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Citation: *Journal of the Secession Convention of Texas 1861. Edited from the original in the department of state by Ernest William Winkler, State Librarian. Texas Library and Historical Commission, the State Library. Austin]: Austin Print. Co., 1912. Originally published serially in newspapers.*

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REPORT NO. 6.

H. E. McCulloch's Mission to the Northwest Frontier.

Committee Room, March 14th, 1861.

To Hon. O. M. Roberts,

President of the Convention.

The committee on Public Safety instruct the undersigned to report through you to the Convention that on the 5th day of Feby, 1861, they elected Col. Henry E. McCulloch military commander and commissioner, with the rank of colonel of calvary, whose power and authority will fully appear by the following commission and instructions.

Committee Room, Feby 5th, 1861.

To Col. Henry E. McCulloch,

Sir:

You are hereby appointed by the committee on Public Safety, holding their authority from the Convention of the people of Texas, lately in session in the city of Austin, as commissioner with the military rank of colonel of calvary, with instructions and authority to raise and employ a sufficient force and proceed without delay to negotiate with the respective commanders of the various military posts, from Fort Chadbourne, including Camp Colorado, Camp Cooper and Fort Belknap to Red river, for the delivery to you as commissioner in behalf of the people of the State of Texas of all and every species of property—quartermaster's property and stores, commissary's property and stores, ordnance and ordnance stores, medical and hospital stores and every other species of property or articles belonging to the United States within the State of Texas, within said limits, and if peaceable possession of the same cannot be obtained then to seize the same in the name and for the benefit and future defence of the people of Texas.

You will make and return to this committee or other authority, representatives of the people of this State, a full and fair inventory of all property so received or taken, and continue to hold possession of the same until otherwise instructed in such manner as to guard against its recapture by Federal troops, Indians or abolition marauders, subsisting the force under your command upon the supplies so taken and protecting the lives and property of all citizens endangered in consequence of disarming the garrisons herein named until otherwise instructed. Should you deem it advisable to retain any portion or all of the Federal troops now in your district in the temporary service of the State, you can do so, promising them that Texas will use her best endeavors to get them into the army of the Southern Confederacy, with the military rank they now hold in the army of the United States.

You are especially to employ the arms, ammunition and other property, while in your possession, so as to be most conducive to the benefit of the people of Texas, and as it is advisable to avoid the effusion of blood you will employ a force abundantly sufficient to render resistance by the Federal troops useless. You will pursue the same prudent course after getting possession of said property, so as to guard against all hazards of its recapture by any force whatever.

You are further authorized to accept any military force which may be tendered to you, or to appoint officers to raise such force to enable you to carry out the foregoing instructions. You are instructed in your military operations to be governed by the army regulations of the U. S. and the articles of war, except in cases manifestly inapplicable, and you are required in your operations to report the same to the committee on Public Safety as often as expedient. You will address J. C. Robertson, Galveston, Texas, informing him at what point he shall direct any communication to yourself, and any communication you may wish to make to him by the 27th day of Feby, 1861, you will address to Galveston, and after that time you will address him at Austin.

If any officer, noncommissioned officer or private should be guilty of disorderly or disobedient conduct or intemperance, so as to render him or them unfit or inefficient for the service, you are authorized and required to discharge such.

John C. Robertson,

Attest:

Chm'n of Com. Public Safety:

R. T. Brownrigg,
Sec'y to Com.

The following additional instructions to Col. Henry E. McCulloch were afterwards adopted by the committee and sent by express to him :

Should you deem it advisable to retain any portion or all of the Federal troops in your district in the temporary service of the State you can do so. In case any or all of them should express a desire to depart the country peaceably, then you may permit them to do so upon such terms as will not dishonor them and as will insure the public safety and in such way as will insure safety to their persons and private property.

Should you find the Federal property hereinbefore referred to in the possession of any other person or persons than an officer of the U. S. A., you will demand and receive and take charge of the same in

like manner as if received and demanded from a U. S. officer, observing your instructions in that behalf.

John C. Robertson,

Chrm'n of Com. Public Safety.

Attest:

R. T. Brownrigg,

Sec'y to Committee.

They further report that Col. H. E. McCulloch at once started to the frontier on his mission, and the committee feeling the necessity of furnishing Col. H. E. McCulloch, Col. John S. Ford and Col. Ben McCulloch with money to enable them to carry out successfully their respective enterprises to which they had been appointed, on the 12th day of Feby they adjourned to Galveston, and on the 18th day of Feby the committee sent by express to Henry E. McCulloch, by one of the committee, J. M. Norris, the sum of \$6,000. The committee will at an early day report separately what they have done with regard to raising and disbursing money.

The committee have received by express the accompanying documents from Henry E. McCulloch, which will show what he had done in regard to his mission up to the 1st day of March.

Head Quarters, Camp Colorado,

Feby 25th, 1861.

Hon. O. M. Roberts,

President of the Convention.

Sir:

Being with my command in an unorganized county on the day of election for the ratification or rejection of the secession ordinance, I ordered elections to be held in the companies of my command then near this place and instructed the officers to conform as near as practicable to the laws respecting the same, enjoining strictly the great necessity of accepting none but legal votes, and herewith transmit you the returns as handed me by them, and, although not legally held, respectfully ask that they may be counted and credited to the respective counties to which they belong.

I had not the satisfaction of voting, being too much engaged at the time in my negotiations with the commanding officer of this post to spare the time, and while it was a disappointment to me in not being able to put my name among the voters I have no fears but that I will be sufficiently identified with the movement to be able at all times and under all circumstances to be properly understood as the ardent friend of the movement.

I have the satisfaction to be able to say to you that my negotiations here with Capt. E. Kirby Smith, of the 2nd Cavalry, in com-

mand of this post, were of the most kind and agreeable character, and, although I have succeeded with him in making an arrangement much more beneficial to Texas than that agreed upon by the commissioners at San Antonio with Gen. Twiggs, I could not think for a moment of holding a truly Southern man and warm friend of our State to an agreement that would have placed him in the eyes of his fellow officers in a position so different from theirs, and although I do not feel that the action of the commissioners at San Antonio is binding upon me I have without hesitation placed the negotiations with Capt. Smith on the same terms, asking nothing more and requesting nothing less. I desire here to speak of Lt. Jewfer and Surgeon Alexander, of this post, as gentlemen of Southern feelings, with whom my intercourse has been pleasant and business agreeable. I will leave for Fort Chadbourn to-morrow with my command, leaving Captain Frost in command at this point. I have been detained much longer than I expected in getting to and at this place, owing to the great scarcity of arms and horses in this upper country (from which the Indians have stolen so much). I have found it much more difficult to raise a force than I or the gentlemen from this section of the country in the Convention expected and, if I had been resisted, would have had to contend with less chances of success than would have been warranted by a prudent regard for the lives of our troops; but I came here without provisions or money to support my command with, and would have been compelled under the circumstances to have risked much in order to have procured the necessaries of life. The commissary stores taken here are sufficient for one company three months, and there is a fine lot of medical and hospital stores on hand, as well as all other things appertaining to the service except forage, arms and ammunition, of which there is scarcely any except ball cartridges, which do not suit our arms, and all of which is much needed in the service at this time.

I have taken every care necessary for the interest of the State in receiving the public property here, and shall place it all in the hands of the best men I have been able to get among strangers, earnestly hoping that nothing will be permitted to go to waste or be extravagantly used. The citizens of Brown county and other counties adjoining offered to accompany me to the place and aid me in its capture if necessary, and as I found that my command here would not reach 200 men I accepted the services of some of them, and will report their rolls to the committee or Convention at an early day.

I regret the unauthorized move made upon Camp Cooper by some of our friends in that section, but as it was surrendered to Col. Dalrymple, of the State troops, it will possibly be regarded in the eyes

of the world as legitimate, and as it is in his hands I may not find it necessary or advisable to take possession of it, but shall write to him at once, urging him to have a strict regard to the interest of the State in the occupation of the Fort and the use of the property taken by him.

When I commenced this letter I only intended to forward the election returns, but have made it so very lengthy that it might answer for a skeleton report.

Most respectfully, your obd't serv't,

H. E. McCulloch,
Com'r and Col. Comdg N. W. frontier of Texas.

Head Quarters, Camp Colorado,
Feby 26th, 1861.

To Hon J. C. Robertson,

Chrm'n of the Committee on Public Safety.

Under the commission and instructions received from your committee, I sent orders from Austin on the 5th and 6th inst. to Captains Thos. C. Frost, R. B. Holly, J. B. Berry, H. A. Hamner and D. C. Cowan to raise 100 men each, and also wrote to Cpts. Harrison and Ross, who were at the time in service under orders from Gen. Houston, requesting if agreeable to them that they would co-operate with me in our service on the frontier, and on the 11th. left Austin myself for this place via Belton, Gatesville, etc., which route I took in order to hurry the companies into service, and reached the county seat of Brown county on the 17th day of this month, where I remained, keeping a constant watch on the movements here, through trusty reliable citizens, who were not suspected, until the morning of the 22nd, when I left for this place in advance of the companies of Cpts. Frost, Hally, Berry and a citizen force under Lieut. Cunningham, amounting in all to less than 200 men, and instructed to advance cautiously to a point within six miles of this place, then to await further orders, intending to visit the post alone and as commissioner make a peaceable demand of the surrender of the post, coupled with the offer of temporary service to the officers and men and then, if the surrender was not agreed upon, to attack and seize the place next morning at day-break. On reaching the post alone, at 4 'clock, P. M. I called on the commanding officer Capt. E. Kirby Smith, of the 2nd Cavalry, and under my instructions demanded a surrender of all the arms, horses, ordnance, quartermaster's property, and commissary's stores, medical and hospital stores, and all other property of every kind and character at this post, belonging to the U. S. government, under his charge and the charge of his officers and in the hands of his men, at the same time offering him and them the position in our service, with the pledge I

was authorized to make under my instructions respecting their incorporation into the service of the Southern Confederacy, which service Capt. Smith declined on the grounds that he had already tendered his own services to his native State, Florida, and did not feel at liberty to act until he heard whether they were accepted. Lt. Jewfer and Dr. Alexander declined for the present feeling that their allegiance was due to Maryland and Kentucky first if they seceded, but each one expressing attachment to the South and both saying that they would eventually enter the army of the Southern Confederacy in the event their States did not secede, or return to citizen life. Capt. Smith expressed himself in the most plain and unmistakable terms as the friend of the South and of Texas and said that there had been no time since the first State seceded that he would have obeyed an order to have carried his command out of Texas to be used against Texas or the South, but would, on receiving such an order, have thrown up his commission and marched his command at all hazards to the aid of the seceding State, if compelled to act in the matter on either side, and at the same time refusing to deliver up the arms, horses and equipments in the hands of his men, upon the grounds that such a surrender was disgraceful to a soldier, but agreed without hesitation to the delivery of all other property under the demand, except a sufficient quantity of provisions, ammunition, transportation, etc., to enable him to get peaceably out of Texas via San Antonio and the coast.

Feeling an unwillingness to see the arms and horses in the hands of his company carried out of Texas by the soldiers of the U. S. army, without knowing whose hands they were to fall into after he should resign and knowing that Texas needed them much and that they might be used against her or the Southern seceding States, I would not agree to his carrying them out of the country, and we finally agreed that he should have the use of his horses and arms, transportation, etc., to the coast of Texas, when *all of them*, (*horses, arms and all*,) were to be delivered to an agent or commissioner appointed to receive them for the benefit of Texas; but before we had gotten through the arrangement of the papers for the delivery of the other [*sic*] and the evacuation of the post, we received the circular of the commissioners Mesrs. Maverick, Devine and Luckett, of San Antonio, and the order of Gen. Twiggs to deliver up the property according to the same and, although I do not think any such an arrangement ought ever to have been agreed upon on our part, I did not for a moment feel that I ought to hold a true Southern man and warm friend of Texas bound to a negotiation so different from that required by [*of*] his fellow-officers in another part of the same State; that it

would have enabled them to accuse him of a want of proper attachment for the service and its *honor* in which he had been so long engaged, [and] of cowardice; and hence the arrangement for the surrender of this post, its property, and the removal of the troops from the State has been put upon the same footing of the agreement of the commissioners and Gen. Twiggs, asking nothing more, requiring nothing less. The subsistence taken here is about sufficient to supply 100 men for three months. A very small supply of forage, no ammunition except cartridges for Sharp's rifle, Colt's revolvers, etc., none of which are very useful to us, but would be if we had the guns and pistols carried away from here by the troops. There is a large supply of quartermaster's stores of various kinds, much of which has been in use, and as there are but few tents in it, will not be of much use to us in our service at this time. Among the company property turned over by Capt. Smith there are a few (5 or 6) Sharp's carbines that have been in service but are still serviceable, and over 50 sabres that I suppose might be of service to Texas rangers in a snake country, and will, perhaps, be of service to Texas should she raise a regular army. Proper invoices of the articles taken will be returned as soon as practicable, and in the mean time all of it taken proper care of, that is not necessarily used in the service of the country.

Throughout the whole of our negotiations and intercourse, Capt. Smith has shown the high-toned, noble bearing of a soldier and the finest sensibilities of the gentleman, and my association with him and his officers in all our relations, official and personal, have been of the kindest character, and I hope that Texas and the Southern Confederacy will take the necessary steps to secure their services to Texas and the South by absolving them as far as possible from their allegiance to the former government, assuming the debts due them from the same, or all of them that desire to remain in the South and yet take steps to *disarm* those that are going North to use their arms against the South. It is reported here that Camp Cooper was attacked or besieged by citizen troops, and that it finally was captured or capitulated to Capt. Dalrymple, aid-de-camp to the governor and colonel commanding the State troops under his orders, and as he is an officer of the State and responsible for the safe-keeping of the property I shall leave it in his hands for the present, requesting him by letter to take care of it until I can have a conference with him respecting it, after I have arranged matters at Fort Chadbourne, to which place I go on to-morrow with the companies of Captains Holly and Berry, leaving Capt. Frost in command at this place with only a portion of a company, with directions to fill it up as soon as practicable and give all the protection he can to this portion of the frontier. No one could

have had a correct idea of the difficulties of raising men hastily on this frontier until they had seen it tried. The people here have been so long and so much harassed by the Indians and have lost so many horses time and again by them that they cannot now mount more than every 3rd or 4th man on an efficient horse, and when they are mounted 'tis very difficult to get arms to fight with and, unless something is done to arm the citizens or place a sufficient force to protect them against the marauding Indians, the frontier must be broken up even worse than it is now and, although I have seen but little of it yet and not the worst by far, I have seen many vacant houses and farms compared to the number of settlers in the country and, although far from my own home (which thank God is secure from these dangers,) among a people almost all strangers to me, my heart is often made to ache at the devastation I see in the country and the truthful tales they tell me of their sufferings and losses, and I would feel that I had shamefully failed to do my duty to them and to you, as your commissioner, if I did not urge upon you in the strongest possible manner the great necessity of giving full and ample protection to the frontier at every hazard and at no odds what cost. I am mustering the troops under my command into the service, subject to the further order of the Convention, and can get up a sufficient force and keep it here for from three to five months, which will give time to replace them with more permanent volunteers which I think should be ordered out for twelve months; and I have in every instance, when I mustered a company into service, promised that those of them who desired to remain in the more permanent service when established should have the preference and I hope that these pledges will be redeemed by the Convention.

It is very necessary that I should have some funds at an early day to enable me properly to get along with the service, as I started out without a dollar. I have been compelled to contract a few debts, amounting so far to less than \$1,000, which I have promised to pay at an early day, and hope the necessary means will be sent to do so, and use whenever necessary in the service.

I have appointed a regimental quartermaster and commissary in the same person, requiring him to perform both services, and shall have to appoint assistant surgeons to take charge of the hospitals, medicines, etc., at the different posts to secure the property and administer to the sick, if they have any, and may have to appoint another quartermaster and commissary at Fort Chadbourn, as I find but few if any of the subaltern officers in the command qualified for that service. I

shall be as economical in all things in the service as possible to be

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tion of my labors in the division assigned me, as far as the surrendering the military posts was concerned within its limits, and regret that I have now to report additional prospects of delay.

Owing to a total deficiency of public transportation at this post and the impossibility of procuring any other, the troops here cannot march according to the agreement made by Gen. Twiggs and your commissioners of San Antonio. Colonel Morris as commanding officer and I as commissioner have stipulated that he with his command of one company of infantry should hold possession of the post until transportation could be procured from San Antonio, (for which we have both written,) binding himself to keep all things in *statu quo*, except a sufficient quantity of subsistence for his command, and further to furnish my command with subsistence until the evacuation of the post, which is to be immediately upon the arrival here of the necessary transportation. He seems to think and may finally contend that Texas is to furnish the transportation, while I am clearly of the opinion that the commissioners contemplated no such thing in their negotiations upon the subject, but as the circular is all the information I have respecting the negotiations of the committee I would beg to learn if possible which of us is correct, and in case the U. S. government fails to furnish the transportation what course would be pursued with regard to it. He seems "very anxious to go, but can't"; very sorry he has to remain in my way and cause delay in my movements, "but can't help it:" all of which I really see and think is the case and I "can't say *go*" to any one who seems perfectly willing to do so, if he could of his own accord, without having it to say. I shall leave Capt. Holly's command near this to take possession of the post whenever the regular troops evacuate it, and leave in a day or two with Capt. Barry's Command for Camp Cooper, where I fear I shall have great trouble in ascertaining the amount of supplies on hand, as the officers were required to abandon the fort without rendering any account of the supplies on hand, and as it was surrendered to a State officer under the command of the governor feel a great delicacy in attempting to take possession of it at all, yet shall go and see what can be done in relation to it. There is some ordnance here, some medicine and hospital stores, and provisions I suppose for 100 men [for] four months, and no forage. This is a very eligible position for a post on the frontier as a place of defence and as a supply post, and if it can be done ought to be kept up. Capt. Baylor's command are returning by here in detachments, having had a long hard campaign into the Indian country. Most of them [are] out of provisions and many of them almost destitute of clothes, and their horses nearly broken down. They have killed a few Indians, chased and taken

property from others, and report plenty of them on the heads of the Colorado and Brazos; but their horses, from the scarcity of grass, gave out and they were compelled to return. You will see from the efforts of these men how far the people on this frontier are willing to make sacrifices to protect the country against the Indians, and if men are willing to sacrifice so much time and means and undergo such hardships, must there not be a stern reality in the tales of suffering that go into the settlements. These men have done hard service and needed aid on arriving here, and I supplied them with provisions and sent them on home. Some time in December, a gentleman (Capt. Lowe of Bosque) was left here by a ranging company sick in the hospital, where he has been ever since; the officers of this post have shown him every kindness and attention and he has been taken care of at their expense or that of their government, which entitles them to our gratitude to the fullest extent, and to Capt. Wallace who has not only shown his nobleness of heart in this instance but in many similar ones, among which was his great friendship shown Capt. Callahan on his retreat from Mexico at Eagle Pass, and especially to his wounded men left at that place. There has been to-day another wounded Texan left in the hospital here, (Mr. Elijah A. Dawson of Freestone county,) by Capt. John Komar, who was one of the persons composing Capt. Baylor's command, and the officers seem to take as much interest in him as if he were a relation; these things should serve to attach us to them as men of soul, and I am really sorry that they seem so tenacious about their allegiance to the Union or their unwillingness to serve one section of it against the other; that they do not express themselves more determined to enter the service of the Southern Confederacy. Lieut. Cone, however, is an exception to this; he is a native of Georgia, has offered his services to her, and will go there as soon as relieved as quartermaster and commissary of this post. I left Capt. Frost with his company in command at Camp Colorado on yesterday. Capt. Burleson made me a formal tender of the services of his company, which I received and directed him to occupy a position about midway between this place and Camp Colorado, below a direct line, however, on Home Creek, and protect that portion of country. I had written to him on my way up here to know if he would co-operate with me and if so to let me hear from him, and under a misapprehension of my letter and his great zeal to get into the service of his seceding State and render her some service he committed an act of indiscretion by arresting the government express, opening the documents, and detaining some of the arms and horses for a day or two for which he has expressed great regret and made explanations which have satisfied me fully that his motives were pure and that it was for the good of the

country, as he thought, that he acted in the matter and from no other motive; and as he has entered the service of the Convention under my orders, abandoning that of the State under Gov. Houston, I hope the Convention will permit me to retain him while the temporary service lasts. I have as yet received but the four companies into the service, and no one of them amounts to a full company, but all, except Capt. Burleson, have been authorized to fill up by recruits; his company was considered sufficiently large to occupy the position assigned him. Under the arrangements made by me so far no troops have been sent to the frontier from Cooper north to Red River, but I have learned that most of Col. Dalrymple's command is in that section, and if that should be so and there is no uncertainty about their remaining I shall probably call out or accept of the services of no more troops until I receive further orders from the Convention; but if there seems to be any doubt about the command referred to remaining in the service until more permanent arrangements can be made, I will continue them if they will remain after discharged by Gov. Houston, or call out others. The companies I have called into the service are subject by their muster to be discharged at any time by the Convention; but I have said to them that I expected they would be retained from three to five months and be displaced by more permanent volunteers, in which service I feel satisfied you will give them preference over those who have not been in service. Capt. Holly, I learn, would not care to remain in the more permanent service, but Lt. Davidson of his company, I think, will make a good officer and could bring a good company into the field. Capts. Frost and Berry will both make excellent commanders for permanent volunteers in the service and deserve your consideration. I shall have to appoint a quartermaster and commissary here, as I find no lieutenant in Capt. Holley's company who would be able to take hold and carry on the business at once, and there is no time now to learn men to do such duty if others can be obtained that understand it, and as soon as I find some person that suits me I shall appoint a sergeant-major and an adjutant to aid me in my duties. Let me urge you again to furnish me the funds necessary to pay for such things as I am compelled to have. I met the troops here which had been routed at Camp Cooper, and, although they had capitulated to Col. Dalrymple who is a State officer, I felt it my duty, in order to put the Convention's committee as near right as possible and prevent the constituted authorities of Texas from blame in consequence of the unauthorized action by a portion of her citizens at Camp Cooper, to enter into negotiations with them as your commissioner and put them as far as in my power on the same footing with all the other troops under the agreement made by General

Twiggs and the commissioners at San Antonio, and while I have done this and have in every instance since I have received the circular of the committee negotiated according to its provisions as I understand it I must, as one of your commissioners differing from those who made the agreement with Gen. Twiggs respecting the proper terms upon which these troops should have been permitted to leave the State, enter my solemn protest against the agreement and assure you that in this portion of the field more advantageous terms could and would have been obtained; and I hope the Convention will yet take steps to get them to leave their arms, etc., at the coast. We have offered them the same rank in our service they hold in the other; they decline it, and prefer going out of the State. Where are they to go, but to the northern or middle States to serve under a Black Republican president, who threatens coercion; and they *our friends*, and refuse to leave their arms and equipments in our own State, where they know that we have *need of them*, and cannot purchase them with money on this continent; deliver me from such *friends* as these, I say, under any and all circumstances; and while I can see clearly how much the Northern States and possibly the whole world blame Texas for rescinding the agreement made by her commissioners, and while I would dislike to do anything that would wound the pride or cast reflection on the commissioners, I would not permit the arms to go out of Texas in the hands of an organized army who regard Lincoln as their president and commander-in-chief, and under whose orders they will of course turn upon us and our friends of the South *these very guns*. Look at this matter, and for the sake of our common safety and self-protection see if these *friends* of ours ought to be permitted to carry these weapons away with them. I have told the officers plainly that if it were left with me alone, either as a commissioner or as an individual, that I would first offer them service in Texas and the South upon liberal and fair terms and then if they still said that Lincoln was their commander-in-chief that I *would have their arms* before they left the State. Yes, and more, that if my government and my people, by her Convention, when re-assembled, agreed with me and concluded to act it out, I was ready to leave this portion of the field and meet them with such force as I could get and compel them to give up the guns.

The people of Texas will be dissatisfied with this arrangement, and before many of these troops can get out of the country Lincoln will be president; they his army, be hostile to us; they bound as they believe to obey orders, under these circumstances their passage through and out of the country might not be entirely safe and unmolested, and hence, if the Convention do not intend to require any change in the

agreement with them in an official manner, it might be well to see that there are no mobs raised on the route down the country. I hope the committee will pardon me for intruding my opinions upon them, and that the commissioners will not think for a moment that I would do them wrong, but I feel deeply the necessity of the course I suggest and as a commissioner, differing from them in opinion, think it my duty to my State and people to speak out openly in the premises. At the earliest practicable hour I shall be pleased to learn at what time the men which I called into service may be expected to be relieved by more permanent volunteers, and whether they may expect any preference shown them in that service. As far as I have been able to judge of the people of this frontier, they are good men and if provided with the necessary means would defend the country against any and all its enemies; their service has been so irregular and under so many disadvantages that they do not seem to understand the necessity of paying that attention to discipline that the people do in some other portions of the State; but all that could be remedied by the selection of proper men to raise and command them, and in conclusion I cheerfully say that so far I have had as agreeable service with them as I have usually had with our volunteers, and in no instance has an order of mine been disobeyed by any one as far as I know.

H. E. McCulloch,
Com'r and Col. Comd'g N. West Frontier of Texas.

(A.)

Camp Cooper, March 7th, 1861.

To Captain E. W. Rogers,
Commanding Camp Cooper.

Sir:

Under my instructions from the Convention of Texas, I demand "in the name of the people of the sovereign State of Texas" the delivery to me of this post or camp with all the arms, munitions of war, quartermaster's property and stores, commissary property and stores, ordnance and ordnance stores, hospital and hospital stores, medicine and medical stores, and all other public property of every kind and character, now in your possession or under your command, which lately belonged to the United States and which was surrendered to Col. W. C. Dalrymple, as a legal officer of Texas, by Capt. Carpenter of the U. S. A., on the 21st day of Feby last.

Very respectfully your obd't servt,

H. E. McCulloch,
Com'r and Col. Comd'g N. West Frontier of Texas.

(B.)

Camp Cooper, Texas, March 9th, 1861.

Col. H. E. McCulloch,

Com'r and Col. Comd'g troops on N. West frontier of Texas, by
authority of the Convention :

Sir:

Yours of the 7th inst., requiring of me a surrender of the post of Camp Cooper with all the arms, munitions of war, quartermaster's property and stores, commissary's property and stores, ordnance and ordnance stores, hospital and hospital stores, medicine and medical stores, and all other public property of every description now in my possession, late of the government of the United States, has been received and contents carefully noted.

I received the command of the post of Col. W. C. Dalrymple, the commander-in-chief of the Texas mounted rangers, to whom it was surrendered, on the 21st day of Feby last, in the name of the State of Texas, by Capt. Carpenter commanding, then in the service of the U. S. government.

Knowing that Col. Dalrymple, in making the demand of the surrender of the post and property of Camp Cooper of the Federal officers in command, acted from pure motives and in a current move with the Convention, and from the evidence before me being satisfied that you are the proper person to receive the post and property here, late of the government of the United States and now under my charge, I will take pleasure in surrendering it to you, under your commission and authority from the Convention lately held in Austin.

I am, yours, very respectfully.

E. W. Rogers,
Captain Comd'g Post.

Camp Cooper, Texas, March 9, 1861.

To Hon. J. C. Robertson,

Chrm'n Com. Public Safety.

Having reached this place on the night of the 6th inst. and finding Capt. E. W. Rogers of the State troops in possession and command of the post, under the order of Col. W. C. Dalrymple to whom it had been surrendered by Capt. Carpenter of the U. S. army on the 21st ult., on the morning of the 7th I called on him and demanded the surrender of the post with all the public property of every kind and character. then of the same, which had been surrendered as above mentioned, which demand was promptly yielded to by Capt. Rogers as you will see by reference to a copy of his letter over mine, marked A and B, transmitted herewith.

The amount of subsistence on hand here is much less than I anticipated before my arrival, and, although I am not able at this time to state in this report the exact amount, do not suppose it will exceed a supply for 100 men sixty days, and the bread rations not so long even as that.

There is a fair quantity of oats on hand, but they have been here so long that they have become somewhat musty from age and the sacks so eaten by mice that the quantity cannot be ascertained until all of them are overhauled, resacked or put in boxes and barrels and weighed.

I presume that you have been informed before this that this place was surrendered to Col. Dalrymple of the Texas troops by Capt. Carpenter of the U. S. army, and that the latter marched out with his command as a conquered force, and hence no regular invoice was made of the public property on hand at the time of the surrender, which being the case and having heard the officers who made the surrender say that everything for which they were responsible to their government was on hand when the place was surrendered, and finding the post and property in anything but good condition and many indications of waste and destruction, I have made inquiry as to the course pursued by the evacuating force while the citizen troops were investigating the place, and the condition of the post and property at the time that Col. Dalrymple, or Capt. Rogers under his order, took possession of it on its evacuation, and learn from citizens who were here during the whole time and at the entrance of the State troops that the doors of the different public storehouses had been opened and that the regular soldiery as well as other persons who desired to do so were permitted to take what they wanted to use or destroy, and that several tents with their contents comprising the quarters of a portion of the troops were burned, as well as a good deal of other property, by the regular troops or others before their evacuation of the post, and that the doors of all the public storehouses as well as officers' and mens' quarters were open, and the whole post filled with persons, when the State troops entered the same.

Who these persons were and how they came to be in the post, I leave to others who were present and whose business it may be made to account for the supposed deficiency of property to say, and only allude to the above facts in order to account as it were in advance in part for there being a much less quantity of supplies here now than I had really expected to find from other reports I had received of the amount that should be here, and at the same time to intimate to you clearly that the people, although they may have acted precipitately, have not really been the only despoilers about this post, and, while I

would protect them from all unjust assertions, I am unwilling to shield them from proper censure, and from reports am constrained to conclude that that portion of our people or some of them at least that were in this vicinity and at this post at the time of its surrender acted very improperly at Belknap by taking forage from the overland stage company, and at the station of the same company within two miles of this place by taking and using all the hay that was put up for the animals of that line without the consent of the same; and I probably would not here mention these facts if I did not feel that the Convention ought to be put in possession of them in order that they may, if they see proper, disavow any connection with this wholly unauthorized movement, and if advisable publicly condemn the conduct of all persons who were engaged in it, and, if they think proper, in order to identify the persons, call on Col. Dalrymple who was here in command at the time for a statistical report of the whole transaction.

I have assigned Capt. J. B. Berry to the command of this post, and appointed James H. Price, of Erath county, assistant quartermaster and commissary with the rank of lieutenant, which appointment is necessary for the interest of the service, and I hope will be ratified by you as well as all the appointments which I have made. Capt. Berry has employed Dr. Little as surgeon for his company, of which I have approved and put him in charge of the hospital here. Col. Dalrymple is now in the field with about 200 men, intending, as I learn, to spend from forty to sixty days in the country where the Indians are supposed to be.

The horses of my command are not able to perform much active service nor will they be until grass rises in the spring. This may seem rather strange to you as they have not been in service a month yet, but there were such poor crops raised in the section of country from which the men were called out, and the grass has been so bad through the winter, and these people have had so much service to perform in protecting their own homes, that the animals came into service in bad condition and, having little or no forage for them so far, they have not mended any as a matter of course.

In travelling from Fort Chadbourne to this place, I saw a great many buffalo and, in many places, they have been so abundant that they have destroyed or eaten up all the grass, so much so that it is difficult to get any grass about the watering places that will answer the purposes of a small command for a night.

I cannot tell when I will be able to reach Austin and make a full and satisfactory report to you, but shall do so as early as possible as I am anxious to see matters take some tangible form and some system

of defence established for the permanent protection of this frontier, which can be done with rangers, if placed under the command of energetic, persevering officers.

I see that Capt. Mays' company is called out for 12 months, Capt. Rogers' for 6 months, Capt. Harrison's for——months, and Capt. Sublett's for three months; and these with the companies of Capts. Frost, Burluson, Hally and Berry, which I have received into the service subject to the order of the Convention, will be sufficient for the temporary service until more permanent troops can be called into service and put in the field; and I would respectfully recommend the continuation of the companies called out by Governor Houston in the temporary service in preference to calling others from their homes at this season of the year, as they seem to be efficient troops or would be so if put to work properly; but it is very necessary to the interest of the service and the protection of this frontier that these commands (mine and Col. Dalrymple's) should be consolidated or placed under the command of some one by the legal authorities, and the sooner it is done the better for the country. I have just been informed by a citizen living near this post that, in looking after his stock within the last three weeks, (running down to within four days of this time,) that he has seen where five or six head of cattle and several hogs have been killed by the persons belonging to our State, and considering the vast number of persons that have been congregated about this post and passing to and from the frontier, I am not surprised that it should be so and only mention it to show you the recklessness with which things are done and wrongs that the people of this portion have to submit to. As the troops under my command have just reached here, the charge does not apply to them, but, whether these depredations have been committed by "independent volunteers" or State troops, it should not be countenanced by any properly thinking man and should be stopped at once; and when I have the command of men and learn that they are guilty of such conduct, I shall in all cases discharge them from the service.

The reputation of the service must and will be sustained by me, or I will have no troops.

Respectfully, etc.,

H. E. McCulloch.

Com'r and Col. Comd'g N. West Frontier of Texas.

The committee further report that the post Camp Cooper was obtained possession of by a combination of State troops and citizen soldiery. The following communication was received by one of the delegates of this Convention, which indicates how the movement was

gotten up. It is true that it was done without any express authority emanating from this Convention, but it is clear from the facts that the parties were prompted by patriotism and that the government property is there subject to the order of this Convention.

Weatherford, Jany 31st, 1861.

Hon. A. Nelson,

My friend,

Ere this reaches you I will be on my way to seize Camp Cooper and hold the same subject to the order of the Convention. I am aware of the responsibility but trust I will be sustained by the Convention. I would have been off three weeks sooner but for the want of co-operation here.

Hoping to hear from you while in Austin, I am, respectfully,

H. A. Hamner.

It is to be hoped that there will be no conflict of authority about the property at Camp Cooper, and it is believed now there will be none since Capt. Dalrymple has made his report to the President of this Convention.

(A)

Head Quarters, Camp Cooper.

Feby 23d, 1861.

Hon. O. M. Roberts,

President of the State Convention.

I have the honor to report to your honorable body that the United States military post here has been surrendered into my hands.

Having intelligence that the State of Texas, by a Convention of the people, had virtually severed her connection with the general government, and with the knowledge that within a little more than two short weeks that government must be administered by men professedly hostile to the institutions of the South and who could and most likely would displace the worthy commander and his officers at this post and put in command the direct Republicans, in which case a dangerous nucleus would be formed for any hostile movement against the State, either for coercion by the government of the North or for plunder by Montgomery and other outlaws and their minions. I also found here and arriving a large number of armed citizens determined on the capture or destruction of the place. In the meantime the garrison consisting of more than 250 men were making such preparations for defence as the means at hand would permit.

Having been tendered the command of all the forces assembled, I determined to interpose my authority and command and save for

Texas the post, prevent if possible the shedding of blood and all the calamities incident to a civil war. Accordingly on the 19th inst. I made, in the name of the sovereign State of Texas, a formal demand of surrender of the post with all arms, munitions, animals and other property heretofore belonging to the government of the U. S., which was accordingly surrendered at 10 o'clock on the morning of the 21st inst.

Accompanying are copies of the articles of stipulations and correspondence pertaining thereto.

I have the honor to be, etc.,

W. C. Dalrymple,
Aid-de-Camp to the Gov. and Col. Comdg.

(Copy.)

Camp Cooper, Tex, Feby 18th, 1861.

To the commanding officer of the State troops of Texas and other armed bodies of citizens encamped in the vicinity of this Post.

From various rumors which have reached me I am led to infer that the object of your command is a hostile movement against this Camp. Having waited several days in the expectation of receiving from you a notification of your intention, I deem it my duty to call upon you to be informed as to the object of this assemblage.

Yours respectfully,

S. D. Carpenter,
Capt. Infantry, Commanding.

I certify that the above is a true copy of the original.

J. E. McCord,
Adj't Texas Troops.

(Copy.)

Old Comanche Agency, Near Camp Cooper,
Feby 18th, 1861.

Capt. S. D. Carpenter, U. S. A.,
Commanding Camp Cooper.

Sir:

In answer to your communication of this day, I have to say that the assemblage of soldiery here has for its object the reduction of Camp Cooper.

The State of Texas having, by the action of a Convention of the people, virtually renounced her allegiance to the government of the United States and being here in command of the State troops and also in command of the citizen soldiery encamped in this vicinity, I shall in the name of the sovereign State of Texas demand within 24

hours a surrender of the garrison under your command with all arms, munitions and property of every description, heretofore belonging to the United States.

I have the honor to be your obd't servant,

W. C. Dalrymple,
Aid-de-Camp to the Gov. and Col. Comd'g.

Old Comanche Agency, Near Camp Cooper,
Feby 18, 1861.

Capt. S. D. Carpenter, U. S. A.,
Comd'g Camp Cooper.

Sir:

In the name of the sovereign State of Texas I demand a surrender of your garrison with all arms, munitions, animals and other property heretofore belonging to the United States.

I have the honor to be, your obd't servant,

W. C. Dalrymple,
Aid-de-Camp to the Governor, etc.

J. E. McCord, Adj't,
Col. Dalrymple's Command, Texas Mounted Rangers.

(Copy.)

Camp Cooper, Texas,
Feby 19th, 1861.

Col. W. C. Dalrymple,
Comd'g State Troops and Aid to the Governor:

Sir:

Your letter of the 18th inst, informing me that the armed body of men camped in this vicinity were State troops and armed citizens under your command, has been received. I have also received your letter of this date, demanding in the name of the State of Texas, a surrender of this Camp. Until the reception of your first note, I was satisfied from all the information I could obtain that I was threatened with an attack by an unauthorized force, and accordingly took such measures as were necessary for my defence. My reply to your demand, notwithstanding it is made in the name of Texas and by an officer holding a commission from its governor, as commanding officer of the Federal troops stationed at this Camp could be no other than an unqualified refusal. But in the present agitated political condition of our country, I feel compelled to regard, in connection with this demand and its refusal, the perilous consequences that must result to the whole nation.

land is to avert, if possible, the shedding of blood, and while I have before me this fact, exemplified at Forts Sumpter and Pickens and especially in the case of the *Star of the West*, and also the fact that the arsenals throughout the South have been yielded to the State authorities without a struggle, I do not feel justified to act from the promptings of a soldier.

It matters not that this Camp from its position is incapable of a prolonged defence; it matters not that your force is now far superior in numbers to my own and is daily increasing; it matters not that by reliable information I am positively assured that this whole community is arming for the purpose of retaining in the State all the property of the Federal government now in Texas; I would be actuated by the same motives which now control me in any event, provided the consequences of my refusal to your demand were to be the inauguration of a civil war, that must eventually involve all the States in fraternal strife.

Guided then by a spirit of patriotism and loyalty to the Union and by what I conceive to be the counsels of the most enlightened statesmen of the nation, and also by what I understand to be the policy of the general commanding the department, after due consultation with the officers of my command, I have determined to surrender this Camp to the State of Texas, and if you will submit to me the terms upon which you desire to receive for the State the Camp and Federal property in my charge, I will give them an early consideration.

Very respectfully, your obd't servant,

S. D. Carpenter,
Capt. 1st Infantry, Comd'g Post.

Old Commanche Agency, Near Camp Cooper,
Texas, Feby 20th, 1861

Capt. S. D. Carpenter, U. S. A.,
Comd'g Camp Cooper, Texas.

Sir:

Your letter of the 19th inst. in reply to mine of the 18th inst. and also in reply to my letter demanding the surrender of Camp Cooper has been received by the hands of Lieut. Walter Jones.

Assuring you that I deplore, *deeply* deplore the distracted condition of our country, which makes the demand of your post necessary at all, and not finding it in my breast to ask terms that could be in the least degree humiliating to the manly pride and honor of the American soldier and having had a conference with my officers, the accompanying articles of capitulation, marked A, are prepared and I

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herewith submit them with the hope that they will be acceded to by you.

I am, sir, very respectfully, your obd't servant,

W. C. Dalrymple,

Aid-de-Camp to the Gov. and Col. Comd'g.

J. E. McCord, Adj't.

Col. Dalrymple's Command, Texas Rangers.

(A.)

Article 1. The post at Camp Cooper shall be surrendered with all the arms, munitions, equipments and property of said post belonging to the government of the United States, to the State troops now under my command, on or before 10 o'clock, A. M., Feby 21st, 1861.

Art. 2. The officers will be permitted to march with all their arms and equipments and transportation necessary thereto, the soldiers with their usual arms, that is to say, the infantry with their firelocks and accoutrements belonging thereto, the cavalry with their usual equipments, with transportation, ammunition and subsistence necessary for the march of your command to San Antonio; at which place the public arms and property are to be delivered to the State authorities of Texas or in the absence thereof to the chief justice of Bexar county.

Art. 3. The Texas flag shall be hoisted on the parade ground at Camp Cooper upon the evacuation of said post.

(Copy.)

Camp Cooper, Texas,

Feby 20th, 1861.

Col. W. C. Dalrymple,

Comd'g State troops of Texas:

Sir:

Your communication of this date, submitting for my deliberations the terms upon which you demand the surrender of Camp Cooper to the State of Texas, has received my attention.

I accede to the stipulations in the 1st and 2nd articles proposed and will accordingly evacuate the Camp on the 21st inst., marching my command to San Antonio and deliver the arms, property, etc., to the authorities named therein.

With reference to the 3rd article, I would remark that it enters in no way into our present considerations, for after I have marched from this camp I cease to be responsible to my government for what may transpire afterwards at that point.

Very respectfully, your obd't serv't,

S. D. Carpenter,

Capt. of Infantry, Comd'g Post.

The committee regret that they have not yet received an inventory of the property taken under Col. H. E. McCulloch's command, and also a statement of his expenditures. Should they not receive more complete reports from him, the committee will, in view of the adjournment of the Convention at an early day, report an ordinance providing for Col. McCulloch to report to some department of the State.

All of which is respectfully submitted.

I have the honor to be, very respectfully, etc.,

John C. Robertson,
Chrm'n of Com. on Public Safety.

REPORT NO 7.

Committee Room, March 8th, 1861.

To the Hon. O. M. Roberts

President of the Convention of the People of the State of Texas.

The committee on Public Safety instruct the undersigned to report to the Convention that on the 24th day of Feb'y they were in session in the city of Galveston, that at that time the revenue cutter *Henry Dodge* was in that port in the service of the United States, under the command of Lieut. W. F. Rogers, of the U. S. revenue service. The committee being assured that Lieut. Rogers and his men on board the *Henry Dodge*, there being 12 in number, were true to the cause of the South, they sought an interview with the commander on the subject of demanding possession of his cutter; during the conference Lieut. Rogers exhibited to the committee orders from the War Department at Washington, in which he was required, in the event any persons without authority from that Department should undertake to get possession of his vessel, not to permit the U. S. flag to be dishonored, but to fight to the death, and should he find himself about to be overcome and his vessel about to be taken, he was ordered to blow it up. Lieut. Rogers also had orders to take his vessel at once to New York and report himself to the collector of that port. These orders the gallant Lieut. determined to disobey, as he regarded them as unfriendly to the South, and expressed himself ready to resign and hold possession of the *Dodge* for the State of Texas, when required to do so by the proper authority. Upon information received by the committee, it was found that on the 1st day of March there would be due to the commander and his men two months pay, and that the U. S. government, through the collector at Galveston, would pay them on that day. The pay still due the crew amounted to about \$900. The com-

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