

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:<sup>17</sup>

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

<sup>17</sup>From 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 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.<sup>18</sup>

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.

---

<sup>18</sup>The 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.<sup>19</sup>

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.

<sup>19</sup>The 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 enemy<sup>20</sup> and a bill to aid enrolling officers

<sup>20</sup>The substitute is as follows:

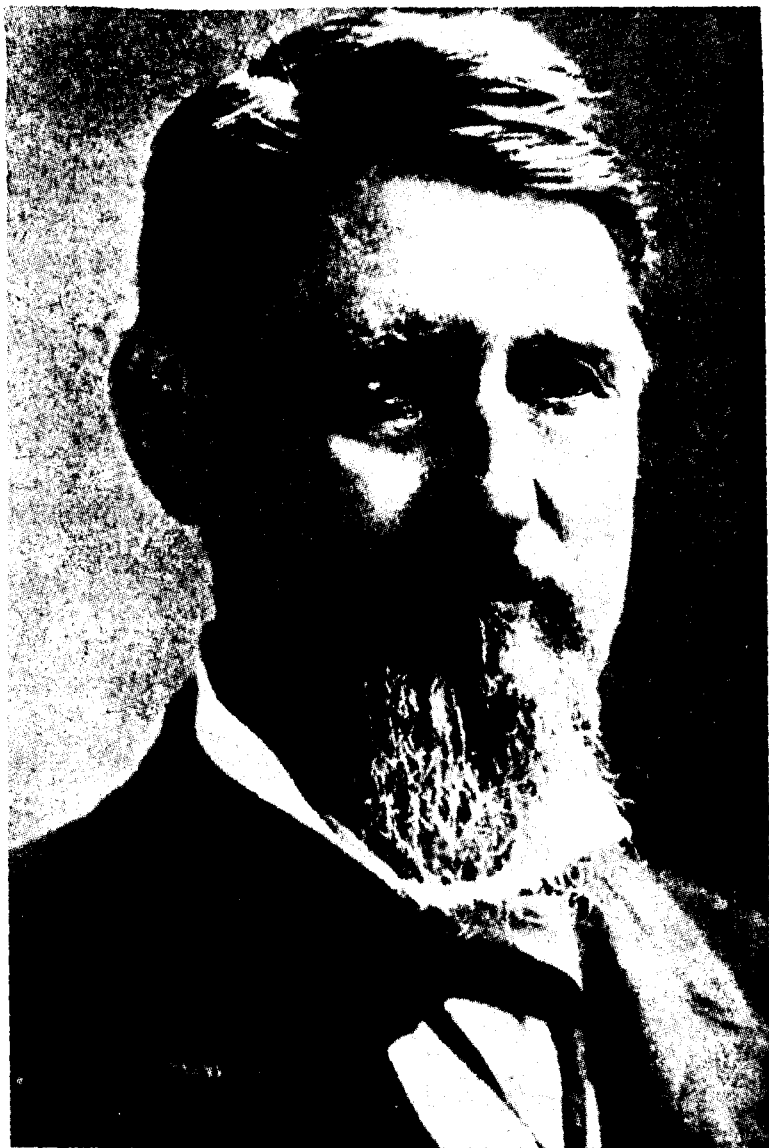
Joint resolution in relation to two Yankee flags captured from the enemy—

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.<sup>21</sup>

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

<sup>21</sup>The 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.

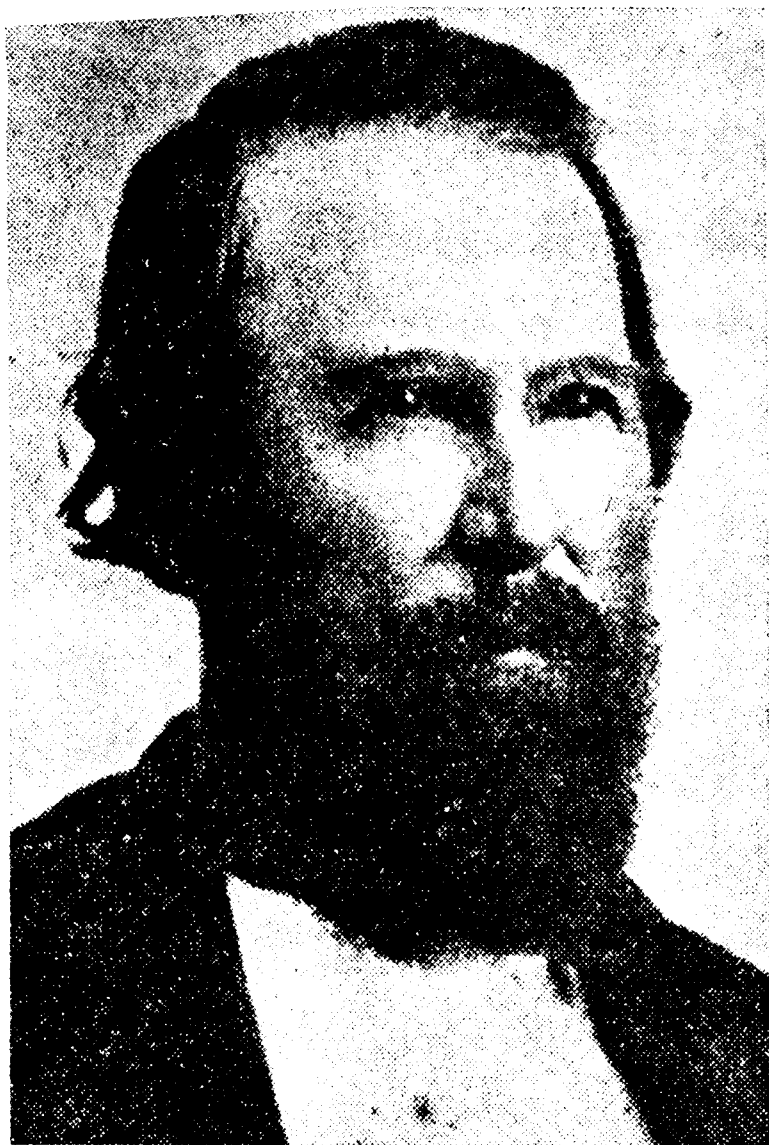
Mr. Jowers introduced a joint resolution in relation to public printing which was referred to Committee on Public Printing.

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.<sup>22</sup> Referred to Committee on State Affairs.

<sup>22</sup>The 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. Dickson<sup>23</sup> 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

---

<sup>23</sup>The 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 I<sup>24</sup>**

**MEMBERS AND OFFICERS**

**OF THE**

**SENATE**

**OF THE**

**TENTH LEGISLATURE**

**REGULAR SESSION**

---

<sup>24</sup>From 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 II<sup>25</sup>

## 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

<sup>25</sup>Main 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 III<sup>26</sup>**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

---

<sup>26</sup>*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 IV<sup>27</sup>

# 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

<sup>27</sup>From 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 Benge, 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

---