

our State from the iron hell of despotism and tyranny—from the lust, avarice, murder, and rapine that have followed in the footsteps of the invader and been so deeply felt by our suffering sister states. Could we but forget the heavy and irreparable loss of brave and devoted soldiers sustained by Texas upon every battle field, we might congratulate ourselves that, thus far, the evils of the war have not pressed heavily upon us.

In almost every important battle our arms have proved triumphant. I am proud of the conviction that our Texans, elbow to elbow with their Confederate brothers in arms, have been conspicuous in every encounter. No troops have proved more gallant and chivalrous; high praise has been awarded them by the President, their commanding generals, and the people, the evidence of which exists in the Executive Office. It is too true we have to mourn the loss of many—alas, too many—of our best and bravest! Let us, however, hope that they have not died in vain—that for every drop of blood so shed in the cause of freedom an armed man will spring up to do battle in this great struggle! Let us cherish the memories of these heroes and ever bear in remembrance that it was for our country and for our liberties they yielded up all that was dear to them on earth. When peace shall have been restored to our fair land, let their ashes repose in the bosom of the State they loved so well and upon whose name their deeds have shed so imperishable a lustre! Let a hundred columns mark the spots where rests their ashes, the tribute of a grateful people, proud of their deeds! And let them recount to our children's children the names of the patriots who yielded their lives a willing sacrifice upon the altars of liberty!

THE MILITARY BOARD

At your last session you created a "Military Board" composed of the Governor, Comptroller, and Treasurer. Immediately after the passage of the law the Board entered upon the discharge of their duties and have continued up to the present moment, with all the energy and ability they possess, to carry out the intentions of your Honorable body. In consequence of the scarcity of material, the great number of patriotic artisans and mechanics as well as laborers who have flown to arms in defense of the country—they have encountered almost insurmountable difficul-

ties. Much, however, has been done by them to place the State in a better posture for defense than existed at the time of your adjournment. They have purchased and procured every gun possible; made several contracts for the manufacture of small arms, which are now being rapidly perfected; established and placed in successful operation a foundry for the casting of cannon; are successfully working a percussion cap factory; aided in the manufacture of gun powder; and all else in their view calculated at this time to benefit the country. They have also introduced into the State many articles of prime necessity including a large amount of powder, lead, and other munitions of war, and contracted with parties to import articles indispensable to the people.

The Board have also purchased and improvised the steam boat "Bayou City" for the protection of Galveston Bay; and after her completion transferred her to the Confederate Government saving to the State her cost and expenses, and contributing thereby on behalf of the State very material aid in the daring and ever memorable success in the capture of the steam vessel of war "Harriet Lane" and the rescue of our beautiful "Island City" from the grasp of our hated foe.

They also purchased and loaned to the Confederate Government for use within the State the two elegant and serviceable Nichols guns manufactured by a skillful citizen of Galveston after whom they were named; and it is not without gratification, they remark, that these guns recently caused the blockading fleet off Galveston to haul off and take position at a very respectable distance from shore. The manufacture of this class of guns should be encouraged.

I might say much in regard to the labors and action of the board; it is, however, deemed best not to enter into details at this time. Suffice it to say that I have found my colleagues ever ready to afford me every assistance in defending and advancing the interests of the country. Every important act of the Board has been the united act of all.

I most respectfully ask that a Joint Committee be appointed to examine and report upon the action and business entrusted to the Board. This will be the best mode of determining as to its usefulness, the benefits resulting

to the State and the propriety of its continuance. I can assure your Honorable Body that its labors have been most arduous.

REPORT OF THE ADJUTANT AND INSPECTOR GENERAL

I respectfully call your attention to the report of the Adjutant and Inspector General in which you will find the details connected with his department, and the duties performed under the law since your regular session, and also many valuable suggestions.

In consequence of the large requisitions made upon the State for men by the Confederate government, and the great disposition of our citizens to engage in the war, the State military organization has been almost destroyed. The labor in his office has been very arduous, and, I trust, in many respects resulted in material benefit to the State. The labor in collecting and repairing arms, receiving and distributing munitions, organizing and placing in the field the Frontier Regiment, and in filling the requisitions of the Confederate Government has been immense.

On the 21st of December, 1861, the Act was passed "for the protection of the frontier of the State of Texas." The first company enrolled under said Act (that of Captain Thomas Rabb of Karnes County) on the 24th of January, 1862, reported in camp awaiting orders.

On the 29th and 30th of the same month, the field officers were placed on duty, and the companies of the regiment in position by the 15th of March at the several posts established on the line by the colonel and approved by the Executive. The regiment consisted of nine companies. The tenth was not raised in consequence of the failure of the party appointed in El Paso and Presidio Counties to enroll the men; subsequently, from the best information I could procure, I deemed it unnecessary to station a company in those counties, hence the tenth company was not at that time raised.

In compliance with section 7 of said Act, I immediately, after the passage of the law, communicated with the Secretary of War and our members of Congress urging their acceptance of the regiment. I received assurance from our members that the regiment would be received. The Provisional Congress passed a bill for its acceptance,

which was, however, vetoed by the President on the ground that it could be accepted only unconditionally. It was again brought before the permanent Congress, passed the House, but was defeated in the Senate. After much conversation on the subject with the commanding general of this department, on the 1st of October ultimate, I was induced to offer him the regiment for Confederate service, believing it would be continued in service on the line adopted for the protection of the frontier, a duty properly devolving upon the Confederate government, and that it would be an immediate relief to our Treasury. In answer to my proposition the regiment was agreed to be received so soon as they could be remustered, and some immaterial arrangements made. The arrangements for the transfer were about completed when I received a communication indicating most clearly that the present Commanding General, induced by an apprehension of an invasion of the lower Rio Grande, would forthwith withdraw five companies of this regiment for service on the lower Rio Grande. Although in accepting the regiment, the commanding general could make no terms with me as to its future disposition. I yet believed the regiment would be retained on the line for the protection of the frontier; consequently, when the fact was made apparent before the transfer that a very large number of our frontier counties would be immediately deprived of protection by said transfer, there being no Confederate troops on the line, I withheld my approval thereof, deeming it best to await your action.

This regiment has performed good and efficient service and been of great benefit. It has given the frontier settlers confidence. Many good men have joined the Confederate service, and gone beyond the limits of the State, leaving their families and property in the frontier counties because they had confidence in that organization and believed the State was determined to protect its frontier.

The frontier counties with their very sparse population have nobly responded to the call of their country. They should be sustained. Unless protection be afforded them the frontier must recede and give way before the inroads of the Indians, for just so soon as you fail to keep up a system of defense in your outer counties will they press forward upon the interior, murdering and robbing.

That it is the duty of the Confederate Government to

protect our frontier there is and can be no question, but it must be borne in mind that we are now engaged in a desperate war and that the government has need of every man she can procure to operate against an enemy more barbarous than the Indian. Hence, the necessity for the State authorities to look to the safety of her people on her exposed borders. They must be protected at all hazards and at every cost. Treasure must not be weighed against the blood of our women and children!

The frontier regiment has entered the service for three years or the war, preparation to its transfer to the Confederate service. They are willing and expect to be transferred should it be the pleasure of your Honorable Body. With the exercise of the most rigid economy the expense of keeping this regiment in the field up to this time has been about \$800,000.

I beg leave to suggest the following plan for the protection of the frontier in addition to what the Confederate government may do. Let some twenty-five counties on a line from Red River to the Rio Grande be selected. Appoint in each of such counties a captain and twenty men citizens of the same who will be sworn in as soldiers for the protection of the frontier. Pay to each of the captains \$750 and each man \$500 per annum, these troops furnishing their own horses, arms, and subsistence. Appoint one or two commissioners whose duty it shall be to travel along the line, receive reports as to the management of the companies, their efficiency, and the protection they afford, paying off the companies and exercising a general supervision over the line.

This plan would give about 500 men: would not cost the State a sum exceeding \$30,000 per annum, about one-fourth of what it will cost at the present enormous prices of subsistence, &c., to keep a regiment like the present in the field, and would, I believe, give protection and satisfaction to the frontier settler.

It would take but a short time to perfect this system of defense. We could then turn over the present regiment to the Confederate government without much risk, and, whenever that government placed upon the frontier a force adequate to its protection, we could disband any organization the State might have in service.

Should you resolve to retain the frontier regiment in

the State service, some amendments of the law creating it could be made which would add to its efficiency.

In remustering the regiment for three years or the war, expecting as I did to transfer it to the Confederate States, I waived the power of appointment vested in me by the law and gave to the men the election of their field officers. I conceived it would prove more satisfactory, and it was a right they would have had in reorganizing a new regiment for Confederate service. I am pleased to say that in my judgment they made a very good selection of officers.

It is with profound regret and mortification I am compelled to inform you of the untimely death of Lieutenant Colonel A. T. Obenchain, late of the Frontier Regiment. He was unquestionably murdered; and the supposition is, by his escort, two men named E. T. Whateley and Rector Stockton, privates in Captain Cureton's Company I, Frontier Regiment.

Every effort has been made to arrest these two parties supposed to be his murderers, but thus far without avail.

STATE TROOPS

In consequence of the large number of volunteers who have crowded to the Confederate States' standard since the passage of the Act of December 25, 1861, "to perfect the organization of the State Troops and place the same on a war footing" and that of the several conscript acts taking all between the ages of 18 and 45 years, the entire military force of the State has become almost wholly disorganized.

I have recently experienced much difficulty in filling a requisition made upon me for 5,000 State troops for three months service for the defense of the State. I beg to call your attention to the report of the Adjutant General on this subject and particularly to his suggestion that all persons capable of bearing arms from the age of 16 to 60 years of age be enrolled. There is no good reason why stout and able bodied youths and old men should not be required to render service in defense of the State. It may become necessary to place in the Confederate service every man from 18 to 45 and even to 50 years of age. We should, therefore, prepare to defend the State with the boys and old men.

You will, also, upon examination of the report see the importance of effecting a change in the military law with respect to commissioned officers.

In filling the late requisition for 5,000 troops, being fully aware that, in most instances, the companies, battalions, and regiments were reduced to mere skeletons and that new organizations would have to be formed, I gave the men the privilege of electing the officers to command them in the field. It was impossible to assign a tenth of the officers to duty; hence, I preferred this plan, trusting the officers would volunteer and accompany the men, taking their chances for election. Very few, however, did so; the rest claimed their exemption from draft and were furloughed, they requesting it. I have under the circumstances granted their requests.

I think, however, the law should be so amended as to make them liable to go into the ranks whenever the company to which they are attached falls below the minimum number, and which minimum should be raised considerably over the present number.

Early last Autumn Brigadier General Hudson of the 21st Brigade, State troops, apprehending great danger from the Indians who had risen upon the Indian Agent and other whites at Fort Cobb [and] fearing, also, at the same time an invasion by Jayhawkers and Indians and that an attempt would be made to seize and take possession of ammunition held by Cooke County, called into service three companies of State troops subject to the approval of the Executive, which was given; and the companies were accepted into the Confederate States service by Brigadier General P. O. Hebert, the general commanding in Texas at that time.

THE PENITENTIARY

I respectfully solicit your attention to the workings of the State Penitentiary. This institution has become a most important auxiliary to the government and is occupying a very prominent position in the public mind.

When I came into office I found it largely involved, and, although the debts due the concern were nearly equal to its liabilities, they were unavailable while the latter had to be paid. I found, too, that a contract had been entered into by the officers of the institution, with the sanction of

my predecessor, with Irby Morgan, a quartermaster in the Confederate States service stationed with what was then called the Army of the West in Tennessee, for one-half of all the woolen and cotton goods manufactured, the contract to continue six months with the privilege on Morgan's part to continue it six additional months. I discovered that it took the balance of the products to clothe the soldiers of this department. It appeared, also, that a very large credit business had been done by the preceding financial agent. I instructed the present financial agent to sell entirely for cash, and, although I was willing for the Confederate authorities to have what was needed for our soldiers, they, too, were to pay cash or make payments at such stated periods as would enable the concern to be carried on advantageously.

Seeing that the goods obtained by Morgan were being sent out of the State and knowing that the facilities for procuring cloth east of the Mississippi were more abundant than west of that river, I very soon directed the financial agent to notify Captain Morgan that his contract could not be extended, that the necessities of the State forbade it, and that unless I had assurances that our Texas soldiers were receiving the benefits of his contract, I should stop it all. He readily agreed to my suggestions, and his contract expired in April last.

From that time my orders have been imperative; that the soldiers of Texas be first supplied; after them their families; and next the actual consumer; but under no circumstances was a yard of cloth to be sold to retailers or speculators. I believed the best way for clothing our troops was through the various quartermasters and government agents who were bonded officers and charged with that specific duty; and, hence, I had their requisitions filled; and up to September 1, 1862, having investigated the subject and made the calculation, I found the army had received three-fourths of all the woolen and largely over one-half of the cotton goods manufactured. It must be borne in mind that this is the only establishment west of the Mississippi River capable of furnishing clothing, tent cloths, wagon sheets, and flour sacking, etc., etc. The result was that when the necessities of this department and that of Arkansas were filled, but little was left to distribute among our people.

Entertaining the hope that the institution might supply the wants of some of the people, I directed the financial agent after supplying the Army to furnish the actual consumer what he could spare and advised him to require of every such applicant an affidavit stating the goods were for his own use or the use of those for whom he applied and would not be sold or bartered. This I suggested as a safeguard against imposition and for the protection of the honest citizen; and much was I astonished to learn that this course was objected to by many of those whose interests the rule was intended to secure.

As soon as this regulation became generally known, thousands of parties made application for cloth and of course the great majority of them were doomed to disappointment and were, consequently, dissatisfied. The institution could not supply one-fiftieth of these demands: the army had to be first supplied, which left but little to be divided among the people. About this time, as is evidenced by the records in my office, I was totally unable, without neglecting my other official business, to reply to the numerous letters received concerning penitentiary goods and was compelled, in consequence on the 9th of August, 1862, to write a public letter to the financial agent.

This only caused more applications to be filed dooming the applicants still to disappointment. Shortly thereafter I was induced to change the whole plan by letters of the most urgent and distressing character from Generals Hindman and Holmes as to the condition of their troops in Arkansas, most of whom were Texans. I did not, however, as has been said, give the control of the penitentiary to General Holmes or the Confederate officers, but I did recognize his right to control the quartermasters in the Trans-Mississippi Department. Believing that under his management our Texas soldiers would be better and more speedily clothed, I gave him all the goods manufactured at the penitentiary for the present, reserving a sufficient amount of cotton cloth, subject to the orders of the county courts of the State to clothe the indigent families of the soldiers in the service.

I think I did right. I said then that I hoped the troops would be benefitted and knowing as I did the suffering our people at home for clothing, I urged General Holmes to obtain supplies elsewhere, if possible, in order that the

cloth might be distributed to the needy among our citizens. I also said that our people, although suffering, should recollect that while they were at home where shelter could be obtained, our brave boys were exposed to the cold blasts of winter as well as the iron hail of the accursed enemy, and that they should be willing for the soldier who was fighting their battles to be provided even to their discomfort.

Many have complained and said that the institution should be run at night. I fully subscribed to this but an investigation of the project satisfied me that it would not do—the risk, if no other objection existed, would be too great. Others suggested that it should be run on Sundays; this, too, I found impracticable for which many good reasons could be given.

It would be unreasonable to suppose that such an establishment as this, belonging to the State, in which every citizen believes he has an interest, could in its operations in these times of distress and scarcity of every article of clothing please generally. While I could not reasonably expect this, my sole aim has been to make it do all the good possible.

I believe that through the untiring energy, skill, and ability of those directly in charge of the institution, it will compare favorably with, if not surpass, the workings of any of a similar character in the Confederacy. I should think I was guilty of an act of injustice towards the superintendent and financial agent did I not say this much.

The special report of the financial agent, furnished at my request for your information, is respectfully called to your attention.

It discloses that from the 1st day of December, 1861, to the 31st of December, 1862, a period of thirteen months, there was manufactured of cotton goods 1,376,700.0 yards and of woollens 211,151.2 yards, of the former of which was sold to the army 765,791.2 yards and of the latter 184,241.2 yards, making largely over one half the cottons and greatly exceeding $\frac{3}{4}$ of the woollens manufactured. The lunatic asylum received 602 yards woollens and 1,000 yards cottons. The balance, 589,217.0 yards of cottons and 22,845.1 woollens, were absorbed by the factory, penitentiary, clothing of the convicts, families of soldiers, and general supplies of the institution.

The group earnings of the institution	
for same period have been	\$467,529.30
The amount expended has been	222,499.36
Special deposit with State Treasurer	236,502.25
With a cash balance on hand of	8,527.69

The amount of indebtedness previous to December 1, 1861, which has been paid by the present financial agent is \$64,-707.37 more than the amount received by him previous to that time. The amount of cash received by him upon taking charge of the penitentiary was \$36.80.

It will thus be seen that this institution has been most ably, successfully, and profitably managed, placing into the Treasury a very large amount.

The military board, having been requested by the financial agent to do so and deeming it themselves of vital importance, ordered from Europe certain articles absolutely necessary to keep the institution profitably in operation. It may become necessary while the war lasts to empower the director to obtain even at great risk everything required to keep the establishment in good working order and, if possible, to increase its productive capacity so important to our army and people, provided they pay for such articles and necessary improvements out of the proceeds of the institution.

There has been much said in regard to the bad management of the penitentiary and in some instances charges have been made of unfairness, malfeasance, etc., on the part of some of the officers.

Under these circumstances I consider it due to those officers and the people that these things should be properly investigated, and if any officer directly or indirectly charged with the management of the institution has been guilty of wrong doing let him be held up to public scorn.

With this view I beg of your Honorable Body to appoint a Joint Committee to examine into both the financial and mechanical workings of the institution; and I trust you will pardon me for suggesting that the committee be selected of experienced, practical business men from different sections of the State not residing in the immediate vicinity of the penitentiary and strangers to its officers.

Since penning the above I have unexpectedly received a very interesting report from the directors covering a report from the superintendent. These reports contain

much valuable information and many important suggestions which I beg leave to call particularly to your attention.

HOSPITAL FUND

Immediately after the passage of the law creating a Hospital Fund for the benefit of the sick and wounded soldiers in the Confederate army, I appointed Dr. R. T. Flewellyn to visit the army in Virginia and Dr. A. H. Rippetoe, the army in Kentucky. I placed in their hands the sum of \$5,000 each in specie with instructions to make exchange whenever they deemed it to the interest of the Fund to do so.

Dr. Flewellyn remained in Virginia but a short time, informing me that he did not believe his services there would compensate for the expense attending his stay, that our troops there were doing very well. After expending a small amount for the relief of certain hospitals that had contributed to the comfort of our men, relieving the wants of some of our soldiers, and depositing with the colonels of the 1st, 4th, and 5th Texas Regiments the sum of \$1,833.33 $\frac{1}{3}$ each for their use, he returned to Texas and paid into the Treasury \$708.55. The premium obtained on sale of specie was \$2,366.

Dr. Rippetoe, I regret to say, was compelled to return home on account of ill health. During his short stay with our troops he accomplished much good, relieving a large number of our soldiers. He realized \$1,153 premium on account of specie sold and returned to the Treasury \$1,900 in specie and \$3,166.45 in Confederate notes.

These two gentlemen made no charge except for actual expenses.

Deeming it best that permanent agents should be with our troops so far from their homes, kindred, and friends, and that such was the wish of the Legislature, I appointed Dr. J. W. Fennell, instructing him to proceed to Virginia to the army of General Lee, or where ever else he might find our Texas troops in that state and to extend to them such relief as they might require; and if deemed advisable to establish a separate hospital for the benefit of the Texas troops. I placed in the hands of Dr. Fennell \$14,500 and gave him authority to control the \$5,500 deposited with the officers of the Texas regiments in Virginia, making

\$20,000. Up to the 3rd of December, 1862, Dr. Fennell had expended the sum of \$7,224.37, had in operation a hospital at Richmond, exclusively for Texans, and was being assisted in its management by the Confederate medical authorities.

I appointed Dr. Lewis A. Bryan and gave him \$50,000 with instructions to join what was at that time known as Bragg's Army east of the Mississippi River and charged him with the duty of looking after all Texans in that section of the Country, authorizing him, if deemed expedient, to establish one or more hospitals, one of which he located at Quitman and another at Jackson, Mississippi, both being now in successful operation. At the time his last report was made he had under treatment a very large number of patients, and, although the Confederate States Government is extending to him very material aid, his fund is becoming rapidly exhausted.

On the 30th of November last he had in his Hospital 469 patients and had expended of his fund the sum of \$19,435.86.

After exerting myself for some time I succeeded in procuring the services of Dr. George A. Ferris for the Texas soldiers in the Army of Arkansas and placed in the hands the sum of \$20,000. Sufficient time has not elapsed since his appointment to receive a report of his operations.

I can assure the Legislature that they passed no law at their last session likely to confer more benefits than the law creating the Hospital Fund. I fear, however, the appropriation will prove insufficient to sustain the hospitals until the regular session. I, therefore, suggest that an additional appropriation be made for this humane and generous purpose.

The ladies of the country with that kindness of heart and marked patriotism which has distinguished their conduct since the first gun was fired at Fort Sumpter, perceiving the insufficiency of the appropriation and fearing our brave men—their fathers, husbands, brothers, lovers, and friends—might possibly suffer for such comforts and necessities as the government could not furnish, have with a lavish hand been adding to the appropriation. They have plied their needles, their wheels, and their looms; they have brought into successful requisition their musical and vocal powers in aid of the Hospital Fund.

When the future historian of this war shall recount the deeds of heroism of which it has been so fertile, how brightly beautiful must the patriotism, self-denial, and courage of the women of the Southern Confederacy appear. They will descend to posterity peerless among women!

THE CURRENCY AND HIGH PRICES

Many are the reasons given to account for the great depreciation of Confederate Treasury notes and the high prices asked for every article of price necessity in the country. The people will look to you with hope not unmingled with anxiety to solve this difficult problem, and to the measures you will adopt to enhance the value of the currency and, thereby, reduce the enormous prices demanded for everything bought and sold within the State. My impression is that the large amount of Confederate Treasury notes in circulation and our proximity to a people entirely specie trading, with whom is our almost sole commercial intercourse, are the chief causes; and in order to effect a speedy and favorable change it is essential that a large amount of the Treasury notes of the Confederate States be at once withdrawn from circulation. To aid in effecting a result so desirable I hope the Confederate government will without delay proceed to the imposition and collection of a larger tax and encourage the funding system, even, should it be necessary to effect that result, to increase the rate of interest. Never will a more favorable time occur for the debtors of the government to liquidate the demand against them. The State tax should also be raised to double its present rate. There never was a period when our people were so able to pay their taxes as at present when money is so abundant and property of every kind bringing such enormous high prices.

Another measure whose adoption would aid in sustaining the currency is the compulsory withdrawal from circulation of corporate and individual **shinplasters** under most prompt and severe penalties. I am of opinion that it would be best for counties to borrow what money they may need on their bonds and withdraw all their change notes from circulation, leaving the Confederate Treasury notes and such Texas Treasury warrants as may be out to serve the purposes of circulation and change. Were this done, I believe it would be attended with a good effect. I

feel satisfied your Honorable Body will leave nothing undone you can legally do to sustain the credit of the government, for upon that credit depends, perhaps, the success of our present struggle for a separate existence.

There may be those among us who willfully depreciate our currency; I trust they are but few in number and, like the traitors in our midst, constitute but rare exceptions. Should there be citizens in the country refusing to receive the currency for debts contracted in the due course of trade, and who, holding large amounts of interest-bearing paper for better times, expect at the termination of the war through the action of the courts to sell and sacrifice the property of their neighbors for specie, I trust the Legislature will so change the remedy as to save our people from bankruptcy and ruin.

It is the opinion of many distinguished jurists and statesmen that the Confederate Congress has the right to make the Treasury notes of the Government a legal tender; if this be so, now is the time for such action. I should be pleased to see you express an opinion on this point.

PROVISION FOR THE FAMILIES OF THOSE IN THE SERVICE

I beg leave to call your attention to the absolute necessity that exists of making further provision for the support of families of those in the service. I am aware the counties have been very liberally providing for them thus far. It is, however, useless to disguise the fact that this burden (is upon us) upon them must daily increase with the continuance of the war; and, should the contest be prolonged to the end of the year, it will be necessary that thousands more of our citizens take the field, thus increasing the number of families in every county to be provided for. In addition to what the counties may do, I am of opinion the State should make a most liberal appropriation for this purpose. The troops in the field are the soldiers, not of a particular county, but of the entire state, and it would be but equitable that the State provide for their families. This plan would also seem just in another view. Many counties with the smallest populations are the most wealthy. They furnish but few soldiers, consequently, while other small taxpaying counties have a large excess of men in the field and, therefore, many more families to

provide for. Hence, it seems but just they should be cared for out of the public treasury. I am wedded to no particular plan by the operation of which the relief sought is to be afforded, but I most earnestly advise that ample provision be made to ward off distress from the families of those who are so nobly serving their country. That there will be destitution among them unless such provision be made, there can be no doubt.

In connection with this subject I believe that authority should be lodged somewhere so that in the purchasing of articles for the purposes indicated, if the parties having them—particularly bread, stuffs, meat, etc.—refuse to sell at a fair price for the currency of the country, the goods should be liable to seizure and appraisement.

THE CULTIVATION OF COTTON TO BE LIMITED AND THE GROWTH OF CORN TO BE INCREASED

I desire to call your attention to the great necessity that exists for limiting by legislative action the planting of cotton during the existence of the war. It is undeniable that upon slave labor both our armies and the families of our gallant soldiers depend for subsistence. A very great majority of our laboring white population are in the field or will be there. Our lands, too, cultivated by white labor cannot with certainty be relied upon to produce corn in consequence of the uncertainty of the seasons in those sections of the state where this species of labor predominates. Hence, we are reduced to the necessity of looking to the rich bottom lands cultivated by the slave for a supply of corn adequate to the future demand; and to secure a sufficiency, less cotton must be planted. If we expect our troops in the field to remain content, they must feel that those at home, their wives and little ones, are cared for. The cotton planter should not be permitted to place in cultivation more than a given number of acres. I would suggest three acres to the full hand. If he exceed that amount, he should be condemned to pay at least \$500 per acre. The quantity of cotton thus raised would be amply sufficient for all purposes, would bring the planter a large return and leave land enough to supply the country bountifully with cereals, the planting of which in abundance should be required of every planter and farmer.

It may be urged that such legislative action would be

an unjustifiable interference with a legitimate calling. I will in reply simply say that "self preservation is the first law of nature," and the axiom may, I presume, be with propriety applied to communities and states as well as to individuals. And I am convinced that unless some such course be adopted there will be famine in the land, the cry for bread will be raised, suffering will ensue, and the bold and true hearts gallantly fighting the fight of liberty will be bowed down and dispirited. Let me, therefore, urge upon your Honorable Body to give this matter your most serious attention, esteeming it as I do of supreme importance.

DISTILLERIES

In connection with the foregoing subject it is with regret I call your attention to a very large number of distilleries now in operation within the State. The numbers that have sprung into operation since the commencement of the war might be deemed fabulous. On the 28th of May last, I issued a proclamation ordering all such establishments to be closed deeming it of supreme importance to preserve the grain for the use of the army and people and save our soldiers from the pernicious effects resulting from the use of intoxicating liquors. I was at the same time convinced that in portions of the State the crop would fall very short—a conviction, subsequently, fully verified. Upon the issuance of that proclamation, most of the parties having distilleries desisted from their use, although some, I am informed, persisted in distilling. I directed the brigadier generals of the militia to enforce the proclamation. In one instance, the Brigadier and all others including the Executive were enjoined from interfering with the distillery of the party who sued out the injunction; and inasmuch as I had concluded at the time service of the writ was made upon me to convene your Honorable Body, as there appeared to be some doubt as to my authority to suppress them, I determined to submit this matter for your consideration.

It is well known that these establishments daily come into competition with the county courts and with individuals charged with the duty of providing for our poor and the families of our soldiers; and that in some sections of the State they have been the cause why the price of corn has risen to double its value.

The demoralizing effects of these distilleries, both upon our troops and people, are terrible; and I entreat you, in the name of the mothers, wives, and children of those brave and noble spirits now far from their homes in the armies, and who look to you to guard and protect them, to suppress this outrageous consumption of grain and iniquitous traffic until peace is concluded.

My conviction is there is but one way to effect it. The Executive must be invested with authority to close them by proclamation, and, if disregarded, he must be empowered to do so by a military force. The party who violates the proclamation should also be liable to a heavy fine and imprisonment. A fine alone would be insufficient. The enormous profits of the traffic would enable the party easily to satisfy it.

Heavy penalties should also be imposed upon persons introducing into the State, during the war, intoxicating liquors, unless by special permit for medicinal purposes for the use of the army hospitals. It may be urged that some alcohol is necessary for medicinal purposes. If so, let proper restrictions be thrown around contracts for that purpose.

I am informed by intelligent chemists that a most excellent article of alcohol can be distilled from the sorghum or Chinese sugar cane, and I know it can be more easily grown in our State and with a greater degree of certainty than any of the cereals used in distillation.

EXTORTIONERS AND MONOPOLIZERS

That there are persons in the community who live by extortion and monopoly there can be no doubt. Is it in our power to reach them? If it be, let us not hesitate a moment, but push straight forward to the work. They are now the worst enemies we have, because they croak and complain, make their purchases with gold, abuse and depreciate the currency so as to obtain immense profits, reinvest and so continue, never satisfied with their increased gains. The monopolizer has nought for sale until he sees a favorable opportunity to dispose of what he has at most enhanced prices ruinous to the purchaser.

I regret to say that I have been informed on many occasions that the trader and speculator is not the only extortioner and monopolizer in our midst, but that many

of our planters and farmers are to be included in the same category.

In the language of President Davis, "They are men who can be reached by no moral influence and are worse enemies of the Confederacy than if found among the invading forces. The armies in the field, as well as the families of the soldiers, and others of the people at home, are the prey of these mercenaries, and it is only through state action that their traffic can be suppressed. Their condign punishment is ardently desired by every patriot."

SLAVES FOR LABOR ON FORTIFICATIONS

It may become necessary from time to time for the Confederate, as also for the State authorities, to require the labor of adult male slaves on public works of defense. I would, therefore, most respectfully suggest that a law be passed to enable the government to command this species of labor when necessary, and that a system be inaugurated which in its operation will bear equally, and as lightly as possible under the circumstances, upon the people. A small percentage of the slave population would suffice.

CITIZENS VOLUNTARILY ABSENTING THEMSELVES FROM THE STATE DURING THE WAR

It has been truly said that "every citizen is bound to serve and defend the State as far as he is capable." None are naturally exempt from the performance of this duty by reason of age or infirmity. All are capable in some way of being useful, the healthy and strong of bearing arms, and the infirm of doing hospital duty, and of aiding the families of those who are in the army, and of sympathizing with and giving aid and comfort to the cause in which we are engaged. There are higher and nobler duties to perform than simply to live up to the law, to pay taxes, and hire a substitute when called on to serve in the army: the duty of giving the whole heart and means to sustain the country in its heroic struggle!

What then must be thought of those persons who, without sufficient nerve to take an active part against us, either remain here sullenly discontented or secretly doubting the success of our arms and sowing the seeds of discontent in the minds of the weak and irresolute? What must be thought of those who have left the country to

avoid a participation in the struggle, expecting to return and join the successful party? Is there no way by which the latter class can be reached? I respectfully suggest to the Legislature the passage of a law notifying such persons to return to the State in a given time, and that their failure to comply shall subject them to forfeiture of lands and citizenship, and of the right to become citizens.

Another class of persons who are derelict in duty it is incumbent on me to bring to your notice. The State has not only been the asylum for the oppressed of every country, but foreigners have been kindly invited to become citizens of the State; and so far has the encouragement been extended that upon simply making the declaration, upon oath, of the intention to become citizens they are entitled to take and hold real estate. It is my stern duty to state that I believe many of the persons who have accepted the privilege thus offered have refused, when called upon, to render military service, and have sought and obtained the aid of their native governments to exempt them from it.

The right to hold and enjoy all real estate should be denied to all such persons, and they should forever be rendered incapable of becoming citizens.

THE CONSCRIPT LAWS

In April last the Confederate Congress, after much investigation, discussion, and deliberation, passed with the utmost unanimity the act known as the Conscript Laws. Very soon after its passage, I was called upon by the general commanding the district to aid in carrying into effect its provisions within the State of Texas in accordance with its terms. Viewing the law as constitutional and convinced that the necessities of the country imperiously demanded its prompt execution, I stopped, not to discuss the good or bad policy of its enactment, but at once accorded permission to the Confederate commander of Texas for his employment of State officers to aid in carrying out its provisions. Under this law requiring the enrollment of persons between 18 and 35 years of age very few were taken; those subject immediately volunteered, thereby swelling the ranks of our armies with great rapidity. Regretting that even one citizen of Texas should have placed himself before the courts in opposition to the law, I am yet happy to say that the Supreme Court of Texas and of other States have

Executive of Arkansas was prevented from attending by illness in his family, and Governor Moore of Louisiana by reason of the invasion of that state. I, however, had the honor and gratification of meeting Governor Claiborne F. Jackson of Missouri, than whom a more zealous, indefatigable, and true hearted patriot never existed. God in His inscrutable providence has called him from his sphere of usefulness, and while we bow in submission to the Divine decree, we can not but mourn his loss.

Governor Jackson and myself prepared the necessary papers, forwarded them to Governors Moore and Rector, who most fully endorsed all we had done, and affixed their signatures to the papers, which in due time were delivered to President Davis by our esteemed fellow citizen, Major Guy M. Bryan, then an aide-de-camp to General P. O. Hebert and to whom in all this business much is due for any good that may have resulted from our consultation.

I believe that the objects sought to be attained by us were accomplished. That it was satisfactory in its results to the President, and our members of Congress, I have the evidence in the Executive Office. I have the honor to lay before you the papers connected with this meeting.

THE SURRENDER OF GALVESTON

Much has been said and written in regard to the surrender of Galveston: censure has in some instances been liberally bestowed upon the Executive in connection therewith. I can only say that when the first threat was made by the enemy against the city, I advised and urged determined resistance. On the 7th day of March last when I heard the order had been received by the commanding general from the War Department to send our disciplined troops out of the State, abandon the coast and discharge the 12 months men, I remonstrated and the commanding general most willingly suspended the execution of the order until I could forward a protest to the War Department which I did by special messenger. The War Department yielded the point so far as the disbanding of the 12 months men was concerned; but in a short time thereafter moved many of the troops to the Mississippi.

It was my conviction, until a very short time before its surrender, that Galveston would be vigorously and obstinately defended by the Confederate general.

The State had not a soldier in the field and did not control a single piece of ordnance suitable to its defense. I desire to cast blame upon no one. I will, however, say that with my consent it would never have been surrendered to a naval force destitute of the means of occupying it.

From the moment of the surrender of the city I have urged its recapture continuously. I claim no credit for the great and chivalrous deeds of our brave and noble troops so conspicuously displayed in the recapture of the city. The distinguished general now in command of this military district disclosed to me his plans as Executive of the State and I encouraged and promoted the enterprise in every way in my power, and no heart within the broad limits of the Confederacy beats with more pleasure and glows with more pride at the halo of glory that will encircle the brows of those heroes, whose matchless intrepidity on that occasion on sea as on land has secured their imperishable renown.

I have shown your Honorable Body in a previous part of the message the very large number of men we have in the service. Our government recognizing the right of the majority to govern, the fact is exhibited for the first time in our history of a majority of our qualified electors being beyond the limits of the State. The question arises should they, absent as they are in accordance with the laws of the land and unable to return, be deprived of the right of suffrage? Do they forfeit the rights of citizenship because they are absent battling for the Common good? Can they be disfranchised and the government given up to the minority? My opinion is they should be protected in all their rights of citizenship by the Legislature of the State. I therefore recommend that a law pass with proper restrictions giving to the soldiers of the State in the Provisional Army of the Confederacy, beyond its limits but being otherwise qualified electors, the right to vote in all general elections during the war.

LUNATIC ASYLUM

In consequence of the immense advance in the prices of every article of consumption and the very low price paid for patients by the counties, an additional appropriation will become necessary to sustain this institution.

The institution is only authorized under the law to

charge the county patients two dollars per week. This would not in times of peace and plenty support a patient and at present pays but a small portion of the expense. The rate of board should be increased.

REPORTS OF THE SECRETARY OF STATE

Permit me to call your attention to the reports of the Secretary of State. Many valuable suggestions are made by that officer, which I trust will meet with your approbation.

STATE FINANCES

There was received into the Treasury, on account of State revenue from 1st July 1862 to December 3rd 1862:

To amount on hand January 1, 1862\$ 13,336.67
From 9-10 State Taxes, licenses, etc. 346,305.39
" sale of Land Scrip 28,138.29
" Sale of State bonds 183,995.07
" financial agent, Penitentiary 148,278.88
" other sources 28,495.78
	<hr/>
	749,080.08
Amount disbursed during same time 746,597.80
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Leaving balance on hand,

January 1, 1863\$ 2,482.28

The Military Board have sold 460 State bonds of \$1000 each from which they realized \$476,422.60 of which amount as above stated they paid to account of State revenue \$183,995.07, leaving them properly chargeable with \$292,427.53.

Under the law to regulate and authorize funding in State bonds approved January 13, 1862, amount funded \$196,000; making in all of loan bonds disposed of 656; 210 bonds remain to the credit of the Military Board to meet contracts made, and future liabilities growing out of contracts.

There has been disbursed from the Treasury in payment of liabilities on military account incurred prior to January 1, 1862, \$837,452.52. Upon liabilities since 1st January 1862 to December 31, 1862, \$509,535.46.

There has been expended on civic account during the same period, including \$55,026.84 on account of the 9th Legislature, \$267,911.25.

ever, preferred to use them only as the necessities of the Treasury required it thus saving a large amount of interest to the State. I trust the Legislature will not disturb the position which this loan occupies to our people as our citizens readily responded to our wants, and invested their means when solicited in these bonds, relying upon the punctual payment of the interest in specie.

There is now in the Treasury a sufficient sum to meet the interest on the entire million of bonds for one year, and I believe there will be a sufficient amount collected to meet the interest as it becomes due. But to guard against any contingency I trust the Legislature will empower the Comptroller and Treasurer to make such arrangements as will secure a sufficient amount of specie to place it beyond doubt. It can be done very easily, and our faith kept, and our credit sustained.

We know not what a few months may bring forth. The necessities of our country may require us to raise large sums to defend the State. Let us, then, do nothing likely to impair our credit; and when called upon, rest assured our citizens will respond with their last dollar.

I most respectfully suggest that the law authorizing the funding of State warrants in the present loan bonds be immediately repealed. The amount of warrants presented for funding is increasing daily and the fact of our State bonds bearing specie interest causes them to be in greater demand for funding than the bonds of the Confederacy. In the present condition of the country and of the currency, I think 8 per cent interest on a state debt too high, and should you deem it best to continue the funding of State liabilities I would recommend that bonds be issued expressly for that purpose and that they bear 6 per cent interest.

By an act passed at the last regular session of your Honorable Body, Confederate Treasury notes received into the Treasury can only be paid out for military purposes. I presume the object of the law was to secure the most available means for military objects. The facts now show that the State warrants are more appreciated than the Confederate notes; hence I would respectfully suggest that the law be repealed and that Confederate notes be paid out as other funds, for all purposes, because the revenue is principally collected in those notes and there may be times

when they are not required for military purposes and would save the drawing of large amounts of warrants, thereby lessening the amount of State liabilities. There can certainly result no injury to the State from this course.

I believe that by pursuing the course indicated there will be no necessity to put on the market before the regular session of the Legislature an additional number of bonds over the amount now authorized to be sold.

At the last session of your Honorable Body the 16th section of the tax law was amended so as to postpone the forced collection taxes until the 1st day of August succeeding the return of assessment rolls, etc. At that time there was great scarcity of money in the country and it was done to give time to put money in circulation. This delay postpones all settlements with Assessors and Collectors until after the fiscal year which ends in August and causes so much confusion in closing accounts in the Comptroller's office. As there is no longer any necessity for such postponement I respectfully suggest the repeal of the amendment.

It was made the duty of the Executive to present to the Confederate Government for settlement all claims of the State against that government. The Comptroller has been adjusting and paying off all claims properly chargeable to the Confederate Government, preparing the necessary vouchers to sustain the claims, etc. It is expected the account will very soon be ready for presentation and adjustment. I am not advised that any appropriation has been made to liquidate this class of claims.

I respectfully recommend that all soldiers from the State in the Confederate service whose property amounts to less than \$5000 be relieved from the payment of the poll tax during the time they remain in the army. Also that a reasonable amount of their property be exempt from taxation and that the property of no soldier, while he is in the service of the Confederate States, shall be sold for taxes.

PUBLIC LANDS

Let me suggest the policy of withdrawing from sale, except to actual settlers, all public lands until peace is restored.

THE ESTRAY LAW

I beg leave to call your attention to the law regulating estrays; it should be either repealed entirely or amended. I have reason to believe that it is very much abused; and that the stock of parties absent in the service is being preyed upon under its operation. I am of opinion that no stock should be estrayed during the war unless it be established that by its running at large works an injury to the property of the party proposing to stray the animal or animals.

RECONSTRUCTION

The people of the North and some few deluded fanatics in our own section entertain the opinion that the old union can be reconstructed. To me, and I hope to every other true Southern man, the idea must be shocking and revolting. God forbid that our noble land, purified, redeemed from Northern rule and corruption by the fire of a hundred battle fields, rebaptized in the blood of our noblest sons, should be doomed to such a fate. The safety, purity, and virtue of our political and social system are to be maintained alone in the integrity by a rigid exclusion now and forever of all abolition or Yankee communities. The admission of a single free state, like the dead fly in the precious cup of ointment, will corrupt and vitiate the whole mass. I am of the opinion therefore that the Confederate Constitution should be so amended as to exclude any state from becoming a member of the Confederacy that does not allow and protect Negro slavery among its people; and that any state belonging to the Confederacy that shall abolish the institution of Negro slavery within its borders shall *ipso facto* cease to be a member thereof.

I would recommend an expression of opinion from your Honorable Body upon this vital question; for it does not require the eye of a prophet to foresee that some of the Western states, baffled in their hellish attempts to subjugate our proud and noble people and guided by their lust of gain, will revolt from the Eastern masters and beg to be admitted members of our Confederacy.

APPROPRIATIONS FOR MILITARY CONTINGENCIES

I would respectfully recommend that ample appropriations for all military contingencies be made. They would,