, 36, 140, 188
Kelley, _____: appointment to a select committee of, 80
Kendall County: 36, 194
Kerr County, 3, 36, 42
Kimball County: 3, 142
King, John A.: 183, 188
Kinney County: 3, 142
Kinsey, H. M.: 140; appointment to committee, 57; bills

introduced by, 34, 56, 78, 91; memorial presented by, 61; oath of office sworn to by, 1; report made by, 75; substitute offered by, 129; roll call answered by, 1; votes of recorded, 61, 68, 69, 77, 80, 82
Kitrell, _____: votes counted for office of Lieutenant Governor for, 35-37
Kleberg, Ernest: 193
Knight, M. M.: 194
Knox County: 2, 141
Kyle, C.: 61

— L —

Lamar County: 2, 36, 64, 69, 140, 184, 188
Lambert, Will: 6
Lampasas County: 2, 36, 141, 188
Lancaster, Texas: 160
Land: 77, 78, 84, 87, 88, 90, 91, 109, 110-111, 117, 118, 119, 121, 122, 128, 129, 196
Land Certificates: 70, 76
Land grants: 38
Land patents: 70
Land scrip: 27, 28, 100
Lane, Albert G.: 188
Lane, Thomas L.: 188
Lane, W. R.: 185
Langford, _____: 5, 142
Lanier, Wm.: 185
La Salle County: 3, 141
Latimer, J. H.: 195
Lavaca County: 2, 36, 141
La Vaca Navigation Company, 71
Lavanburg, Texas: 169
Laws: revision and arrangement of, 26
Lawton, George F.: 190
Lea, Pryor: 115, 117, 141, 150, 165; appointments to committees, 57, 80, 83; bills introduced by, 75, 89, 90, 117, 119; joint resolution introduced by, 65; motions made by, 66, 72, 82, 84; report made by, 73; resolution offered by, 71; roll call answered by, 1; votes of recorded, 61, 68, 69, 77, 80, 82
Ledbetter, J. H.: 187
Lee, C. T. F.: 183
Legal reform: portion of Gov-

ernor's message concerning, 26
Leon County: 2, 36, 140, 188
Letter of Marque: 62
Lewis, Everett H.: 188
Liberty County: 1, 36, 140, 188, 195
Libraries: 115, 120, 129
Lieutenant Governor: 3, 6; count of vote for, 35-37; inauguration of, 38
Likins, Thomas M.: 189
Limestone County: 2, 36, 133, 140
Lindsay, Charles, Lt.: 143
Lindsey, Harvey: 194
Liquor: 86, 89, 102, 120, 125, 126, 130, 131, 136, 137
Live Oak County: 3, 36, 110, 116, 119, 189
Llano County: 3, 36, 142, 189
Lollar, John: 195
Lollar, L. A.: 61
Lone Star banner: 51
Long, James D.: 187
Long, John D.: 117, 118
Long, John H.: 189
Lord's Day: 85
Louisiana: 8, 23, 41, 44, 52, 92, 97, 171, 176
Low, John: 185
Lubbock, F. R.: 7, 7-33, 34, 52, 91, 97, 98, 100, 102, 104, 143, 150, 170, 171, 172, 180; valedictory address of, 39-47, 58, 60, 61
Lubbock, Capt. Henry F.: 162
Lockett, Colonel _____: 164, 165
Lunatic Asylum: 17, 25, 138

— Mc —

McCall, D. C.: 188
 McCall, John: 3, 142
 McCarthy, _____: 61
 McCord, Col.: 192
 McCoy, Oliver B.: 184
 McCulloch County: 3, 36, 142, 189
 McGee, William C.: 194
 McGehee, Thomas G.: 133, 135, 137
 McGinnis, O. H. B.: 196

McGriffin, Hugh: 194
 McGuire, _____: 61
 McIver, Joseph: 194
 McLain, W. E.: 114, 116, 121
 McLennan County: 2, 36, 141, 189
 McMahan, Dr. David: 189
 McMullen County: 3, 110, 116, 119, 128, 130, 141
 McNair, James: 114, 115, 121
 McWhorton, Hugh A.: 184

— M —

Mabry, Joel: 190
 Maclock, John, 184
 Madison County: 2, 36, 140, 194
 Madison, James: 33
 Magoffin, J. W.: 142; appointment to committee of, 57; roll call answered by, 3
 Magruder, Major General J. B.: 19, 59, 95, 157, 158, 190
 Manifee, William O.: 194
 Manion, A. B.: 183
 Manning, Col. _____: 171, 172
 Marion County: 36, 110, 112, 116, 146, 186, 189
 Marsh, James: 184
 Marshall, Texas: 23, 171
 Martin, W. N. P.: 195
 Marvill, R. S.: 190
 Mason County: 3, 36, 37, 142
 Matagorda County: 2, 36, 141, 189
 Matamoros, Mexico: 152, 153, 154
 Mathews, R. H.: 195
 Maverick County: 3, 142
 Maxey, Rice: 140; appointment as teller, 3; appointments to committees, 57, 83; bills introduced by, 9, 38, 63, 66, 134; joint resolution introduced by, 76; nomination made by, 4; oath of office sworn to by, 1; report by, 59-60; resolutions offered by, 4, 71; roll call answered by, 2; substitute reported by, 67; votes of recorded, 61, 68, 69, 77, 80, 82
 Maxwell, John: 188
 May, Joseph T.: 197
 Mays, M. Y.: 194
 Meat: 23
 Mechanics: 9, 33
 Medina County: 3, 36, 142
 Memphis and El Paso, and Pacific Railroad: 57, 63, 70, 71, 76

Menard County: 3, 142
 Mercer, Jesse: 193
 Merchant, Berry: 188
 Merrick, Chief Justice _____: 171, 172, 173, 179
 Mexican War: 44
 Mexico: 52, 151, 155, 156, 161, 165, 167, 168, 173, 174; government of, 173; trade with, 29
 Milam County: 2, 36, 141
 Mileage and per diem: 113, 117, 119
 Military Board: 28, 71, 78, 79, 86, 87, 89, 112, 114, 115, 121, 125, 137, 148, 149, 185; portion of Governor's message concerning, 10-12; report of, 150-170; salaries of members of, 124; Treasurer of, 164
 Military service: Comptroller's report concerning, 27
 Militia laws: 45
 Miller, Isaac: 188
 Mills: 11
 Mills, W. J.: 125, 128, 132, 183
 Minerals: 103, 107
 Ministers of the Gospel: 14, 15, 33
 Minute companies: 13, 16, 61
 Mississippi: 64
 Mississippi Rifles: 158, 159
 Mississippi River: 8, 9, 25, 52, 92, 94, 155, 175, 177
 Missouri: 8, 171, 176, 179; Governor of, 177
 Mitchell, C. B.: 171, 172, 179
 Mitchell, N. A.: 5, 142; amendment proposed by, 84; appointments to committees, 34, 56, 57, 58, 63; bill introduced by, 67; joint resolution introduced by, 38-39; motion made by, 39; oath of office sworn to by, 1; roll call answered by, 3; votes of recorded, 61, 68, 69, 77, 80, 82
 Monopolizers: 45

- Monroe, James: 33
 Montague County: 2, 36, 141, 147, 194
 Montague, Daniel: 115, 141; appointment to committee of, 57; bills introduced by, 63, 86; joint resolution introduced by, 115; oath of office sworn to by, 1; report by, 115; roll call answered by, 2; votes of recorded, 61, 68, 69, 77, 80, 82
 Monterrey, Mexico: 168, 169
 Montgomery County: 2, 36, 140, 189
 Moody, Ayres: 131
 Moody, James A.: 184
 Moore, A. W.: 141; appointment as teller, 5; appointments to committees, 57, 63, 138; bill introduced by, 118; roll call answered by, 2; votes of recorded, 61, 68, 69, 77, 80, 82
 Moore, Geo. F.: 183
 Moore, J. M.: 163, 167, 168, 199
 Moore, James W.: 195
 Moore, John: 184, 189
 Moore, John W.: 140; appointment as teller, 5; appointment to committee of, 57; bills introduced by, 66, 77; bill reported by, 72; joint resolution introduced by, 115; memorial presented by, 56; nomination made by, 3; oath of office sworn to by, 1; roll call answered by, 1; votes of recorded, 61, 68, 69, 77, 80
 Moore, L. W.: 188
 Moore, Thomas: relief of heirs of, 67, 82, 113, 114, 196-197
 Moore, Gov. Thomas O.: 171, 172
 Morris, James B.: 182, 183
 Murchison, John: 77, 81, 89, 90, 117
 Murchison, Thomas F.: 184
 Murders: 15
 Murrah, Pendleton: 171, 172, 173, 175, 185, 186, 187, 191, 195, 197; announcement of election, 37; inaugural address of, 47-55, 58, 60, 61, 70, messages from, 91-108; 181, 196; oath of office sworn to by, 47; votes counted for Governor of, 35-37
 Murrah, William: 195
 Murray, John A. M.: 189

— N —

- Nacogdoches County: 1, 36, 140
 Nash & Co. Foundry: 146
 Naval stores: 29
 Navy: 87
 Navarro County: 2, 36, 140
 Neal, T. C.: 80
 Negroes: 9, 23, 82, 133, 177
 Neil, John O.: 194
 Nelson, Frank H.: 189
 Nelson, Thomas C.: 187
 New Mexico: 87
 New Orleans, Louisiana: 31
 Newton County: 1, 36, 140, 189
 Newton, E. C.: 194
 Nichols, E. B.: 31
 Nichols, Mr. _____: 160
 Nichols, Q. J.: 132
 Nicholson, John L.: 184
 Nobles, Benjamin D.: 123, 128
 Northout, J. W.: 190
 Norton, Z.: 196
 Norton, Peter: 67, 81, 89, 90, 116
 Notaries Public: appointments of, 183-185, 193-195, 196
 Nueces County: 3, 36, 141

— O —

- Oatis, Wm. S.: 190
 Oats: 33
 Ochiltree, Hugh: 184
 Odd Fellows Hall, New Orleans: 44
 O'Docherty, Pat: 185
 Oldham, W. S.: 172, 177, 179, 180
 Oldham and White's Digest: 4
 Oliver, R. W. B.: 188
 Orange County: 1, 36, 140, 184
 Osterhout, John P.: 187

— P —

- Pagues, George F.: 195
 Paint Creek: 144
 Palmer, P. L.: 188
 Palo Pinto County: 2, 36, 141, 147
 Paluxy and Brazos Sulphur Nitre and Powder Manufacturing Company: 113, 121, 129
 Panola County: 1, 36, 140, 184
 Paper money: 88
 Parish, Jefferson: 188
 Parker County: 2, 36, 141, 147, 184

- Parr, George: 189
 Parsons Female Seminary: 125, 130
 Parsons, J. H.: 140; amendment offered by, 66; appointment to committees, 3, 57, 80, 130; bills introduced by, 23, 76; motions made by, 7, 63, 68, 69; nomination made by, 3; roll call answered by, 1; votes of recorded, 60, 69, 77, 80, 82
 Patterson, John M.: 195
 Patterson, W. K.: 171, 172, 180
 Pattillo, Simpson: 195
 Patton, _____: 61
 Payne and Company: 79, 90
 Payne, Geo. B.: 64
 Payne, Hezekiah: 64
 Payne, William: 64
 Pecos Bridge Company: 133
 Peel, William: 194
 Penal Code: 73, 78, 81, 87, 88, 89, 90, 109, 113, 119, 121, 122, 123, 125, 126, 130, 138
 Penitentiary: 17-19, 24, 27, 28, 67, 71, 82, 86, 103, 112, 114, 118, 119, 126, 137, 176, 191, 197
 Pennington, Levi: 6
 Percussion caps: 11, 86, 88, 115, 118, 119, 137
 Perry, James M.: 188
 Perry, Patrick: 194
 Pfeiffer, George: 161, 169
 Phillips, W. J.: 190
 Pierce, William F.: 194
 Pinckard, A. L.: 184
 Pinckney, Thomas: 183
 Pistols: 11
 Plains: 146
 Planters: 9, 33
 Plenitude, Texas: 158
 Poe, William: 194
 Police: 14, 24, 96
 Polk County: 1, 36, 140
 Polly, John: 189
 Port Hudson: 8, 52
 Pope, John M.: 187, 196
 Port Sullivan College: 122, 123, 126
 Postage stamps: 5
 Postal laws: 133
 Postmasters: 84
 Potter, Mark Milton: 111
 Powder Horn Dredging Company: 135, 137
 Pre-emption settlers: 76, 81, 111
 Prisoners-of-War: confinement in Penitentiary of, 19
 Presidio County: 3, 142
 Price fixing: 76
 Price, Levon: 193
 Price, Robert: 66, 70, 76, 77, 116
 Priestly, Philander: 73, 117
 Prince, _____: 61
 Property exemption and detail laws: 34, 67, 82, 83, 87, 111, 113
 Public buildings: 112, 130
 Public domain: 100
 Public lands: 60, 112, 128, 129
 Public mills: 133
 Publication notices: 136, 137
 Public printing: 130, 138
 Public works, Superintendent of: 117, 121, 130

— Q —

- Quarles, Carro M.: 110, 111, 116
 Quartermaster Department: 160, 164, 185
 Quayle, W.: 126, 141; appointment as teller, 5; appointments to committees, 57, 63, 130; joint resolution introduced by, 34; motion by, 39, 114; resolution offered by, 5, 38, 109; roll call answered by, 2; votes of recorded, 61, 68, 69, 77, 80, 82
 Quillan, W. W.: 194

— R —

- Railroad companies: 106, 126
 Ranck, J.: 61
 Randall, Samuel: 197
 Randolph, C. H.: 150, 170
 Randolph, Mr. _____: 164
 Raymond, James H.: 186
 Raymond, N. C.: 3, 142
 Reagan, John H.: 150
 Reading, Mr. _____: 184
 Reaping machines: 11
 Reavis, Wm. A.: 184
 Red River: 40
 Red River County: 2, 36, 140, 190
 Refining furnace: 11
 Refugees to Texas: portion of Governor's message concerning, 23
 Refugio County: 3, 36, 141, 186
 Renegade whites: 15
 Revenue: 12, 27, 28, 71, 131, 135
 Reynolds, Gov. Thomas C.: 172, 175, 177, 179
 Richardson, Madison: 184
 Richardson, William: 184

Richmond: 52, 92, 172, 174, 178
 Riddle, Elam: 195
 Rio Grande: 40, 150, 154, 165, 167, 168
 Ritchie, James: 188
 Robards, Chas. L.: 184
 Robards, Fred J.: 182
 Robb, Benjamin: 188
 Robb, S. T.: 196
 Robertson County: 2, 36, 140, 184, 194; county clerk of, 196
 Robinson, Benjamin: 197
 Robinson, Chas. S.: 189
 Robinson, J. D.: 194
 Rodgers, James H.: 56
 Rodgers, J. M.: 185
 Rodgers, James S.: 195
 Roe, Louis: 197

Rogers, James G.: 87
 Rogers, John: 194
 Rome: 43, 107
 Rosenbaum, John: 195
 Round Rock: 125, 131
 Rowan, Mr. _____: 161
 Rudgley, John B.: 189
 Runnels County: 3, 141
 Rusk County: 1, 36, 140, 189, 195
 Rusk County Iron Company: 123, 127, 129
 Russell, C. A.: 188
 Rust, Jackson: 190
 Ruth, Johnathan: 188
 Rye: 33
 Ryle, Richard: 188

— S —

Sabbath breaking: 63, 65, 69, 72, 76, 82, 83, 84-86, 88
 Sabine County: 1, 36, 77, 80, 140, 189
 Sabine Pass: federal prisoners taken at, 19
 Salaries: 57, 58, 61, 63, 68, 73-74, 75, 77, 78, 80
 Salines: 12, 143, 146, 165, 166, 185
 Saloon: 85
 Salt: 12, 121, 125, 146, 147, 148
 Salt Creek: 144
 Saltometer: 144
 Salt-petre: 103, 161
 Salt Spring: 144
 Sampson, _____: 61
 San Antonio, Texas: 150, 168, 169
 San Antonio Powder Co.: 169
 San Augustine County: 1, 36, 77, 80, 140
 Sandstron, John E.: 194
 San Jacinto: 52
 San Patricio County: 3, 36, 141, 185
 San Saba County: 3, 36, 142, 189
 San Saba Masonic Coliege: 118, 120, 126, 130
 "Santee": 162
 Scholastic census: 163
 School fund: 27, 28, 106
 School system: 110
 Scrutchfield, L. H.: 183
 Scurry, Brigadier General: 19
 Sears, S. S.: 189
 Seawall, J. G.: 195
 Secession: 42
 Secretary of Senate: 3, 4, 6, 142
 Secretary of State: 4, 26, 72, 81, 182
 Secretary of War, Confederate States: 150, 172, 173

Sedition: 126, 128
 See, A. J.: 189
 Seguin Mutual Aid Association: 128, 132
 Select Committee on Frontier Defense: 82
 Self, J. T. P.: 183
 Selman, B. T.: 69, 140; appointment to committees, 5, 56, 57, 63; joint resolutions introduced by, 83, 114; motion by, 58; roll call answered by, 2; votes of recorded, 61, 67, 69, 77, 80, 82
 Senate Chamber: use of, 67, 72
 Senate, President of: 38, 56, 75, 88
 Senate rules: 4, 6, 7
 Senatorial districts: list of, 1-3
 Sequestered property: 82, 87, 117
 Sergeant-at-Arms: 3, 4, 58, 142
 Settles, John: 190
 Settles, Wm.: 190
 Shackelford County: 2, 141
 Shannon, J. T.: 187
 Shaw, James: 183
 Shelby County: 1, 36, 140, 185
 Shelley, N. G.: 154
 Shepard, C. B.: 79, 141; appointment to committees, 56, 57, 130; bills introduced by, 118, 119, 125, 135; memorial presented by, 78; motion made by, 85; oath of office taken by, 72; roll call answered by, 2; votes of recorded, 77, 80, 82
 Shepherd, Joseph: 135, 137
 Shepherd, W. C.: 183
 Sheriffs: 110, 111, 123
 Sherrod, Taylor & Company: 11, 160
 Shook, Jefferson: 187

- Short, Briscoe and Company:
 114, 115, 116, 159
 Shugart, Thomas: 193
 Shuford, F. R.: 190
 Skidmore, Thomas: 188
 Skiles, C. H.: 188
 Slate: 115
 Slave owners: 86
 Slaves: 21, 133
 Smith County: 2, 36, 37, 140,
 159, 194
 Smith, Lieutenant General E.
 Kirby: 16, 23, 157, 171, 172,
 177, 179, 180
 Smith, Gideon: 188
 Smith, J. Carroll: 197
 Smith, T. B.: 188
 Smith, W. A.: nomination as
 Chaplain, 5
 Soldiers: 38, 64, 93, 75, 76, 103,
 115
 Sons of the South: 134, 137
 Sorrells' Plantation: 169
 South: 51
 Spain: 156
 Speaker of the House of Rep-
 resentatives: 6, 37, 38
 Specie: 12, 29, 58, 65, 102, 133,
 166, 167, 168
 Speculation: 20, 76, 78, 89, 109,
 117
 Spinning jennies: 112, 115, 116,
 117
 Spurgeon, Hiedlus: 196
 Stage drivers: 84
 Stahler, W. S.: 190
 Standing committees: appoint-
 ment of, 56-57; amendments
 to rule regarding, 4
 Stapp, Oliver H.: 173
 Starr County: 3, 36, 142
 State bonds: 11, 163
 State Constitution: 83
 State employees: reduction of
 salaries of, 56
 State Gazette: 6, 60, 68, 71
 State Treasury warrants: 65, 99
 State troops: 13, 15, 20, 24, 60,
 81, 126, 133, 136, 159, 176
 Stedham, William: 183
 Steele, Gen. _____: 192
 Stephens County: 2, 141
 Stephens, Hiram B.: 187
 Stephens, J. W.: 195
 Stevens, Henry E.: 144, 166
 Stewart, Chas. B.: 189
 Stills: 71
 Stock raisers: 9, 33
 Stockraising: 84, 96
 Stockdale, F. S.: 79, 124; an-
 nouncement of election, 37;
 inaugural address of, 55-56;
 votes for, 35-37
 Stockton, E.: 195
 Substitutions: 9, 10, 13, 45, 81
 Sugar plantation: 84
 Sullivant, A. P.: 195
 Sulphur: 103, 161
 Sulphur Fork Iron Company:
 77, 81, 90, 108, 116, 119
 Sulphur Spring: 105
 Sunday: 88 (see Sabbath)
 Supreme Court: 1, 38, 65, 66,
 72, 76, 78, 83, 89, 110, 112,
 183
 Surgeon's certificate of disabil-
 ity: 14
 Surveyors: 197
 Surveys: 138
 Swisher, Jno. M. & Co.: 152,
 153, 154, 155

— T —

- Tackitt, James, Sergeant: 143,
 144, 145, 146, 147
 Talbot, John A.: 187
 Tanner, N. B.: 160
 Tarrant County: 2, 37, 141, 147,
 189, 194
 Tate, Samuel: 189
 Taxation: 28, 29, 30, 58, 65, 82,
 99, 100, 119, 121, 127, 129,
 131, 132, 135
 Taylor County: 3, 141
 Taylor, M. D. K.: 6, 79
 Taylor, Sherrod and Company:
 11, 160
 Ten pin alley: 85
 Terry, B. F.: 52
 Tevis, A. J.: 187
 Texas Iron Works: 121, 127
 Texas Manufacturing Compa-
 ny: 118, 122, 124
 Texas soldiers: 13, 63, 77, 79,
 84, 87, 88, 89, 91, 98, 109, 111,
 117, 118, 119, 122; land
 grants to, 67, 72; text of re-
 solution of thanks to, 109
 Thomas, Adam: 187
 Thomas, Henry: 4, 142
 Thomas, John: 184
 Thomas, John N.: 3
 Thomas, J. W.: 183
 Threshing machines: 11
 Throckmorton County: 2, 141
 Throckmorton, J. W.: 77, 111,
 115, 117, 140; appointments
 to committees of, 5, 56, 57,
 63; bills introduced by, 79, 86,
 88, 118, 121; motion by, 69;
 nomination made by, 5; oath
 of sworn to by, 1; petition
 presented by, 86; report of,
 74-75; resolution offered by, 56;

- roll call answered by, 2; substitute offered by, 88; votes of recorded, 61, 68, 69, 77, 80, 82
- Thrope, Henry: 189
- Timber rails: 131
- Tin: 155, 167, 169, 176
- Titus County: 2, 37, 140, 184, 195
- Tobacco: 29
- Todd, Geo. W.: 194
- Toncay, Francis L.: 121, 123
- Tonkawa Indians: 125, 191
- Toryism: 32
- Townes, R. J.: 72, 181, 182, 186, 187
- Townsend, Wm. P.: 184
- Trade: 101
- Traitors: 24, 59
- Trans-Mississippi Department: 8, 11, 16, 19, 23, 29, 52, 91, 94, 96, 97, 98, 103, 157, 179
- Travis County: 2, 37, 141, 182, 184, 195
- Treason: 32, 39, 59
- Treasury: 12, 17, 18, 28, 30, 31, 65, 99, 100, 105, 135
- Treasury notes: 178, 179
- Treasury warrants: 27, 28, 64, 87, 106, 118, 170
- Trinity County: 2, 37, 140, 184, 196
- Trinity Manufacturing Company: 137
- Tri-Weekly State Gazette: 1, 33, 58, 60, 61, 109
- Tri-Weekly Telegraph (Houston): 55, 59, 79, 124
- Trowbridge, B.: 189
- Tyler County: 1, 37, 140, 184
- Tyler, Texas: 159
- Tyler, _____: 61

— U —

- United States: 38, 78, 134
- United States Bonds: 28, 150, 162, 165
- University Fund: 27, 28
- University Lands: 30, 57, 71, 126, 133, 136, 196
- Upshur County: 1, 37, 117, 140, 190
- Uvalde County: 3, 37, 142

— V —

- Van Vleck, George W.: 184
- Van Zandt County: 2, 37, 140, 190, 195
- Vaughn, A. J.: 38, 64, 69, 72, 76, 110
- Vicks, Vincent: 189
- Vicksburg, Mississippi: 7, 52, 171, 175, 176
- Victoria County: 2, 37, 141, 184
- Virginia: 33
- Virginia Point: 128, 129, 132
- Volunteer Militia Companies: 91
- Von Rosenberg, Wm.: 186
- Voorhies, Assoc. Justice _____: 171, 172

— W —

- Waco Manufacturing Company: 87, 118
- Wadsworth, Albert: 189
- Walker County: 2, 37, 140, 190, 191, 195
- Walker, _____: 61
- Walker, Benjamin J.: 197
- Walker, Seth: 194
- Wallis, Joseph: 125, 130
- Ward, _____, Capt.: 143
- Ward, A. J.: 184
- Ward, W. J.: 190
- Warrants: 28, 100, 131
- Warren, Nathan: 190
- Washington County: 2, 37, 141, 184, 195
- Washington County Iron Company: 137
- Washington, George: 33
- Wathmand, William: 194
- Watson, Corey: 79, 87, 116
- Watson, Colman: 190
- Watson, James: 189
- Waxahachie, Texas: 161
- Weatherford, Jefferson: 2, 111, 140; appointment to committee, 57; bill introduced by, 38; nomination made by, 3; votes of recorded, 61, 68, 69, 77, 80, 82
- Weatherhead, T.: 184
- Webb County: 3, 37, 142
- Weekly Gazette: 60, 61, 70, 71, 75
- Welbourne, John: 188
- Welsh, O. G.: 190
- Wharton County: 2, 37, 141, 191
- Wheat: 33
- Wheeler, R. T.: 47; oath of office administered by, 1
- Wherry, Isaac: 189
- White, _____, Capt.: 143
- White, Sam Addison: 72, 111, 117, 141; appointment to com-

- mittee, 57; bills introduced by, 59, 78, 80; report made by, 64; resolutions offered by, 6, 67; roll call answered by, 2; votes of recorded, 61, 68, 69, 77, 80, 82
- White, Seymore: 194
- Whitescarver, Campbell, and Company: 78, 81, 89-90, 158
- Whitesides, _____ Capt.: 143
- Whittlesen, John A.: 189
- Wichita County: 2, 141
- Wiedenfelt, Theodore: 194
- Wigfall, L. T.: 150
- Wilbarger County: 2, 141
- Williams, _____: 145
- Williams, B. F.: 189
- Williams, George: 189
- Williams, Judge S. T.: 188
- Williamson County: 2, 37, 141, 190, 195
- Wills: 110, 112, 116
- Wills, R. B.: 194
- Wilson County: 37
- Wilson, J. T. D.: 151, 169
- Wilson, W. C.: 140, 147, 151, 152; appointment to committee, 57, 63; bill introduced by, 71; oath of office taken by, 30; resolution offered by, 80; roll call answered by, 2; votes of recorded, 61, 68, 69, 77, 80, 82
- Winsley, John: 189
- Wise County: 2, 12, 37, 140, 141, 147, 148, 165, 166
- Wise, W. J.: 187
- Wiser, Gus A.: 190
- Witty, W. B.: 187
- Wood County: 2, 37, 40, 190
- Woods, Aaron: 194
- Wool: 103
- Wool cards: 10
- Woolens: 17
- Wootten: G. H.: 140; appointment to committees, 57, 58, 63; oath of office taken by, 1; report by, 71, 76; resolutions offered by, 5, 57, 82, 135; roll call answered by, 2; substitute offered by, 59; votes of recorded, 61, 68, 69, 77, 80, 82
- Wright, John B.: 184
- Wright, J. W.: 190
- Writ of Habeas Corpus: 135

— Y —

- Yankees: 9, 15, 24, 32, 40, 102
- Yankee flags: 120, 127
- Young County: 2, 37, 141, 144, 145, 147, 195

— Z —

- Zapata County: 3, 37, 142
- Zavala County: 3, 142