FRONTIER DEFENSE IN TEXAS: 1861-1865

DISSERTATION

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By

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The Texas Ranger tradition of over twenty-five years of frontier defense influenced the methods by which Texans provided for frontier defense, 1861-1865. The elements that guarded the Texas frontier during the war combined organizational policies that characterized previous Texas military experience and held the frontier together in marked contrast to its rapid collapse at the Confederacy's end.

The first attempt to guard the Indian frontier during the Civil War was by the Texas Mounted Rifles, a regiment patterned after the Rangers, who replaced the United States troops forced out of the state by the Confederates. By the spring of 1862 the Frontier Regiment, a unit funded at state expense, replaced the Texas Mounted Rifles and assumed responsibility for frontier defense during 1862 and 1863.

By mid-1863 the question of frontier defense for Texas was not so clearly defined as in the war's early days. Then, the Indian threat was the only responsibility, but the magnitude of Civil War widened the scope of frontier protection. From late 1863 until the war's end, frontier defense went hand in hand with protecting frontier Texans.
from a foe as deadly as Indians—themselves. The massed bands of deserters, Union sympathizers, and criminals that accumulated on the frontier came to dominate the activities of the ensuing organizations of frontier defense.

Any treatment of frontier protection in Texas during the Civil War depends largely on the wealth of source material found in the Texas State Library. Of particular value is the extensive Adjutant General's Records, including the muster rolls for numerous companies organized for frontier defense. The Barker Texas History Center contains a number of valuable collections, particularly the Barry Papers and the Burleson Papers. The author found two collections to be most revealing on aspects of frontier defense, 1863-1865: the William Quayle Papers, University of Alabama, and the Bourland Papers, Library of Congress. As always, the Official Records is indispensable for any military analysis of the American Civil War.
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CHAPTER I

PRELUDE TO CIVIL WAR

As early as 1823 the term "Ranger" applied to those men who volunteered to help defend the Indian frontier of Texas. The force did not receive legal status until 1835 when a "permanent council" of Texans met in consultation at San Felipe de Austin to direct the affairs of the Mexican-Texas conflict.\(^1\) On 1 November 1835 the permanent council authorized a body of Rangers to protect the Indian frontier and eight days later commissioned the raising of twenty men for this new service.\(^2\) During the period of the Republic, 1836-1845, the Rangers, in the absence of a permanent army, became the best solution to defend the Indian frontier and to oppose Mexican incursions.\(^3\)

At the end of the Mexican War the federal government assumed responsibility to protect the Texas frontier and theoretically put the Texas Rangers out of business. The relatively peaceful frontier of 1846-1848 changed

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\(^3\) Webb, The Texas Rangers, pp. 48-49; 67.
dramatically in the latter year when Indian raids increased on a large scale.  

For the next ten years the Rangers would be called upon in varying degrees by the governors of Texas in times of emergency, or when dissatisfied settlers no longer felt the United States Army could effectively offer protection. During this ten-year period, until their decisive use in 1858, the Rangers conducted no extensive military campaigns, yet state authorities continually called them out with increasing frequency over the decade to meet a growing Indian threat.  

The study of the interaction between the Texas Rangers, the United States Army, and local militia is necessary to an understanding of how Texans evolved their system of frontier protection in 1861-1865. The Civil War experience drew upon the tradition of both the Army and the Rangers in an attempt to achieve the proper tactics and strategy necessary to protect the frontier. The mistakes and successes of the 1860s in the face of the added complexity of Civil War had its roots in the means by which both Rangers and Army went about their business during the 1848-1860 period.  

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In 1848 the United States War Department established the Eighth Military Department, later renamed the Department of Texas. Major General George Mercer Brooke assumed command in 1849 and proceeded to establish a chain of forts slightly in advance of the frontier. Included were Fort Worth on the Trinity River, Fort Graham on the Brazos fourteen miles west of present-day Hillsboro, Fort Gates on the Leon a few miles east of present Gatesville, Fort Croghan on Hamilton Creek in Burnet County at the present town of Burnet, and Fort Martin Scott on the Guadalupe northwest of San Antonio at Fredericksburg. The presence of twenty-two companies of the United States Army failed to stem the rising tide of Indian raiding parties, largely because sixteen of the companies consisted of infantrymen


who lacked knowledge about tracking Indians or the terrain.8

Widespread public dissatisfaction with the Army's efforts still did nothing to discourage an increasing wave of new settlers to the Texas frontier. In 1850 just over 4,000 people lived along the frontier line and for the next decade the yearly advance of the frontier averaged ten miles and the population increased nearly 5,000 per year.9 A revision of the entire system of defense began in 1851 upon the death of General Brooke. His successor, Major General Persifor F. Smith, began the process of extending a line of forts about 150 miles in advance of the old one.10

8Bender, The March of Empire, p. 132.


10Ibid., pp. 42-43. The fifty-three-year-old Smith, a native of Pennsylvania, began a law career in 1815. When he moved to New Orleans four years to practice law he also commanded a battalion of militia. He later served in the United States Army with distinction in the Seminole War campaigns of 1836 and 1838, but he gained national attention by his gallant conduct during the Mexican War for which he was brevetted Major General, then served later as military governor of Mexico City. His five year command of the Department of Texas ended in 1856 upon his accession to command the Western Department, headquarters at St. Louis. His death on 17 May 1858 came soon after his appointment to command the Department of Utah, scene of a federal confrontation with the Mormons. Allen Johnson and others, eds., reprint, 20 volumes and 7 supplements in 16 books, Dictionary of American Biography (New York, 1957-1981), 9:331-332.
The northern anchor of this second or outer chain of forts began with Fort Belknap, located about two miles from the Salt Fork of the Brazos, in present-day Young County. From Fort Belknap the line of forts curved to Fort Phantom Hill on the Clear Fork of the Brazos just north of present-day Abilene, to Fort Chadbourne on Oak Creek just north of its junction with the Colorado River, Fort McKavett on the San Saba in western Menard County, Fort Terret on the North Llano between the present-towns of Junction and Sonora, Fort Mason between the San Saba and the Llano at present-day Mason, and the southern anchor, Fort Clark, on Las Moras Creek just opposite the town of Bracketville.  

With two lines of forts completed by the end of 1852 available to protect the frontier settlements, General Smith set out to increase the force to occupy them. The plan of defense decided upon called for manning the outer forts with infantry and the inner ones with cavalry. The infantry was somehow to alert the cavalry to the presence of Indian raiding parties so that the cavalry could pursue, while the infantry cut off the escape routes of the invaders. The important point missed, which hardly escaped the attention of Ranger veterans and frontier settlers, was

that only the mobility of cavalry could detect and stop the Indians before they reached the settlements.\textsuperscript{12}

During this three-year period, 1849-1852, the United States Army attempted to supplement its lack of numbers with the use of Ranger companies. In the summer of 1849 General Brooke called upon Governor George Wood for three companies of Rangers to patrol the area between Goliad and the Rio Grande for a six month period.\textsuperscript{13} The brief episode of Texas Rangers in federal service ended in 1851 by order of General Brooke, with the Ranger companies still subject to call in time of emergency upon responsibility of the governor.\textsuperscript{14} From 1852 through 1855 petitions to the governor from angry settlers increased as Texans begged for better protection.\textsuperscript{15} To guard an Indian frontier of more


\textsuperscript{13}Webb, The Texas Rangers, p. 141. George Thomas Wood, second governor of Texas, was born in Georgia in 1795. He came to Texas in 1839, settled near the community of Point Blank in Liberty County, and later represented the county in the House of the Sixth Congress. He was elected Governor of Texas in 1847 and served for two years. After his defeat for re-election in 1851 and 1853 he retired to his plantation near Point Blank and lived there until his death in 1858. Elizabeth LeNoir Jennett, ed., Biographical Directory of the Texan Conventions and Congresses (Austin, 1941), pp. 193-194.

\textsuperscript{14}Webb, The Texas Rangers, p. 143.

\textsuperscript{15}Bender, The March of Empire, pp. 139-140.
than 500 miles from the Red River to the Rio Grande and an
international boundary of more than 1,000 miles from El
Paso to the Gulf of Mexico, the Army deployed approximately
1,600 officers and soldiers in the Department of Texas.16

In the face of perceived Army deficiencies, Texans
continued their search to provide for frontier defense. In
1855 Governor Elisha Marshall Pease called out a company of
Rangers commanded by James Hughes Callahan, but with a
depleted state treasury the men took to the field with the
understanding that future legislation would provide for
their pay.17 The Callahan expedition ended in disgrace
when it crossed the Rio Grande in pursuit of Indians, only
to end up fighting Mexicans as well as Indians, and burned

16 Utley, Frontiersmen in Blue, p. 71.

17 Elisha Marshall Pease was born in Enfield, Connecticut in 1812 and journeyed to Texas in 1835. He took part
in the Texas Revolution first as a soldier then later as
secretary of the Council of the Provisional Government.
During the days of the Republic of Texas he practiced law
in Brazoria, then after annexation he served in the state
legislature for four years. Pease was elected Governor of
Texas in 1853 and won re-election in 1855. He opposed the
secession of Texas in 1861 and after the war aligned
himself with the Republican party in the state. He died in
1883. Amelia W. Williams and Eugene C. Barker, eds., 8
volumes, The Writings of Sam Houston, 1813-1863 (Austin,
1942), 5:299-302.

James Hughes Callahan was born in Georgia and came to
Texas in 1835. He fought in the Texas Revolution, was
captured with James Fannin's men at Goliad, but escaped the
Goliad Massacre. He was killed in 1856 during a private
dispute, just one year after he led the Callahan expedition
across the Rio Grande. Webb, ed., Handbook of Texas,
1:272.
the Mexican town of Piedras Negras in the process.\textsuperscript{18} A bill for frontier protection that would provide funding for Rangers in the field failed to pass the state legislature in December. State Senator Henry Eustace McCulloch, a former Ranger captain, introduced the bill with a passionate speech that vividly depicted Indian depredations in the country west of the Guadalupe River.\textsuperscript{19} The bill called for funding and equipping a Ranger force of 1,000 men but failed to pass the legislature, attributed largely to the fear of many legislators that such a force was destined for a filibustering expedition rather than for service on the Indian frontier.\textsuperscript{20} The problem of financing Ranger companies always plagued the Texas government; the decade of the 1850s saw constant disenchantment by state authorities who tried to receive federal appropriations, or at least reimbursement, for the service of Ranger companies. The financial question, later complicated by the Civil War, eventually influenced the system of frontier defense that evolved during the 1861-1865 period.

As Texas governors continued to call upon Rangers, or minutemen companies as they were often known, in time of emergency, the national government in conjunction with the

\begin{itemize}
\item \textsuperscript{18}Webb, \textit{The Texas Rangers}, p. 146.
\item \textsuperscript{19}Texas State Gazette, November 24, 1855.
\item \textsuperscript{20}Ibid., December 15, 1855.
\end{itemize}
state turned to a reservation system to help combat the Indian threat. A number of people came to believe that the clash between the two races could be lessened if the Indians had a permanent location. As early as 1847 Governor James Pinckney Henderson proposed that Texas sell to the national government part of its public lands to be used for the settlement of Indian tribes in hopes that this would enable the United States to better control the Indians. 21 Nothing came of the proposal at the time, but five years later the Texas Legislature took the first step in setting aside land for the Indians. A resolution passed authorizing the governor to negotiate with the government for the establishment of an Indian territory along the northern frontier of the state. 22 Finally, in 1854, the state legislature passed an act authorizing the federal government to select from vacant public lands within the

21 Rupert Norval Richardson, The Comanche Barrier to South Plains Settlement (Glendale, California, 1933), pp. 211-212. James Pinckney Henderson, the state's first governor, came to Texas from his home in Mississippi in 1835. One year later he was named Secretary of State for the Republic of Texas and was later minister from Texas to England and France. After he served in the Annexation Convention he was elected governor in 1846. He later served as a major general in the Mexican War and in 1857 filled the seat of United States senator made vacant by the death of Thomas Jefferson Rusk. Henderson died in Washington, D.C. in 1858. Jennett, ed., Biographical Directory of the Texan Conventions and Congresses, p. 100.

state a maximum of twelve leagues for the exclusive use of the Texas tribes. 23

Even before the Texas land grant, a number of Indians began gathering in semi-permanent locations. Scourged with poverty and near starvation, or simply weary of conflict, hundreds of Indians, representing dozens of tribes, requested areas of settlement. 24 On 9 May 1853 Robert Simpson Neighbors, state legislator and member of the Committee on Indian Affairs, received the appointment of supervising agent of the Indian service in Texas. 25 In 1854 Neighbors and United States Army Captain Randolph B. Marcy proceeded to locate and survey land in Texas suitable for the proposed reservations. 26 After an extensive


24 Bender, The March of Empire, p. 207; Richardson, The Comanche Barrier, pp. 212-213.


26 Neighbours, Indian Exodus, p. 100. Randolph Barnes Marcy was born at Greenwich, Massachusetts in 1812. He graduated from the United States Military Academy in 1832 and for thirteen years afterward was stationed in infantry service on the Michigan and Wisconsin frontier. After service in the Mexican War he remained in the southwestern United States engaged in such activities as opening a new trail to Santa Fe, selecting sites for military posts, and surveying Indian reservations in Texas. In 1858 he accompanied Albert Sidney Johnston's expedition against the Mormons in Utah and was acting inspector general of the Department of Utah. When the Civil War began he served as chief of staff to his daughter's husband, George B. McClellan, and held staff positions throughout the war. After
reconnaissance the men selected two tracts that came to be known as the Brazos Reservation (or the lower reserve) and the Comanche Indian Reservation (also known as the Clear Fork Reservation or the upper reserve). The Brazos agency comprised approximately 37,000 acres on the upper Brazos in present Young County, intended for various scattered tribes, while the Comanches settled on the upper reserve of approximately 18,500 acres, located forty miles from Fort Belknap in present Throckmorton County.  

By late summer of 1856 Major Neighbors reported a total of 948 Indians at the Brazos agency and 557 Comanches at the Comanche reserve, with a total of 740 acres under cultivation at the two locations. The reservation system, intended to lessen conflict between Indians and Texans, actually made more complex the military situation. As the raids from

the war he was inspector general of the army from 1878 until his retirement in 1881. He died in 1887 at West Orange, New Jersey. Johnson and others, eds., Dictionary of American Biography, 6:273-274.

27Bender, The March of Empire, pp. 207-208; Neighbors, Indian Exodus, pp. 103-106. Two reports that shed much light on the status of the Indian tribes and prospects for their successful transfer to the new agencies are found in Robert S. Neighbors to George W. Manypenny, Commissioner of Indian Affairs, September 16, 1854, Annual Report of the Commissioner of Indian Affairs, 1854 (Washington, 1855), pp. 158-160; and, G. H. Hill, Special Agent Texas Indians, to R. S. Neighbors, September 20, 1854, ibid., pp. 163-166.

Indian Territory, north of the Red River, increased in frequency in the late 1850s, both the Army and Ranger companies were hard pressed to meet the threat, now coupled with a growing dissatisfaction by Texas settlers who refused to trust the presence of the reservation Indians. The presence of the reservations themselves played a role in the manner of frontier defense during the last two years of the decade.

Indian raids increased dramatically in 1854, requiring General Smith to ask Governor Pease to augment the federal forces with six companies of Rangers. This combination provided only temporary relief, the Rangers served for just three months, and problems in Kansas Territory in mid-1855 required that some of the federal mounted troops in Texas be reassigned. To provide relief from the increase in Indian depredations that followed this action, in late 1855 the newly formed Second United States Cavalry Regiment arrived on the Texas frontier.29 This elite organization came to be involved directly not only with frontier protection but with the Texas Indian Reservation.30


30 Besides its colonel, Albert Sidney Johnston, officers of the Second United States Cavalry who later attained the rank of general officer in the Civil War included: Robert E. Lee, Edmund Kirby Smith, John Bell Hood, William J. Hardee, Earl Van Dorn, Fitzhugh Lee,
Upon the arrival of the regiment in Texas in December of 1855, Colonel Albert S. Johnston assigned five companies to occupy Fort Mason, headquarters of the regiment, while four companies under Major William J. Hardee left to establish a new post, Camp Cooper, on the Clear Fork of the Brazos.\textsuperscript{31} In addition to Camp Cooper the Army established


\textsuperscript{31}Harold B. Simpson, "Fort Mason," \textit{Frontier Forts of Texas}, p. 153. Albert Sidney Johnston, born in 1803 in Kentucky, graduated from the United States Military Academy in 1826 ranked eighth in his class. He resigned his commission eight years later and made his way to Texas in 1835 where he enlisted as a private in the Texan army. Within two years he assumed command of the army and later served as secretary of war for the Republic of Texas. He entered United States service in the Mexican War, commanded the Second United States Cavalry in Texas afterward, and assumed command of the Department of Texas in 1856. At the outset of the Civil War he was thought by many observers to be the most promising officer in the Confederate service. He took command of the Western Department in late 1861 and on 6 April 1862 he attacked Ulysses S. Grant's army at Pittsburg Landing on the Tennessee River. During the ensuing fight, the Battle of Shiloh, Johnston suffered a mortal wound. Although his loss was mourned throughout the South, there is little basis for the claim that he was a general of superior ability. Johnson and others, eds., \textit{Dictionary of American Biography}, 10:135-136; Mark Mayo Boatner, \textit{The Civil War Dictionary} (New York, 1959), p. 440.

six more posts during the next three years: Camp Colorado, in Coleman County about six miles north of the Colorado River; Camp Verde, three miles outside of Bandera Pass in southern Kerr County; Camp Hudson, on San Pedro Creek near Devils River in Val Verde County; Camp Wood, in Real County; Fort Quitman, on the Rio Grande in south central Hudspeth County; and Fort Stockton, near Comanche Springs in Pecos County.32

With the presence of the Second United States Cavalry in Texas the Army no longer maintained merely a passive patrol system as practiced since the Mexican War. Company commanders now kept as many patrols in the field as possible to discover any sign of Indians, then trail them relentlessly to bring them to battle.33 The Second Cavalry took to the field just as the frequency of raids by northern Comanches and Kiowas increased. The state-federal response brought another company of Rangers into service, confined the settled Indians to the reservations and declared all Indians outside the reservations hostile, and unleashed the Second Cavalry in offensive action against


33Simpson, Cry Comanche, pp. 67-68.
the raiders. For several months afterward, in the spring of 1856, the frontier was as peaceful as it had been at any time since the Texas Revolution, a condition attributed by at least one Texan, Indian agent Robert S. Neighbors, to the presence of the Second United States Cavalry.

The peace would be short-lived. In the winter of 1856-1857 the frontier once again ignited in warfare from war parties of northern Comanches going from their lands in Kansas to raid in Mexico and back again. One of Major Neighbors's agents, John Robert Baylor, not only stated that the reservation Indians were not responsible for the attacks, but that they enquired of him why other Indians were allowed to roam at will seemingly without being punished. The year 1857 opened with a marked increase in Indian attacks, most of which occurred north and east of the site of raids in previous years. With the line of the Rio Grande better protected the Indians in many instances

34 Neighbours, Indian Exodus, p. 110.


36 John Baylor to Elisha M. Pease, December 11, 1856, Governor Elisha Marshall Pease Records (RG 301), Archives Division - Texas State Library. All records and manuscript collections located the Archives Division - Texas State Library will be hereinafter cited as TSL-A.

The controversial John Robert Baylor was the first agent of the Comanche Reservation. The Indian superintendent, Robert S. Neighbors, dismissed him after a disagreement over policies and he remained an implacable foe of the reservation system in Texas. Webb, ed., Handbook of Texas, 1:124; Webb, The Texas Rangers, pp. 165-168.
halted their raids into Mexico to attack the more settled districts of the Texas frontier, particularly the area near the two Indian reservations. The feeling of hostility by Texans living on the frontier toward Indians led, invariably, to suspicions by many settlers that the reservation Indians were responsible. The charges seem to have been exaggerated. The evidence points out that raiding Indians often made clear trails leading to the reservations for whites to follow, and even suggests that upon occasion Texan thieves camouflaged their operations to shift blame to the reservation Indians.

As conditions grew worse in 1857 Governor Pease again called on minute companies, that is, Ranger companies, to augment the Army troops in Texas. Many of these were local companies, of only twenty men each, who served in the vicinity of their home counties. A clamor of voices from


38Neighbours, Indian Exodus, p. 118; Bender, The March of Empire, p. 213.

39Rupert Norval Richardson, The Frontier of Northwest Texas, 1846 to 1876: Advance and Defense by the Pioneer Settlers of the Cross Timbers and Prairies (Glendale, California, 1963). An example of the governor's instructions to form a minute company is found in E.M. Pease to Thomas C. Frost, December 7, 1857, Dorman Winfrey and James Day, eds., Texas Indian Papers, 1846-1859, 4 vols. (Austin, 1961), 3:267: "You are hereby authorized to enroll a company of twenty mounted, in the counties of Coryell and Comanche to serve for three months, for the protection of the settlements in said counties, against the
settlers insisted that the Army no longer provided the necessary protection; they demanded better. By autumn of that year the governor of Texas agreed that the United States Army forces assigned to the frontier were no longer adequate, necessitating the calling up of not just local minute companies of Ranger, but an entire volunteer Ranger regiment. Governor Pease believed that the new commander of the Military Department of Texas, Major General David Twiggs, had done everything possible for the frontier, but his force was simply inadequate in numbers to deal with the crisis, yet the 3,600 soldiers in Texas represented over one-fourth of the entire United States Army.

A new governor took office in January of 1858, Hardin Richard Runnels, who defeated Sam Houston in the 1857 incursions of hostile Indians. Each man will furnish himself with a good rifle or double barrell shot gun, and one or more pistols, with a sufficient quantity of ammunition, a good horse, saddle and bridle. The Officers and men respectively, will be paid by the State, while in actual service, at the same rate, as mounted volunteers were paid by the United States during the Mexican War.

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40 E. M. Pease to Guy M. Bryan and John H. Reagan, November 3, 1857, Winfrey and Day, eds., Texas Indian Papers, 3:266.

Runnels entered office determined to give better protection to the frontier, and by so doing he would give the Texas Rangers their most decisive service on the Texas frontier. In the Texas legislature, a select senate committee reviewed the situation regarding the reservation policy and the failure of federal authorities to prevent the incursion of Indians from Indian Territory and Kansas. The committee dryly observed that the Indians roaming the borders of Texas "were not friendly disposed." Likewise, the committee agreed with former governor Pease that the United States should declare war.

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42 Hardin Richard Runnels, born in 1820 in Mississippi, came to Texas in 1842 and established a plantation in Bowie County along the Red River. He served in the Texas legislature and as lieutenant governor of the state before he ran against Sam Houston in the gubernatorial campaign of 1857. The name of Sam Houston will be forever linked with the Texas struggle for independence from Mexico. After he defeated Santa Anna's army at the decisive Battle of San Jacinto on 21 April 1836 he served two terms as president of the Republic of Texas and two terms in the United States Senate before he was elected governor of Texas in 1859. In the 1857 campaign Runnels became the only person ever to defeat Houston in a political election. While the Texas Rangers achieved their most noteworthy victory over the Comanche Indians during Runnels's administration, the frontier counties expressed their dissatisfaction with the protection accorded them by voting heavily for Houston when he defeated Runnels in 1859. Llerena Friend, Sam Houston: The Great Designer (Austin, 1954), pp. 248-252, 322-325; Webb, ed., The Handbook of Texas, 2:515; Walter L. Buenger, Secession and the Union in Texas (Austin, 1984), pp. 110-112.


44 Harmon, "The United States Indian Policy in Texas," p. 397.
against all Indians found outside the reservations, and to employ and fund a regiment of Texas Rangers to help protect the frontier.45 Such a suggestion had been put to General Twiggs some months before when, in addition to complaints from frontier settlers, Governor Pease learned that the Second United States Cavalry, the only effective Army unit in the eyes of Texans, would soon be transferred from the state. Pease pleaded that only a mobile force should replace the Second Cavalry, and such a force of Ranger veterans, under Twiggs's direction, could soon put an end to the Indian depredations in Texas.46

By the third week of January four companies of Rangers served on the frontier, three of twenty men each and one of

45Ibid., p. 398. Of the five members of this committee, George Bernard Erath and James Webb Throckmorton served during the Civil War as commanders of the Frontier Organization, the last institution that evolved during the conflict to protect the frontier. One, Henry Eustace McCulloch, would command the Northern Sub-Military District of Texas, created primarily to enhance the defense of the northwest frontier of Texas. A joint resolution of the State legislature the previous November likewise called for a mounted regiment of Rangers. Gammel, Laws of Texas, 4:265.

46E. M. Pease to Major General David Twiggs, August 13, 1857, Governor Elisha M. Pease Records, TSL-A. Sam Houston agreed with this proposal to raise a regiment of Rangers, remarking that to "Give to Texas one regiment of rangers, well supplied, and well armed, and Texas can dispense with every regular soldier within her limits, or at any rate, she would not require more than fifty men at each post which the Government has established there." Remarks Concerning the New Regiments Bill, April 1, 1858, in Amelia W. Williams and Eugene C. Barker, eds., The Writings of Sam Houston, 1813-1863, 8 vols. (Austin, 1942), 7:55.
thirty, with one stationed at the headwaters of the Guadalupe River, one on the Colorado, and two on the Brazos. Runnels considered this force inadequate to meet the pressing need of the frontier, and as General Twiggs sent word that even his capacity as military department commander would not allow him to call civilians into service, the governor urged the legislature to provide for the force.

Once more, finances entered the equation, with Runnels confident that the government would not refuse "to meet the necessary expenditure which may be incurred." The Texas lawmakers responded promptly by passing "An Act for the better protection of the Frontier" which Governor Runnels approved on 27 January 1858. It authorized the governor to call into service one hundred mounted volunteers (Rangers), in addition to the force already in service on the frontier, for a six-month period. The proposed regiment was to be discharged "whenever an efficient force shall be placed on the frontier by the Government of the United States..." Significantly, if the Indians attacks increased, or if the United States Army could no longer protect the frontier, the legislature authorized the governor to "call out

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47 Governor H.R. Runnels to The President of the Senate, January 22, 1858, Winfrey and Day, eds., Texas Indian Papers, 3:270-271.

48 Ibid., 3:271.
any number of men" to carry out "active and offensive operations" against the hostile Indians.49

On the following day Governor Runnels commissioned John Salmon "Rip" Ford with the rank of senior captain to command all state forces.50 The forty-two-year-old Ford experienced a varied and illustrious career in Texas. In addition to practicing medicine, editing a newspaper, and being a state senator, Ford served as a Texas Ranger captain in 1849, and would now prove to be an excellent choice to lead the present contingent of Rangers.51 Ford quickly began recruiting volunteers to join those companies already in service and in just a few weeks left for the frontier to direct operations against the Indian raiding parties.52

49 Gammel, Laws of Texas, 4:77-78.

50 Runnels to John S. Ford, January 28, 1858, Winfrey and Day, eds., Texas Indian Papers, 3:272-273.

51 Ford was born in South Carolina in 1815 and came to Texas in 1836. It was during the Mexican War while in command of a spy company that he acquired the nickname of "Rip." When he sent out official notices of death he included the message, "Rest in Peace," later shortened to "R.I.P." During the Civil War he continued in military service to Texas as commandant of conscripts and later in operations near the Rio Grande. He was involved in state politics after the war and died in San Antonio in 1897. The most complete sources for "Rip" Ford's life are: W. J. Hughes, Rebellious Ranger: Rip Ford and the Old Southwest (Norman, Oklahoma, 1964), and Ford's story in his own words in Stephen B. Oates, editor, Rip Ford's Texas (Austin, 1963).

Before detailing the extraordinary campaigns of the Texas Rangers and the United States Army in 1858, it would serve to examine not only how their strategy of Indian warfare altered in the upcoming campaigns, but to take a closer look at the men who made up these elements of frontier defense in Texas. It would be a mistake to assume that before the Civil War there existed an organization by the official title of Texas Rangers. Between the Mexican War and the Civil War they were called on in emergencies for periods of three to six months, but never became a permanent institution until 1874.53 The tendency, also, has been to picture them as an elite fighting body, when actually they consisted of average citizens from along the frontier counties, men who by necessity learned the art of plains warfare from their enemies.54

By necessity, a Ranger was only as good as his horse; the men were all mounted, not only to traverse the great distances of Texas, but to match the mounted Indians and Mexicans they continually fought.55 With the acquisition


54Ibid., pp. 248-249.

55Webb, The Texas Rangers, p. 80. An unusual riding contest held in 1843 demonstrated the ability of Rangers to match their Indian counterparts in riding ability. This contest, between Texans and a party of Comanche Indians, saw the Rangers equal the Indians in every category of
of Colt revolvers, Texans finally could match the firepower of their Indian foes without fighting dismounted.\textsuperscript{56} They were, for the most part, an undisciplined group of civilian volunteers, who would follow only men they trusted and who proved themselves in battle. As these Rangers, or minute-men companies, were usually called out only in an emergency, the Indian raid had already taken place, and the Rangers' job was then to pursue and, if possible, destroy the retreating enemy. Until 1858, punitive expeditions were rare as these activities were comprised of citizen soldiers who took the field for only a short period of time. After the Mexican War, the Texas government continually requested that the United States pay for the expense of maintaining Rangers in the field, and this the federal government usually refused to do. The Army was not about to admit that Texan civilian soldiers, no matter how experienced in Indian fighting, were superior to federal troops stationed in Texas with the responsibility of guarding the frontier.\textsuperscript{57}

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\textsuperscript{56}\textit{For a complete discussion of the introduction of Colt's revolvers to Texas, see Walter P. Webb, \textit{The Great Plains} (Boston, 1931), pp. 167-179.}
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\textsuperscript{57}\textit{Webb, \textit{The Texas Rangers}, p.131.}
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In those instances when the governor called out the Rangers for several months, patrols usually served as the manner of defense. A good example of this system of defense that Texans later used during the first two years of the Civil War occurred in 1850-1851. General George Brooke called upon the governor of Texas for three mounted companies, later expanded to five, for service upon the southwest frontier of the state. Henry McCulloch, younger brother of former Ranger Captain Benjamin McCulloch, commanded one of these companies. The younger McCulloch first engaged Plains Indians in combat in 1838, participated in the famous Battle of Plum Creek against the Comanches two years later, and spent much of the 1840s in Ranger service. In 1850 Governor Bell recommended the

58 Henry Eustace McCulloch was born in Rutherford County, Tennessee in 1816, five years after the birth of his older brother Ben. The McCulloch brothers set out for Texas in the fall of 1835. When they arrived in Nacogdoches Ben persuaded Henry to return to Tennessee to help their parents manage the farm. Ben continued on in time to fight in the Battle of San Jacinto and Henry joined him in Texas two years later. By the time of the Civil War the McCulloch brothers were two of the most experienced Indian fighters in Texas. They both served as generals in the Confederate Army and Ben was killed in action at the Battle of Pea Ridge on 7 March 1862. Henry served in the field and in command of military districts within Texas. He was active in politics after the war and died in Rockport, Texas in 1895. For Henry McCulloch's Ranger experience for the twelve years previous to his appointment as Captain in 1850 see, Wilbarger, Indian Depredations in Texas, pp. 609-612; William S. Speer and John Henry Brown, editors, The Encyclopedia of the New West (Marshall, Texas, 1881), pp. 281-282; John Henry Brown, The Indian Wars and Pioneers of Texas (Austin, n.d.), pp. 78-82; and, Henry E. McCulloch,
thirty-four-year-old McCulloch to General Brooke, describing him as "a well tried frontier officer, a bold and energetic man. . . ."59

McCulloch posted his company in a manner similar to his past experience. He sent regular patrols in intervals from the various camps, thus covering the entire perimeter of the assigned area at least once each week. His men vigilantly sought Indian signs, especially near the hill passes and fords of surrounding streams and rivers. The company quartermaster, John R. King, distributed supplies to the scattered camps of the company and coordinated all scouting pursuits when his men discovered Indian signs.60

McCulloch returned to his headquarters from a scout on Christmas Eve, 1850 to discover five parties of his men in

"About Old Fort Croghan," n.d., scrapbook newspaper clipping, Ben and Henry Eustace McCulloch Papers, Barker Texas History Center, University of Texas; and, Daily Journal of Henry McCulloch, May 9, 1848 - September 13, 1848, ibid.


59 Governor P. H. Bell to George M. Brooke, November 8, 1850, Winfrey and Day, eds., Texas Indian Papers, 3:162-163.

60 Henry McCulloch to Lieutenant John R. King, December 2, 1850, John R. King Papers, TSL-A.
pursuit of Indians after finding their trail the day before. Lieutenant King and his men came upon the encamped Indians between the Medio Creek and the Aransas River. Two Indians of the Lipan tribe died in the ensuing fight, while King took an arrow in the chest from which he later recovered. Word immediately passed to nearby scouts on patrol duty to cover the line between the Papalote Creek and the Nueces River to block the Indians' retreat. After pursuing the Lipans for over twenty-five miles, finding blankets, saddles, bridles, and lariats discarded by the Indians to lighten their load, McCulloch and his men abandoned the chase.\textsuperscript{61} For most of the time, however, on these three-month or six-month periods of duty, there was only the monotony of patrol which was broken occasionally by Indian signs and a short, sharp fight. This was the system, then, that Henry McCulloch knew best, the system that he installed as standard operating procedure when he assumed command of the Indian frontier in 1861.

If patrol duty was a dreary monotony to Rangers, it was a way of life to the regulars of the United States Army on the Texas frontier. For these men, living conditions and food were usually abominable, the sickness rate high, the discipline harsh and exacting, and the hard work often

\textsuperscript{61}Henry McCulloch to Major George Deas, January 4, 1851, Governor Peter Hansborough Bell Records, TSL-A.
done with a shovel and ax rather than a gun. For the officers, low pay and slow promotion with no adequate retirement system, led to top ranks of the Army burdened with wornout or incapable men in positio
ns of responsibility. \(^{62}\) For such men on the frontier, garrison duty occupied most of their time rather than the pursuit of Indians. Concerning the approximately two hundred engagements recorded between regulars and Indians along the entire United States frontier from 1848-1861, historians have estimated that an enlisted man might participate in one Indian fight for each five years of service. \(^{63}\) But if he served in Texas, at least the chance for action was greater than anywhere else.

The fort had long been the central institution of frontier service for the Army, with the fort an integral part of the system of the defense lines in Texas, but Texan reaction to Army strategy is significant. Texans constantly criticized or discredited Army attempts to offer protection to Texas. To guard effectively a thousand mile international boundary as well as an extensive frontier line within the state would have taxed double the

\(^{62}\) Utley, Frontier Regulars, pp. 31-39.

\(^{63}\) Ibid., p.42. For an excellent secondary account of the hardships of outpost life for officers and men of the United States Army on the Texas frontier see, Robert Wooster, Soldiers, Sutlers, and Settlers: Garrison Life on the Texas Frontier (College Station, Texas, 1987).
approximately 3,500 men who actually served, but more
directly, Texans complained about the strategy used to do
so. For the Army to make up over two-thirds of its force
in Texas with infantry seemed ludicrous to frontier Texans.
Lack of strength may have been the official reason why
offensive operations were not the norm until the coming of
the Second United States Cavalry, or attempted en masse
until 1858, but the Army seems to have learned too slowly
an old military lesson, the inherent weakness of a cordon
defense when penetrated by highly mobile attackers. As the
traveler Frederick Law Olmstead put it: "Keeping a bulldog
to chase mosquitoes would be no greater nonsense than the
stationing of six-pounders, bayonets, and dragoons for the
pursuit of these red wolves."64

Texans who witnessed Rangers pursue and dispatch
Indian raiders could not understand the Army's failure to
do so constantly. The Army's solution could have been to
erect a closer line of forts reinforced with additional
troops. Once again, the expense of such expansion was
prohibitive. Failing this, the Army needed a preponderance
of highly skilled, mobile troops. This goal military
officials obtained, partially, with the coming of the
Second United States Cavalry, the only Army unit on the

64Frederick Law Olmsted, A Journey Through Texas; or,
a Saddle-Trip on the Southwestern Frontier, reprint
frontier to have its praises sung by Texans. But even this regiment was only 750 strong, too weak to protect effectively the Red River to the Rio Grande line. A change of strategy was also needed, a change to be implemented in 1858 by both the United States Army and the Texas Rangers.

In January, 1858, Indian agent Neighbors urged General Twiggs to carry out a campaign against the northern Comanches and Kiowas north of the Red River, but now, a month later, "Rip" Ford and his Rangers were on the move to do just that. By early March Ford arrived on the upper Brazos, having directed his troops to that vicinity by four main groups, sweeping the terrain in between for Indian signs. Before the final push to the Comanche hunting grounds, Ford's men delayed while waiting for reinforcements, including some from units recruited on the march.

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66 Richardson, Comanche Barrier, p. 233.

67 John S. Ford to Governor H. R. Runnels, March 31, 1858, Winfrey and Day, eds., Texas Indian Papers, 3:279-280.

On 22 April Ford set out with just over one hundred Rangers, more than one hundred and ten Indian volunteers from the reservations, two wagons, an ambulance, and more than a dozen pack mules. Just a week later Ford's strike force crossed the Red River, journeyed through the valley of the Washita, and found a large body of Comanches on 11 May 1858. The Rangers and their Indian allies, mostly Tonkawas, attacked the Comanche camp early the next morning. For seven hours the fight raged, with charge after counter-charge until the Ranger force finally prevailed over the Comanches led by Iron Jacket. A reported force of Comanches under Buffalo Hump, said to be twelve miles nearby, was not pursued because of the utter as agreed. Actually, Governor Runnels left Austin before he authorized McCulloch to raise the force. Hughes believes McCulloch was envious because of Ford's appointment as senior captain, rather than himself. McCulloch changed to the Know-Nothing Party in 1855 while in the state legislature and incurred unfavorable comment from the Democratic organ, the Texas State Times, edited by "Rip" Ford. McCulloch and Ford would have two more embarrassing confrontations, once when Ford replaced McCulloch as commander of militia in the Coke-Davis imbroglio of 1874, and again in 1879 when Ford replaced McCulloch as superintendent of the State Institution for the Deaf and Dumb after a legislative investigation of McCulloch's administration. McCulloch was not present on the offensive campaigns of 1858 but he attempted to apply its lesson on a smaller scale when he commanded on the frontier during the Civil War.

69 Ford to Runnels, March 31, 1858, Winfrey and Day, eds., Texas Indian Papers, 3:280; Ford to Runnels, April 26, 1858, Governor Hardin Richard Runnels Records, TSL-A.

exhaustion of the victors. Ford estimated that he engaged over three hundred warriors and killed seventy-six, while capturing eighteen women and children. On the debit side, the Texans lost but two killed and two wounded.\textsuperscript{71} This engagement, needless to say, did not stop Indian raids on the Texas frontier, but it did demonstrate, in conjunction with the Army campaign that followed, that whites would pursue their Indian attackers beyond the borders of the state to destroy them. Extermination was the solution according to Texans, to the Army maybe such campaigns would convince the hostiles to come to the reservations in peace.\textsuperscript{72}

The Army would have been the first to point out that such an extensive campaign by the Texans beyond the boundary of the state did not exactly leave the frontier unprotected in their absence. Army units still maintained their patrols along the frontier while the Rangers


\textsuperscript{72}Richardson, \textit{Comanche Barrier}, pp. 237-238, concludes that such offensive operations would certainly drive old men, women and children to the reservations, but that many young warriors would not go, rather they would seek out bands like themselves. They would thus be far from the restraints of organized society and, eager for revenge, would be more than ready to carry the war to the Texas settlements.
undertook their punitive expedition. Texans and General Twiggs expressed concern, however, in April, when Army authorities informed Twiggs that the Second Cavalry had been relieved from duty in the state. While the Second Cavalry concentrated near Fort Belknap prior to leaving the state, Governor Runnels authorized Ford to call even more men into service, as little faith remained that the federals left behind, mostly infantry, could effect anything against further Indian attacks.

When General Twiggs learned that Army authorities revoked the order for the Second United States Cavalry to leave the state, he informed Governor Runnels that he wished to change Army policy on the Texas frontier. The Army would take the war to the enemy and strike the marauding bands in Indian Territory. The expedition

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73 George F. Price, Across the Continent With the Fifth Cavalry, reprint (New York, 1959), p. 66. The Second's colonel, Albert S. Johnston, took command of a expedition against the Mormons in Utah, and the Second Cavalry was to rendezvous at Fort Leavenworth, Kansas and prepare to reinforce him. The Second United States Cavalry became the Fifth United States Cavalry in 1861.

74 Runnels wrote Ford that "... upon you and your command the duty must still devolve for a time at least of protecting the lives and property of our Citizens." Runnels to Ford, May 28, 1858, Winfrey and Day, eds., Texas Indian Papers, 3:286.

75 Price, Across the Continent With the Fifth Cavalry, p. 66.

76 Twiggs to Runnels, September 9, 1858, Governor Hardin R. Runnels Records, TSL-A.
consisted of four companies of the Second Cavalry, a detachment of the First Infantry, and about sixty Indians, under the overall command of Captain Earl Van Dorn.  

The force left Fort Belknap in mid-September, crossed the Red River, and established a base on Otter Creek west of the Wichita Mountains in Indian Territory. General Twiggs received information some time before that large bands of Comanches, Kiowas, and Cheyennes were camped along the Canadian River engaged in stealing horses from nearby peaceful Choctaws in preparation for presumed raids upon Texas.  

Before reaching the Canadian, Van Dorn learned from his scouts of a large party of Comanches found near Wichita Village in the Choctaw Nation. His exhausted command

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79Price, *Across the Continent With the Fifth Cavalry*, p. 67.
reached a point near the Indian encampment on the last day of September, and at daybreak the next morning charged the camp consisting of about five hundred Indians. The main battle lasted about thirty minutes, the pursuit of fleeing Comanches another two hours. The Army force captured over three hundred horses and killed fifty-six warriors at a cost of five soldiers killed and ten wounded. While it was the most complete victory the Army ever achieved against the Comanches, their chief, Buffalo Hump, escaped with approximately two-thirds of his warriors to fight again.  

It seemed as if the Plains Indians surely could not recover from such a combined onslaught as they received from the Ranger and Army expeditions of 1858, but the settlers who lived along the northwestern frontier of Texas experienced little relief.  

80 Detailed accounts of the action may be found in Wilbarger, Indian Depredations in Texas, pp. 329-332; and Simpson, Cry Comanche, pp. 107-116; Rupert N. Richardson, The Comanche Barrier, pp. 239-240, claims that these Comanches were probably on their way to Fort Arbuckle to treat with the government, but concludes that Van Dorn probably would not have changed his plan even had he known the facts.  

81 Webb, The Texas Rangers, p. 161, notes that "The Indians never again attacked the people of the Texas frontier with the confidence which they had exhibited hitherto." Confident or not, reports of attacks along the frontier in late 1858 and throughout 1859 abound, although the size of the raiding parties had diminished. See Dallas Herald, 28 September, 1858, 9 March 1859, 15 June 1859; Clarksville Northern Standard, 6 November 1858, 2 April 1859, 22 October 1859.
attempted a military solution to the question of frontier defense, a number of Texans in north Texas believed part of the problem stemmed from the large number of Indians living on the two Brazos River reservations. Scattered complaints about these Indians began surfacing in 1857 and by 1858 a campaign began shaping to force their removal.

Leader of the move to rid Texas of the reservations was a former agent to the Comanches, John R. Baylor. Baylor kept the public mind agitated against the reservation Indians and Supervising Agent Neighbors in particular, even though some prominent Texans, including Sam Houston, constantly praised the Indians and the work done by Neighbors. Matters came to a head in December 1858 when a party of whites murdered seven harmless reservation Indians. Neighbors, with difficulty, restrained the Indians from retaliating, and instead obtained a judge's order to arrest the whites. No one did, "Rip" Ford never tried, and Governor Runnels's proclamation calling for

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82After his dismissal as agent in May 1857, Baylor's consuming desire to arouse settlers against the Indians led to his appellation as "the man that made the Indians move out of Texas." His newspaper, The White Man, kept the public mind inflamed against the Indians. Early in the Civil War Confederate officials removed Baylor from command in the Confederate Territory of Arizona when he advocated extermination of the Indians. Neighbours, Indian Exodus, pp. 118-119.

their arrest was simply ignored. Instead, many settlers in the vicinity of the Brazos reservations, spurred on by Baylor and others, began to assemble groups of minutemen intent on using force to eliminate the some eleven hundred reservation Indians from their midst. By March over one hundred whites from Jack, Palo Pinto, and Wise counties had gathered on Rock Creek near the Brazos Agency, but speeches by levelheaded frontier citizens defused the situation.

Not all the men dispersed. Some drifted to the fringes of the reservations and began to kill Indians who left its bounds. Others remained with Baylor waiting for a chance to move against the reservations, or at least against Neighbors. When a party of reservation Indians, accompanied by an army officer, went in search of the

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84 Ford maintained that a civil war would have erupted on the frontier had he attempted the arrests. Oates, ed., Rip Ford's Texas, p. 253; Neighbours, Indian Exodus, pp. 131-132; Edward J. Gurley to Governor H. R. Runnels, February 3, 1859, Governor Hardin R. Runnels Records, TSL-A. Gurley was a Waco attorney retained to represent the reservation Indians.


86 Primarily, George B. Erath and Middleton Tate Johnson. Neighbours, Indian Exodus, p. 133.

87 For details of "a deep laid scheme . . . afloat for the destruction of the Brazos Agency," and "more particularly the killing of Maj. Neighbours [sic] and Capt. Ross . . . ," see George Barnard to H. R. Runnels, May 4, 1859, Governor Hardin R. Runnels Records, TSL-A.
murderer of one of the Indians, Baylor sent a force of 250
men to the Comanche Reservation and led a group of the same
size against the Brazos Agency in a desperate attempt to
force the Indians from Texas. The disgruntled frontiersmen
under Baylor had no desire to attack the United States Army
units posted to protect the reserves, but as Baylor's
assemblage left the reserve they killed two elderly
Indians. The Indians on the reservation could stand no
more. Some fifty warriors, many of whom previously fought
alongside Ford and Van Dorn, attacked Baylor's party of
250, drove them back eight miles, and killed seven whites
in the process.\textsuperscript{88} To prevent the onslaught against the
reservations he was sure would follow, Neighbors repeated
his recommendation to federal authorities to remove the
Texas Indians, for their own safety, to Indian Territory.\textsuperscript{89}

The order to move the Indians north of the Red River
came on 11 June 1859. The Indians loaded up their personal
property on wagons and began their journey by the first of
August,\textsuperscript{90} but most of their livestock remained behind when
the Rangers sent by Governor Runnels to help the Army
supervise the exodus would not allow the Indians to go out

\textsuperscript{88} Neighbours, Robert Simpson Neighbors and the Texas
Frontier, pp. 242-245.

\textsuperscript{89} Ibid., p. 237.

\textsuperscript{90} Neighbours, Indian Exodus, p. 136.
on their own to gather their stock.91 The end of the reservation experiment in Texas ended on a shabby note that brought no credit to the settlers who rode with Baylor. On a more pragmatic point, although grim, the end of the reservation system meant that if any Indian now appeared on the Texas frontier "it was at his own peril, and it was the duty of any Texan to kill him and then inquire as to his intentions."92 What of the Indians who fought so bravely alongside the Texans and the Army in the 1858 campaigns, the enemies of the Comanches and Kiowas? For one tribe, the Tonkawas, the last years of the Civil War would once more see them trying to fight for white Texans, who once more would rarely trust them.

Not surprisingly, the Indian removal brought little change to conditions along the settlement line of Texas. "Rip" Ford discharged his command shortly after the Indian exodus upon the expiration of their time of service, leaving frontier protection to the Army and local minute companies of Rangers, and it soon fell to another


92Webb, The Texas Rangers, p. 172, emphasis added. For a valuable collection of correspondence concerning the nuances of frontier defense in relation to the reservations in Texas, see volumes III and IV of Winfrey and Day, eds., Texas Indian Papers.
administration in Austin to try and turn the tide of Indian depredations. The old Hero of San Jacinto, sixty-six-year-old Sam Houston, just completing his term of office as United States senator, defeated Hardin R. Runnels in the 1859 gubernatorial contest.\textsuperscript{93} The inauguration took place in December and during the following months the frontier of the state became the scene of hostility as settlers and soldiers reported raids from the Red River to the San Saba.

The legislature responded immediately, voicing its disgust that "the Federal Government, whose duty it is primarily to protect the State from such hostilities, has not efficiently afforded such protection."\textsuperscript{94} The new frontier protection bill that legislators passed authorized the governor to raise a regiment of mounted men, consisting of up to ten companies, to be placed on the frontier for a period of twelve months, with an option to reinlist for an additional twelve months. Each company was to consist of eighty-three men with instructions for the regiment to patrol from the Red River to the Rio Grande.\textsuperscript{95} Foreshadowing a later conflict with the Confederate States of America government, the lawmakers optimistically added that the

\textsuperscript{93}Marquis James, \textit{The Raven: A Biography of Sam Houston} (New York, 1929), pp. 392-393.

\textsuperscript{94}Gammel, \textit{Laws of Texas}, 4:1375.

\textsuperscript{95}Ibid., 4:1376.
entire force could be turned over to the United States, with the implication that Texans could best defend their own frontier if funded and provisioned by the federal government.96

The governor immediately took personal charge in raising the companies stipulated by the legislature, taking care to specify their exact station and duties.97 Indicative of the service expected by Houston were the orders he sent to company commanders Edward Burleson, Jr. and William Cornelius Dalrymple.98 Their commands were to be divided

96Ibid., 4:1377. Governor Houston approved the bill on 2 January 1860. Just a month later the legislature passed its first new Militia Act in fourteen years. It called for every able bodied free male between the ages of 18 and 45, with certain exceptions by occupation, to be enrolled into thirty-two brigades, each consisting of two regiments organized according to senatorial districts. Later bills to organize the militia were based on this one, with the militia to play their own part in frontier protection during the last year and a half of the Civil War. Ibid., 4:1483-1500.

97Examples of these orders may be found in Sam Houston to John Connor, January 9, 1860, Williams and Barker, eds., The Writings of Sam Houston, 7:402; Houston to White, Walker, and Salmon, February 13, 1860, ibid., 7:476; Houston to J. M. W. Hall, February 14, 1860, ibid., 7:478.

98Edward Burleson, Jr. was born in Tennessee in 1826 and came to Texas with his family in 1830. His father, Edward Burleson, was a former vice-president of the Republic of Texas. The younger Burleson served under Ben McCulloch in the Mexican War and was a major under "Rip" Ford in 1857. He also served as a major in Henry McCulloch's First Texas Mounted Rifles during the Civil War. He died at Austin, Texas in 1877. Webb, ed., The Handbook of Texas, 1:249; Williams and Barker, eds., The Writings of Sam Houston, 7:398-399.

William Cornelius Dalrymple was born in North Carolina
into as many as three camps, covering the greatest extent of territory possible. Then, in the tradition of past Ranger patrols, Houston directed them to scout diligently from camp to camp across the company line. The governor also placed special emphasis that no horse racing, gambling, or intoxicating liquors, three favorite diversions of the Regular Army in Texas, were to be practiced or permitted within the company camps.99

The legislature, in its parsimonious zeal, allocated only enough money to sustain some of the companies for a short period of time, compelling the governor to cut the company sizes down to sixty men each, and to suspend the raising of the full complement of ten companies until the lawmakers made adequate appropriations.100 When pleas for help continued to pour in from the frontier, some from

in 1814. In 1837 he was in the Ranger service in Texas along the Brazos River. In the 1850s he served in the state legislature until 30 December 1859 when Governor Sam Houston authorized him to recruit a company of Rangers for the defense of the frontier. He remained in service on the Texas frontier until the summer of 1862 when he served in the Confederate Army in Arkansas. After the war he worked as a land surveyor and died in Georgetown in 1898.

Williams and Barker, eds., The Writings of Sam Houston, 7:385.


100 Houston To The Legislature, February 8, 1860, ibid., 7:468-469; Houston to R. B. Wells, February 20, 1860, ibid., 7:485.
counties where citizens were forming their own Ranger companies for protection,\(^{101}\) Houston made an executive proclamation to the chief justices of twenty-three frontier counties, instructing them to organize a "Minute detachment" of fifteen men in their county. These companies were instructed, once more in the Ranger tradition, to scout their county lines for Indian signs and pursue diligently all fresh trails.\(^{102}\) By the middle of March Houston had a state force of 730 men in service on the Indian frontier.\(^{103}\) This number was few enough in his thinking, considering the havoc wrought by Indian raids since he took office at the end of 1859. In that short period, Houston

\(^{101}\) A number of these letters and petitions to Governor Houston in the spring of 1860 are found in Winfrey and Day, eds., *Texas Indian Papers*, 4:2-36.

\(^{102}\) Houston To The Chief Justices of Texas Counties, March 9, 1860, Williams and Barker, eds., *Writings of Sam Houston*, 7:507-508. The counties in question, approximating the Frontier Organization of 1864-1865, were: Montague, Wise, Young, Palo Pinto, Eastland, Erath, Comanche, Bosque, Hamilton, Coryell, Llano, San Saba, Lampasas, Mason, Burnett, Gillespie, Bandera, Kerr, Uvalde, Blanco, Bexar, Medina, and Frio.

\(^{103}\) Houston to A. G. Walker, March 10, 1860, ibid., 7:512. It should be mentioned here that an additional 300 or more Rangers were along the Rio Grande, along with elements of four companies of the United States Army. For details of the Cortinas War of 1859-1860 see, Webb, *The Texas Rangers*, pp. 175-193, and Oates, ed., *Rip Ford's Texas*, pp. 260-305.
reported, Indians killed at least fifty-one citizens, wounded many, and stole over 1,800 horses.\footnote{Houston to John B. Floyd, March 12, 1860, Williams and Barker, eds., \textit{Writings of Sam Houston}, 7:521-522.}

The governor disbanded the county minute companies on 18 May 1860, subject to recall by the chief justices of the respective counties because he now had two other plans on hand to provide for frontier defense, neither of which was new. Earlier in the year Houston made two appeals to Washington, to President James Buchanan and Secretary of War John B. Floyd, calling for the United States government to enter into a treaty with the "wild Indians," to save the government millions in defense and bring peace to the frontier of Texas. To Houston the answer was either extermination of these hostile tribes or peace with them--the present state of affairs was simply intolerable.\footnote{Houston to James Buchanan, February 17, 1860, ibid., 7:483; quotation found in Sam Houston to John B. Floyd, March 12, 1860, ibid., 7:521-522.}

While the governor talked of peace treaties, he prepared with the sword. Reminiscent of the punitive, or search and destroy, expeditions of 1858, Houston assigned Colonel Middleton Tate Johnson to take seven companies into Indian Territory to recover stolen horses and punish the Indians.
then ravaging the northwest frontier of the state. The force of over 400 Rangers left Fort Belknap on 23 May 1860, crossed the Red River, reached as far as the Kansas border, then returned with little to show for such a lofty effort.

Despite being disparaged by Texas lawmakers and the governor, the regulars of the United States Army were still seen by Washington as the backbone of frontier defense in Texas. At San Antonio, headquarters of the Army in Texas, a temporary change in command took place. Lieutenant Colonel Robert E. Lee assumed command of the Department while General Twiggs went on sick leave to his home in

106 Middleton Tate Johnson was born in South Carolina in 1810 and served several terms in the Alabama legislature before he moved to Texas in the 1840s. He served in the Texas Rangers for a time after the Mexican War, was a candidate for governor in 1851, and was a member of the Secession Convention of Texas in 1861. He served briefly in the state legislature in 1866 and died that year. Johnson County is named in his honor. Williams and Barker, eds., Writings of Sam Houston, 5:339-340.

107 Houston Message To The Legislature of Texas, in Extra Session, January 21, 1861, ibid., 8:238-240. The historian of the Texas Rangers, Walter Prescott Webb, concludes that Houston actually magnified Indian depredations to the federal government, but did not want or expect the Johnson expedition to succeed, and, in fact, "cared little about either the Cortinas troubles or the Indian depredations." He goes on to say that what Houston had in mind was a daring filibustering expedition to "lead ten thousand Texas Rangers, supported by Indians and Mexicans, into Mexico, establish a protectorate, with himself in the leading role." Webb, The Texas Rangers, pp. 197-216, quotations on p. 203. Such a deduction, in the face of Houston's detailed attention to the suffering of the frontier citizens, is unconvincing.
Repercussions of the Cortinas affair drew Lee's attention to the Rio Grande during his first months in command. With four companies of the Second Cavalry then stationed along the Rio Grande for much of the year, the companies remaining on the Indian frontier were stretched to the limit, with the infantry regulars there still providing little protection.

The year ended with Twiggs's return on 13 December, while Lee took command of the Second Cavalry. Six days later, after five years of almost constant warfare against the Plains Indians, the Second United States Cavalry fought its last engagement in Texas, this time along the Pease River. After a dozen years of frontier duty for the Army in Texas, Indians, particularly Comanches and Kiowas,

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109 Juan Nepomuceno Cortinas (also spelled Cortina) in the 1850s engaged in rustling and selling stolen cattle near the Rio Grande. The Cortinas War began on 13 July 1859 when Cortinas shot the city marshal of Brownsville, Texas for the marshal's brutal treatment of a man who once worked for Cortinas. When Cortinas and his followers repulsed an attack by the Brownsville militia, the Texas Rangers and ultimately the United States Army took part in the campaign to end the raids and fighting that took place on both sides of the Rio Grande. After approximately 200 American and Mexican lives were lost the Cortinas War came to an end with Cortinas alive and at large. He continued in power in the Matamoras, Mexico region throughout the American Civil War and proclaimed himself as governor of Tamaulipas in 1864. Webb, The Texas Rangers, pp. 175-193.

110 Simpson, Cry Comanche, p. 154.
devastated the Texas settlements more than in the first years after the Mexican War.\textsuperscript{111} It is perhaps understandable to note that neither Texans nor the United States Army in the state concentrated entirely on frontier problems in those last days of 1860. With the election of Abraham Lincoln as president the month before, the Army units soon found themselves in a state that just might announce its withdrawal from the Union, while some of the Rangers, who so often fought alongside the Army, now had to contemplate the possibility of fighting against them.

\textsuperscript{111}Utley, \textit{Frontier Regulars}, pp. 140-141.
CHAPTER II

FRONTIER PROTECTION: 1861

From the end of the year, 1860, to the first weeks of February, 1861, minutemen companies of Rangers, some called up by the governor, some by local communities, guarded the Indian frontier of Texas. Governor Sam Houston authorized E. W. Rogers to raise a company of Rangers of sixty enlisted men to proceed to Fort Belknap and cooperate with Captain Lawrence Sullivan (Sul) Ross in patrolling the northwestern frontier. They were to regard "every Indian caught this side of Red River as an enemy to Texas."¹ By the end of December Colonel William C. Dalrymple, former aide-de-camp to Governor Houston, assumed command of all

¹ Houston to E. W. Rogers, December 26, 1860, Amelia W. Williams and Eugene C. Barker, eds., The Writings of Sam Houston, 1813-1863, 8 volumes (Austin, 1942), 8:224-225. Sul Ross, born in 1838, was made captain of a company of Rangers in 1859. Ross, who would be elected Governor of Texas in 1886, cooperated with a detachment of the Second United States Cavalry in December to defeat one of the last famous Comanche chiefs, Peta Nacona. After the battle he restored to civilization Cynthia Ann Parker, a woman captured by the Comanches in 1836. He served as a brigadier general in the Confederate Army and afterwards was a sheriff and state senator in Texas. After his term as governor Ross served as president of the Agricultural and Mechanical College of Texas at College Station from 1891 until his death in 1898. Wilbarger, Indian Depredations in Texas, pp. 326-341; Allen Johnson and others, eds., Dictionary of American Biography, 16 volumes (New York, 1927-1981), 8:179-180.
Ranger forces on the northwestern Indian frontier. He established the headquarters of his six companies at the old Comanche Reservation on the Clear Fork of the Brazos near Camp Cooper.2

In January Dalrymple began organizing his forces to cover the northwestern frontier. He implemented Houston's orders of the year before that prohibited horse racing, gambling, or liquor within the Ranger camps, and instituted the familiar service of constant scouts and patrols.3 By mid-February Dalrymple located his company in the vicinity of his new headquarters near the junction of Hubbard's Creek and the Clear Fork of the Brazos in Stephens County, about midway between the Comanche and Brazos Indian Agencies.4 He established the companies on a general north-south line extending from his headquarters: Captain

2Williams and Barker, eds., Writings of Sam Houston, 7:385-386.

3Dalrymple to Captain A. B. Burleson, January 8, 1861, Adjutant General's Record Group (RG 401), TSL-A, cited hereinafter as Adjutant General's Records, TSL-A. Aaron B. Burleson was the youngest son of Captain James Burleson, who served under Andrew Jackson at the battles of Horse Shoe Bend and New Orleans in the War of 1812. He was the uncle of Edward Burleson, Jr., who would serve with distinction on the Indian frontier after the Civil War began. Walter Prescott Webb, ed., The Handbook of Texas, 2 volumes (Austin, 1952), 1:248-249; Williams and Barker, eds., The Writings of Sam Houston, 8:220.

4The county, organized in 1858 and named after President James Buchanan, changed its name in 1861 to honor Alexander H. Stephens, Vice-President of the Confederacy. Webb, ed., Handbook of Texas, 2:667.
Burleson's company on the upper San Saba River, in two camps twenty-five miles apart; Captain Curtis Mays near the mouth of the San Saba, covering the ground between that point and Pecan Bayou; Captain Thomas Harrison's company reinforcing Dalrymple's force at Hubbard's Creek; Captain David L. Sublett's company on Elm Creek; and E. W. Rogers's company along Lost Valley Creek in Jack County, patrolling from that point to the Red River.\(^5\) Attached to this force was an "Indian Spy Company" led by Captain Peter Fulkerson Ross, older brother of Sul Ross. This company was organized on 1 July 1860 and consisted of forty-five Indians, mostly Tonkawas, who remained in Texas in service to the state.\(^6\)

A period of transition in frontier defense, amidst confusion, began early in 1861, as southern states followed South Carolina's lead and passed ordinances of secession. After Lincoln's election, groups of secessionists held rallies across the state, condemned Lincoln's coming "abolitionist" government, and broke up meetings of

\(^5\)Dalrymple to Burleson, January 8, 1861; January 8, 1861; Dalrymple to Rogers, February 5, 1861; Dalrymple to Houston, February 15, 1861, Adjutant General's Records, TSL-A.

\(^6\)Muster Roll of Capt. P. F. Ross, Indian Spy Company, July 1, 1860, Ross Family Papers, The Texas Collection, Baylor University, Waco, Texas. The company lists thirty-five "spies" and ten "guides."
Unionist sympathizers. As advocates of secession clamored for a secession convention, many of them began to organize military units in towns across the state, and rumors abounded that John R. Baylor was in the process of organizing 1,000 men for a "buffalo hunt," believed to be a pretense to seize United States Army headquarters at San Antonio should Texas leave the Union.

Governor Houston responded to the excitement existing in the public mind by calling for a special session of the state legislature to meet on 21 January 1861. Houston held off the call for a secession convention; he instead endorsed sending Texas delegates to a convention of southern states to consider future action. A group of secessionists in the state then issued their own call for a

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10 Proclamation Calling An Extra Session of the Legislature, December 17, 1860, Williams and Barker, eds., Writings of Sam Houston, 8:220-221.

People's Convention to meet at Austin on 28 January 1861, with delegates to be chosen by election on 8 January. On 1 February 1861 the Secession Convention of Texas adopted an ordinance of secession declaring Texas a separate sovereign state absolved from all allegiances to the United States and voted to submit the ordinance to a vote of the people of Texas on 23 February which, if approved, would take effect on 2 March 1861. Houston announced the legislature's approval of the ordinance on 4 February and five days later he officially proclaimed that the ordinance would be submitted to the people for ratification.

On 6 February Houston reminded the legislature of a detail almost overlooked by state politicians in the crisisfilled days of January and February, the necessity to

13 Ibid., pp. 47-49.
14 Approval of the Joint Resolutions Concerning the Convention of the People of Texas, February 4, 1861, in Williams and Barker, eds., Writings of Sam Houston, 8:257-258; Proclamation Submitting the Ordinance of Secession, February 9, 1861, ibid., 8:263.

Since the early days of the secession crisis Houston, the old Unionist, stated that in the event of secession he would prefer a separate Lone Star Republic. He believed that secession would bring ruin to Texas, but he would bear it if it was the will of the people. In the end, Houston refused to take the oath of allegiance, required of all state officials, to support the Confederate States of America, and Lieutenant Governor Edward Clark replaced him as governor on 18 March. Friend, The Great Designer, pp. 334-339.
provide for an adequate force on the frontier if the nearly
3,000 federal troops in the state were withdrawn. The
lawmakers immediately made temporary provisions, at least;
they directed all counties on the frontier to organize
minutemen companies of Rangers of twenty to forty men each,
and appropriated an additional $25,000 to supply the
companies already in the field under Colonel Dalrymple.

The question of frontier defense from February to April,
however, came under the direction, so to speak, of a
Committee of Public Safety appointed by the Secession
Convention to secure the public property in United States
Army posts across Texas and to remove the federal troops.

The context of frontier defense thus altered. During the
next two months Texans removed one threat, the United
States Army, and attempted to hold at bay another menace,
the marauding Indians on the northwestern limits of settled
Texas.

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15 Message To The Legislature of Texas, February 6, 1861, Williams and Barker, eds., Writings of Sam Houston, 8:259-262.
16 H. P. N. Gammel, compiler, Laws of Texas, 1822-1897, 10 volumes (Austin, 1898), 5:346-347, 353-354.
18 Curiously, Indian raids during the first six months of 1861 were fewer and less damaging than at any time in
the previous two years. One historian simply calls their
inactivity a mystery, William C. Holden, "Frontier Defense
in Texas During the Civil War," West Texas Historical
The troubled army commander of the Department of Texas, General David Twiggs, twisted and turned to fend off the responsibility of his office as secession approached. The seventy-year-old War of 1812 veteran, Georgia born with a wife from New Orleans, had strong southern sympathies. Not long after his return to Texas from sick leave in December 1860, Twiggs appealed repeatedly to Army authorities for instructions regarding United States property in the event Texas seceded.¹⁹ Twiggs, senior officer in the United States Army next to General Winfield Scott, received word that the administration of his command was to be left to Twiggs alone since Scott could not or would not give

Association Year Book, 4 (June, 1928): 16; and, Walter P. Webb, The Texas Rangers: A Century of Frontier Defense, reprint (Austin, 1965), p. 219, concludes that the Indians, "overawed by the magnitude of the great war, drew back from the settlements, hoping perhaps that the white men would kill one another to the last man."

A more practical explanation may be that the constant warfare of the previous two years where punitive expeditions severely punished the raiding tribes, along with earnest attempts by authorities at treaty negotiations, somewhat abated the Indian incursions.


Sketches of Twiggs's life are found in Williams and Barker, eds., Writings of Sam Houston, 8:235-236; and, Patricia L. Faust, ed., Historical Times Illustrated Encyclopedia of the Civil War (New York, 1986), p. 767.
special advice. A melancholy Twiggs in mid-January asked to be relieved as commander of the Department of Texas, adding that “as soon as I know Georgia has separated from the Union I must, of course, follow her.”

When the Secession Convention passed its Ordinance of Secession, Twiggs immediately inquired of his government what was to be done with the troops in Texas, while he began making plans for provisions and transportation for their removal from the frontier. On 5 February 1861, the day after Twiggs posted his inquiry, the Committee of Public Safety initiated action to deal with federal troops.

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21 Twiggs to Scott, January 15, 1861, ibid., Ser. I, 1:581. The high command in Washington received Twiggs' request on 28 January, approved it immediately, and sent the desired transfer by mail which Twiggs received on 15 February. Of course, much speculation has been made of a possible scenario had Robert E. Lee remained in command of the department, or replaced Twiggs before the crisis events of February. Lee received orders on 4 February to report to Washington, while Colonel Carlos A. Waite received authority to replace Twiggs as Department Commander. Douglas Southall Freeman, R. E. Lee: A Biography, 4 volumes (New York, 1934-1935), 1:424-427; Special Orders Number 22, January 28, 1861, Official Records, Ser. I, 1:584; Special Orders Number 16, February 4, 1861, ibid., Ser. I, 1:586.

22 Twiggs to Adjutant-General (General Samuel Cooper), February 4, 1861, ibid., Ser. I, 1:586. At this same time Major Robert Anderson, also a Southerner, contended with a comparable problem at Fort Sumter in Charleston harbor, South Carolina. In the face of his repeated requests for instructions, and his response to the situation, see W. A. Swanberg, First Blood: The Story of Fort Sumter (New York, 1957).
in the state. On this date the Committee divided the frontier line of defense into three districts and commissioned three men with the rank of colonel to take possession of the military posts from the United States Army and to provide for frontier protection. John S. "Rip" Ford, a member of the Committee, received command of the Rio Grande line from Brownsville to a point midway between Fort McIntosh and Fort Duncan. Ben McCulloch assumed command of the middle district from a point midway between Fort McIntosh and Fort Duncan and extending to Fort Chadbourne, but whose immediate task centered about General Twiggs and the surrender of the entire department. McCulloch's brother, Henry, then took charge of the extensive line of posts on the northwestern frontier from Fort Chadbourne to the Red River.

The key to a peaceful seizure of the Army posts rested with General Twiggs in San Antonio and it was there that commissioners appointed by the Committee hastened.

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26Of four commissioners appointed, three carried out the final negotiations with Twiggs: Samuel A. Maverick, Thomas J. Define, and Phillip N. Luckett.
Negotiations were underway between Twiggs and the commissioners when Twiggs received word on 15 February of his removal from command, with his successor, Colonel Waite, some sixty miles away at Camp Verde.\textsuperscript{27} Rumors abounded that the Texans assembled under Ben McCulloch would soon move against the Army depots and arsenal near the Alamo.

Twiggs issued orders to officers of the Eighth United States Infantry in the city that no resistance was to be displayed if a force of Texans demanded access to Army headquarters.\textsuperscript{28} Just after 4:00 A.M. on the morning of 16 February a large force under Ben McCulloch, carrying the Lone Star flag before them, swarmed across the downtown plaza and peacefully began occupying all the United States Army buildings. Within a few hours Twiggs basically agreed to the demands already put to him by the commissioners: all United States property, excepting the soldiers' arms, would be turned over to Texas, and Army units across the state would be granted transit to the coast for transportation back east.\textsuperscript{29} The Northern public later reviled Twiggs


\textsuperscript{29}Darrow, "Recollections of the Twiggs Surrender," pp. 34-36; O. M. Roberts, Texas, Vol. 11 of \textit{Confederate Military History}, edited by Clement Evans, reprint, 12
for his part of the drama acted out in Texas. On 1 March 1861, three days before the inauguration of Abraham Lincoln as president of the United States, the Army, at the direction of President James Buchanan, dismissed Twiggs from the service "for his treachery to the flag of his country."\textsuperscript{30} Eulogized by the Texas legislature for his patriotism, Twiggs was appointed major general in the Confederate Army in command of the District of Louisiana. Poor health kept him from the active command of his district and he died on 15 July 1862.\textsuperscript{31}

Word of the surrender by Twiggs slowly made its way to the Army commands around the state, then being pressed by "Rip" Ford and Henry McCulloch. The activities of McCulloch on the northwestern frontier of Texas require some attention. McCulloch proceeded to demand the surrender of the forts before Twiggs's orders to do so arrived, leading to a sensitive situation that could easily have led to the vols. (New York, 1962), pp. 15-26; Robert P. Felgar, Texas in the War for Southern Independence," unpublished doctoral dissertation, Department of History, University of Texas, Austin, 1947, pp. 56-61. Correspondence between General Twiggs, Colonel Waite, and the commissioners for the surrender of public property in Texas is found in \textit{Official Records}, Ser. I, 1:502-516, 521-558. About five hundred citizens joined the four hundred men who rode into San Antonio that night with McCulloch.


first armed conflict here, rather than at Fort Sumter a month later. Here, too, was the most threatened section of the Indian frontier, a sector to be protected by Rangers under McCulloch's command after hostilities began in South Carolina.

Henry McCulloch began organizing his troops on 5 February and set out for Camp Colorado from Austin six days later. His initial call for companies of one hundred men each went to Thomas C. Frost of Comanche County, B. B. Holley of Coryell, James Buckner Barry of Bosque, and D. C. Cowan of San Saba, all of whom were lieutenants in local minutemen companies. McCulloch's first destination was Camp Colorado in Coleman County, where Captain Edmund Kirby Smith commanded Company B of the Second United States Cavalry. McCulloch arrived near Brownwood after a trip

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34 Harold B. Simpson, Cry Comanche: The 2nd U.S. Cavalry in Texas, 1855-1861 (Hillsboro, Texas, 1979), p. 161. Just over two years later Kirby Smith would command the entire Confederate Trans-Mississippi Department, holding that position until the last days of the war. Henry McCulloch would hold a sub-military district command in Texas, part of "Kirby Smithdom." For detailed accounts of Kirby Smith's Civil War career, see Robert L. Kerby, Kirby Smith's Confederacy: The Trans-Mississippi South, 1863-1865 (New York, 1972), and Joseph Howard Parks, General Edmund Kirby Smith, C.S.A (Baton Rouge, 1954).
of six days and 165 miles, but with only 200 men under his command McCulloch determined to keep a constant watch on the activities of the troops in nearby Camp Colorado while he awaited reinforcements.  

On 22 February McCulloch made his way to the post to demand its surrender, accompanied by some 200 men, including citizen volunteers from Brownwood. About 4:00 P.M. McCulloch entered into negotiations with Captain Smith and, as instructed by the Committee, called upon him to surrender all the arms, horses, ordnance, quartermaster's property, commissary's stores, medical, and hospital stores at the post, while at the same time offered the promise of Confederate service to any who wished to remain in Texas. The captain replied negatively, stating that he could never negotiate upon terms that would dishonor the troops under his command, and if offered no alternative, would mount his command and try to cut his way through any force which opposed him.

Negotiations continued into the night until McCulloch finally left, agreeing to return the next morning. On the next day McCulloch dutifully instructed his company.

36Ibid., p. 370.
commanders to conduct an election among the troops; this was the date set aside for voters of the state to ratify or reject the ordinance of secession passed earlier by the Secession Convention. When negotiations with Smith continued, the captain still insisted that he could not turn over his arms and horses, but seemed willing to come to terms about the fort itself, whereupon McCulloch agreed that the federal troops should keep their mounts, arms, transportation, and necessary subsistence stores for a ten-day supply on condition that everything except rations would be surrendered to an agent of Texas when the troops arrived on the coast.38

Just before the two men signed an agreement to that effect, a messenger rode into camp bearing orders from General Twiggs and a circular from the commissioners relating the agreement signed in San Antonio a week earlier. The agreement stated that all soldiers of the United States Army should leave the state by way of the coast, and could take their arms with them, as well as carrying all necessary medical and quartermaster stores as

deemed necessary on the journey to the Gulf.\textsuperscript{39} McCulloch thought these terms too generous, as did a number of Texans,\textsuperscript{40} but with tension growing between McCulloch's troops and the federals, Captain Smith hastened to depart and the force left Camp Colorado on the morning of 26 February.\textsuperscript{41}

After initiating an inventory of stores and provisions at the camp, McCulloch departed for Fort Chadbourne on 27 February, leaving Lieutenant Frost's undersized company to man the post and complete the inventory. Before leaving, however, McCulloch appointed James B. "Buck" Barry and Thomas C. Frost as his senior captains, and commenced the organization that eventually evolved into regiment strength.\textsuperscript{42} To aid Frost's company in replacing the departed Company B's duties of protecting the frontier, McCulloch placed Captain Aaron B. Burleson's small company


\textsuperscript{40}Ranger Captain Aaron Burleson called the commissioners in San Antonio "a set of jackasses in allowing the regular troops in leaving Texas with their arms." A. B. Burleson to Richard W. Johnson, February 24, 1861, ibid., Ser. I, 1:595.

\textsuperscript{41}Report of Capt. E. Kirby Smith, March 1, 1861, ibid., Ser. I, 1:559.

\textsuperscript{42}McCulloch to Barry, February 25, 1861, James Buckner Barry Papers, Barker Texas History Center, University of Texas; Henry E. McCulloch to Frost, February 26, 1861, Adjutant General's Records, TSL-A.
on patrol from Camp Colorado to a midway point from Fort Chadbourne. On scouts of the countryside during the previous week, the condition of the land appalled McCulloch as he viewed the number of deserted and destroyed farms and ranches which resulted from constant Indian raids throughout the area. He lamented that few recruits and even fewer horses could be found in such a country to fill up his ranks, and he determined not to rest until the people of this part of state received adequate protection.

A day's journey brought his force to Fort Chadbourne, on Oak Creek about thirty miles above its junction with the Colorado River. An unusual situation confronted McCulloch upon his arrival at the fort; part of the detachment of First United States Infantry soldiers there previously surrendered, but to a body of Texans unauthorized by the Committee of Public Safety. Colonel William C. Dalrymple still held his commission from Sam Houston as commander of state forces on the northwest frontier; he had received no information at all from the Committee of Public Safety, so on learning of the passage of the Ordinance of Secession,


44 McCulloch to Robertson, February 26, 1861, ibid., pp. 373-374.
he took it upon himself to clear his section of the country of federal troops.45

Dalrymple, with nearly 200 men, reached the vicinity of Camp Cooper on 16 February and two days later demanded that its commander, Captain Stephen D. Carpenter, Company H, First United States Infantry, surrender the post. In fact, Dalrymple arrived to find a large posse of citizens under H. A. Hamner, former editor of The White Man, already keeping close watch on the activities of the soldiers in the fort. Over two weeks before, even before he learned of the secession vote, Hamner and his friends determined to move upon Camp Cooper.46 Carpenter acknowledged Dalrymple's commission from Governor Houston and viewed the demand as one authorized by the State of Texas. Having no orders to the contrary, and believing that his government wished no resistance that would lead to a greater conflict, Carpenter turned over Camp Cooper to Dalrymple's men.47 Carpenter's men pulled out on 21 February, made their way to Fort Chadbourne, and arrived there before McCulloch's state force. When McCulloch negotiated the transfer of Fort


46Rupert N. Richardson, "The Saga of Camp Cooper," The West Texas Historical Association Year Book, 56 (October, 1980): 33.

47Dalrymple's correspondence in the matter is found in Official Records, Ser. 1, 1:541-543.
Chadbourne with its commander, Lieutenant Colonel Gouverneur Morris, First United States Infantry, McCulloch insisted that Carpenter's men surrender again, this time to him. The bewildered federals had no choice but to comply. Noting the unauthorized seizure by Dalrymple's force, McCulloch explained that his action required putting all federals on the northwestern frontier "under the agreement made by General Twiggs and the commissioners at San Antonio." 48

Morris indicated that he did not have sufficient transportation to carry needed equipment and supplies for his men on their journey to the coast, and McCulloch barely had enough for his own force. Furthermore, the agreement signed by General Twiggs did not specify whether the state or Army should supply such necessities. McCulloch and Colonel Morris finally agreed that the federal troops would remain at Fort Chadbourne with a company of Texans under Captain Holley stationed nearby. Holley prepared to scout for Indian signs, while presumably keeping an eye on Fort Chadbourne. Morris's men, under honor to leave as soon as transportation arrived, at least represented, in an unusual

manner, some security for the region from Indian attack by their presence at the fort.49

McCulloch, accompanied by Captain "Buck" Barry's company, reached Camp Cooper late on the night of 6 March and entered the post early the next morning. Captain E. W. Rogers commanded the garrison left there by Colonel Dalrymple, but McCulloch, directed by the Committee to "demand, receive and take charge" of the federal property even if in possession by someone other than United States soldiers, promptly demanded that his fellow Texans turn over the camp and all its military stores.50 If there was cause for concern on McCulloch's part over a possible conflict of authority, he was soon put at ease. Rogers gladly turned over Camp Cooper to someone delegated by the Secession Convention; in fact, his men preferred Indian scouting to the monotony of post duty. McCulloch then ordered Captain Barry's command of forty troopers to take charge of the camp and instructed officers to complete


inventory procedures involved in the transfer of property and stores.\textsuperscript{51}

Shortly after the affair at Camp Cooper McCulloch quickly ensured that his men continue patrols along this threatened part of the Indian frontier. For the next month McCulloch's men set up patrols along the line from Fort Chadbourne to Camp Cooper, in time to replace a worn-out company of Rangers under John Baylor, whose scouting farther west indicated signs of Indian encampments along the headwaters of the Brazos and the Colorado. Too few in number to cover from Camp Cooper to the Red River, Dalrymple's companies cooperated and agreed to hold that sector, while McCulloch earnestly requested that the Committee sustain Dalrymple's men in the field until a coordinated and reinforced effort could be made for frontier protection.\textsuperscript{52}

That effort began in March by state and Confederate authorities, even before Texas joined the Confederacy. About the same time that Henry McCulloch urged the Convention to organize a system of defense for the Indian frontier, his brother, Ben, received a request from Leroy

\textsuperscript{51}Dallas Herald, 20 March 1861; McCulloch to Barry, March 7, 1861, James Buckner Barry Papers, Barker Texas History Center, University of Texas.

Pope Walker, Confederate Secretary of War, to raise a regiment of Texans to secure the defenses of the frontier. McCulloch's regiment was to consist of ten companies of sixty to eighty men each, but if he declined to accept charge of this force Walker authorized him to "designate some suitable person for that duty."  

Later that month William Simpson Oldham and John Hemphill, two Texas delegates to the Confederate Provisional Congress, set forth their views on frontier defense to Walker. They outlined three principal sections of the Texas frontier: the length of the Rio Grande from the Gulf to the New Mexico border, the frontier settlements from the Rio Grande to Preston Bend on the Red River, and from Preston Bend eastward to the Arkansas border. They briefly described the Rio Grande section and expressed the belief that troops of the Regular Army could hold it by garrisoning fortified points. On the northern section they believed, mistakenly, that no defenses were required.

53 Walker to Ben McCulloch, March 4, 1861, Official Records, Ser. I, 1:610. These were intended to be "provisional forces," according to the Confederate Congress. Two days after Walker wrote this letter the Congress limited the number of twelve-month volunteers accepted into Confederate service at 100,000. Wilfred Buck Yearns, The Confederate Congress (Athens, Georgia, 1960), p. 60.


because of the friendly Choctows and Chickasaws who lived north of the Red River. Their chief concern was with the devastated condition of the line of frontier settlements from the Red River to the Rio Grande. They pointed out to Walker the particular character of troops required for service on this line:

They must be brave, good horsemen, acquainted with the country, and able to perform the most fatiguing service. They must be acquainted with the character and habits of the Indians, and always ready to mount the saddle and start in the pursuit the moment the trail of the enemy is discovered. The volunteer rangers of Texas possess all these requisites.\(^5^6\)

They then went into the well known refrain of what inadequate protection the federal government provided in years past, and what the Texas legislature intended in order to provide immediate protection to that frontier. That body provided for the raising of a regiment of mounted riflemen of one thousand men, enrolled for one year, to be placed on the frontier at once. The state was to arm and equip the regiment initially, but the Texas delegates prevailed upon Walker to accept the regiment into Confederate service, along with the regiment already assigned to Ben McCulloch.\(^5^7\)


On the same day of this appeal to the Secretary of War, Henry McCulloch informed the Confederate Government that his brother officially transferred to him the responsibility of raising the volunteer regiment for service on the frontier. McCulloch then had five companies in the field between the Colorado River and the Red River, and requested that he be assigned to command the frontier line from the Rio Grande to the northern border of the State, while he recommended that "Rip" Ford remain in command of the Rio Grande line.\(^58\) A few days later Governor Edward Clark appealed to President Jefferson Davis on the necessity of the Confederate government assuming responsibility for frontier defense in Texas, commencing with the Confederacy accepting into service the regiment of Rangers recently called for by the Texas legislature.\(^59\)

Now began the first salvo in a war of conflicting views between Confederate authorities and the Texas government on the issue of frontier defense. The problem centered on the question of money, on who was to bear the

\(^{58}\)Henry McCulloch to Walker, March 30, 1861, ibid., Ser. I, 1:617-618. Older brother Ben turned down the frontier service because he thought he could give more valuable aid farther east at the forefront of the proposed action rather than on limited command duty in Texas. Henry McCulloch to Colonel Charles C. Jones, Jr., January 22, 1889, McCulloch Papers, Barker Texas History Center, University of Texas.

\(^{59}\)Clark to Davis, April 4, 1861, Official Records, Ser. I, 1:621.
expense of frontier protection, and within a year evolved into a state-rights issue over control of the troops who would serve on the frontier, a problem later compounded by conscription and its effect on the Texas frontier counties. Secretary of War Walker concluded that the vast expense of maintaining cavalry regiments would likely prevent the Confederate government from receiving into the service both the unit being raised by Henry McCulloch and the force called into being by the Texas legislature. Walker downplayed the seriousness of the Indian threat on the frontier by calling the conflict there "merely predatory and incursional, and carried on only by roving tribes of Indians." He believed one regiment should suffice there, while a second regiment of infantry could be sent to the Rio Grande.

Meanwhile, Henry McCulloch continued throughout the end of March and early April to organize the regiment authorized by the Confederacy, while "Rip" Ford took command of the regiment called forth by the state. By

60 Although it does not treat the case of Texas specifically, the best recent analysis of the state-rights conflict within the Confederacy is found in Richard E. Beringer and others, Why the South Lost the Civil War (Athens, Georgia, 1986). The best treatment of these state-rights issues in respect to the Tran-Mississippi Confederacy is still Kerby, Kirby Smith's Confederacy.

mid-April McCulloch's regiment, some of which was already on the frontier, entered Confederate service as the First Regiment, Texas Mounted Rifles. Ford's regiment of state troops, eventually strung out along the thousand-mile-line of the Rio Grande, consisted partially of infantry and artillery as well as cavalry. As hoped by Texans, it entered Confederate service as the Second Regiment, Texas Mounted Rifles. On 21 April the dashing Colonel Earl Van Dorn, formerly of the Second United States Cavalry, assumed command of the newly created Department of Texas and set about to organize its defense.

The day before Van Dorn took charge, a veteran of the United States Army in Texas, Edmund Kirby Smith, recommended that two defense lines be established for Texas: occupation of the Rio Grande line with particular


63 General Orders Number 1, April 21, 1861, Official Records, Ser. I, 1:628. Ford's command was a complicated one that involved frontier defense, coastal defense, and relations with Mexican authorities. Its story is outside the scope of this work, which concentrates on the settlement line between the Rio Grande and the Red River, and the pressures brought to bear on the frontier generally north of San Antonio.
attention to the lower Rio Grande from Fort Duncan (Eagle Pass) to Brownsville; and to cover the settlement line, five companies of infantry posted at Fort Inge, Camp Verde, Fort Mason, Camp Colorado, and the vicinity of Fort Belknap. To this second line, he said, should be added two regiments of mounted troops concentrated in just a few points to enable them to converge with force on invaders. Smith's entire plan called for five regiments to be deployed along the two lines of defense, and only two were available. Van Dorn then set out to create similar defensive lines with the limited force he had.

The system of defense devised by the department commander also called for an extensive line of posts to be held for the length of the Rio Grande, comprised of Ford's Mounted Rifles, one company of infantry, and two artillery batteries. Henry McCulloch's regiment and one artillery battery was to hold a line from a point on the Red River southwestward to Camp Cooper, Fort Chadbourne, Camp Colorado, a point at the junction of the North and Main Concho Rivers (present-day San Angelo), and Fort Mason. The heaviest concentration was to be on the Red River, four companies and the artillery, with two companies at Camp Cooper, two companies at Fort Chadbourne, and two companies

at the North and Main Concho. Only a lieutenant and twenty men were posted at Camp Colorado and Fort Mason.65

Such an ambitious line, extended west of the one recommended by Kirby Smith, would only be as good as the men who held it. Henry McCulloch set out to find the best. McCulloch, designated a colonel by the Provisional Confederate Congress dating from 4 March, accepted his brother's commission and began recruiting on 24 March to fill up his regiment.66 To the men he wished as captains, he instructed that they enroll from sixty to eighty men each, with officers to be elected by the company at a later date. For the men he sought, McCulloch set a standard which those who served as Texas Rangers in years past found familiar. The recruits were to be over eighteen and less than forty-five years of age, good riders and marksmen, men of good moral character, and no "professional gambler or habitual drunkard." Each man was to provide a horse, saddle, blankets, canteen, "six shooting pistol," and a shotgun or rifle if possible.67

65General Orders Number 8, May 24, 1861, ibid., Ser. I, 1:574-575.

66Regimental Returns, Personal Service File for Henry E. McCulloch, Confederate Records, Record Group 109, National Archives, Washington, D. C.

67McCulloch to Barry, March 27, 1861, Barry Papers, Barker Texas History Center, University of Texas.
By early April McCulloch had his regiment organized as follows, with elected captain and county of organization: William G. Tobin, Bexar; G. V. Nelson, Bexar; William A. Pitts, Travis; Travis H. Ashley, Gonzales; Green Davidson, Bell; Thomas C. Frost, Comanche; James B. Barry, Bosque; Milton M. Bogges, Rusk; James H. Fry, Burleson; and Milton Webb, Lamar. The companies of Barry and Frost were already at their frontier posts in the process of filling their ranks and electing officers when word reached Texas on 17 April of the surrender of Fort Sumter to the Confederate troops at Charleston, South Carolina. McCulloch still had six of his companies at San Antonio in preparation for a movement to the frontier, but now he chose to meet another threat, the presence of a large contingent of federal soldiers still in the state moving to the coast under the agreement signed by General Twiggs and the commissioners.

McCulloch was unaware that Van Dorn had received instructions just the week before to hasten to Texas and make preparations to seize any federal troops as prisoners of war, upon the condition of hostilities existing between

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the Confederate States and the United States. McCulloch then sent word to the secretary of the Department of War that, unless he received word to the contrary, he would immediately move to force their surrender. McCulloch left San Antonio with five companies of his regiment and headed for Indianola, embarkation point for the federals. He was too late, however, as word came that the recently arrived Van Dorn took charge of the operation and arrested several hundred Union troops waiting to leave.

Before they left for the frontier, however, the First Texas Mounted Rifles had a brief moment of action against the only Union soldiers the regiment would see during its twelve-month enlistment. Van Dorn ordered McCulloch and six of his companies to San Lucas Springs, some thirteen miles west of San Antonio, to arrest nearly three hundred men of the Eighth United States Infantry then on the march to Indianola. The Confederates, including a detachment of cavalry and artillery from "Rip" Ford's command, totaled


70McCulloch to Walker, April 17, 1861, ibid., Ser. I, 1:627.

approximately 1,300 men under the direction of Henry McCulloch. On 9 May the federals, the last left in Texas, quickly surrendered to the overwhelming force facing them. Thus ended the relatively smooth transfer of posts, supplies, and responsibility from the United States Regulars to the Texas Confederates that began with Twiggs's surrender on 16 February. Not only did this transfer clear the state of an early military threat, but it obtained an extensive chain of military posts for Confederate use, and secured military stores worth over $1,500,000 that supplied the early Confederate war effort in Texas.

The First Regiment, Texas Mounted Rifles left San Antonio on 29 May to join the companies already on the frontier and McCulloch prepared to organize and post the defensive line assigned him by Van Dorn. The department commander then instructed McCulloch, in an order that could have delayed his defensive preparations for some time, to take the bulk of his regiment to the Red River, leaving only detachments at posts along the way. There McCulloch was to take command of the state troops organized in north

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73 Felgar, "Texas in the War," p. 61.

74 Van Dorn to Cooper, June 3, 1861, Official Records, Ser. I, 1:573.
Texas by Red River County native William Cocke Young. This force was then to enter the Chickasaw Nation in Indian Territory to capture federal held Fort Cobb and Fort Arbuckle. Fortunately for the settlers of frontier Texas, the First Mounted Rifles never completed this additional assignment outside Texas, as word reached Van Dorn that Confederates were already in occupation of the forts after a federal retreat.75

Reaching the Red River in June, McCulloch and Ed Burleson, major of the regiment, left Texas on the twenty-ninth and journeyed into Indian Territory to the Wichita-Caddo Reservation, where the Indians there were in negotiation with Colonel Young for a treaty of peace.76 McCulloch wished to explain to the 2,000 or more Indians

75Van Dorn to McCulloch, May 25, 1861, ibid., Ser. I, 1:575-576; Van Dorn to McCulloch, May 28, 1861, ibid., Ser. I, 1:576. It was McCulloch's brother, Ben, a Brigadier-General since 11 May assigned to Confederate command in Indian Territory, who helped to clear the federals from the forts in the Chickasaw Nation. Young's Texas troops, later the Eleventh Texas Cavalry, assisted in the takeover. Lary C. Rampp and Donald L. Rampp, The Civil War in the Indian Territory (Austin, 1975), pp. 3-5; Webb, ed., The Handbook of Texas, 2:947-948.

there that he planned to pursue the trails of any Indians who raided into Texas, even if the pursuit came to their reserve. He would extend them friendship and protection so long as they committed no depredations upon Texas.77

McCulloch then turned westward to the domain of the Comanches to see if he could come to some agreement with them. One did not go so deeply into Comanche country unprepared, so McCulloch and Burleson, along with five companies of the regiment and Tonkawa guides as scouts, traveled to the vicinity of Antelope Hills north of the Red River. With Charles Goodnight as guide, accompanied by a small escort of about a dozen men, McCulloch met not only with Red Bear and Eagle Chief of the Comanches, but with Lone Wolf, Satank, and Satanta of the Kiowas. Thanks to the presence of half a regiment of Rangers nearby, McCulloch's party at least left with their scalps, but the Indian leaders absolutely refused to come to terms with the Confederacy. To do so meant peace with Texans, against whom they said they preferred to fight and steal.78 This expedition also had the dubious distinction of angering the recently appointed Confederate Commissioner to the Indian

77Ruckman, "The Frontier of Texas During the Civil War," pp. 50-52.

Nations, Albert Pike. On 9 August Pike concluded a peace treaty with four bands of Comanches, including some of the very Indians with whom McCulloch just treated. Pike earnestly believed that if Texans would only have patience that all the Comanches could be brought in to reservations. He therefore urged Texas authorities to prohibit any force of Texans from crossing the Red River between the ninety-eighth and one-hundredth meridians of longitude.

Upon the return of the expedition McCulloch ordered Major Burleson to take charge of the line from Fort Phantom Hill to the Red River, with headquarters at newly created Camp Jackson, located on the southwest bank of the junction of the Big Wichita and Red rivers. He told Burleson to

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79 Albert Pike was born in 1809 in Boston, Massachusetts. He moved to Arkansas in 1833 where he became a lawyer, planter, and newspaper publisher. During the Civil War he was an envoy to the Indian Territory on behalf of the Confederate government and later led a contingent of Indian regiments at the Battle of Pea Ridge. After the war he returned to his law practice and died in 1891. Faust, ed., Encyclopedia of the Civil War, p. 585.

80 Albert Pike to the Governor of Texas, August 9, 1861, Frontier Protection Papers, Barker Texas History Center, University of Texas. The only good news on this expedition was when Burleson learned on his return of the birth of his son, whom he named Ford McCulloch Burleson, after the two Ranger captains he had ridden with for so long. Benjamin E. McCulloch to (his father) Henry E. McCulloch, October 1, 1861, McCulloch Papers, Barker Texas History Center, University of Texas.

81 Camp Jackson, northernmost outpost of the First Texas Mounted Rifles, was named in honor of James T. Jackson, southern sympathizer who killed Colonel Elmer Ellsworth of the New York Fire Zouaves at Alexandria,
take every precaution to prevent a conflict between his troops and the friendly Indians in Indian Territory. McCulloch refused, however, to permit any of these Indians to cross the Red River and hunt on the Texas side, nor cross into Texas for any reason unless by permission of an Indian agent and with a white man as escort. Any Indians found south of the river not meeting these conditions were to be "considered as enemies and treated as such."  

Shortly after he sent these instructions to Major Burleson, McCulloch received a letter from his brother, then in Indian Territory, of the Confederate government's desire to make peace with the "wild tribes." McCulloch then cautioned Burleson again to be prudent in his dealings with any Indians who indicated their desire to go to a reservation. They were to be given rations and sent on their way to Fort Cobb in Indian Territory until a permanent treaty could be made. But as word was then coming in of increased raids along the Red River counties, McCulloch prepared for aggressive scouting expeditions just the same, telling Burleson "it would be worse than madness

Virginia on May 24, 1861. Special Orders Number 56, July 12, 1861, Burleson Papers, Barker Texas History Center, University of Texas.

82 Special Orders Number 57, July 13, 1861, Burleson Papers, Barker Texas History Center, University of Texas.
to sit still and see them rob and kill our people and not chastise them if within our power."83

By mid-summer McCulloch's regiment occupied their intended line, fortunate that until then the Indian raids were at a minimum. Besides the problems of trying to cover properly the 400 mile line of sparsely settled country with a single regiment, there remained the logistical question of keeping the men and horses supplied with provisions. Distribution of supplies to the First Texas Mounted Rifles was a problem largely because of the distance between the widely separated posts and lack of transportation facilities. McCulloch relieved part of this difficulty by adding two additional posts to his defensive line: the abandoned Army outposts, Fort Phantom Hill and Fort McKavett.84 Supplies shipped northward from San Antonio went to Camp Colorado, the sub-depot for four posts to the north, Fort Phantom Hill, Camp Cooper, Fort Belknap, and Camp Jackson.

McCulloch placed his old friend from Ranger service, John R. King, as Assistant Commissary in San Antonio to forward supplies to the regiment as quickly as possible. Even so, the Texans had no regular system for

83 McCulloch to Burleson, July 22, 1861, Burleson Papers, Barker Texas History Center, University of Texas.

84 McCulloch added these posts, and ensured that Fort Belknap would remain occupied, before he left San Antonio. Special Orders Number 4, April 20, 1861, Adjutant General's Records, TSL-A.
Fig. 1--Principal outposts of the First Regiment, Texas Mounted Rifles, 1861-1862
transportation of supplies throughout the summer of 1861 because of the scarcity of wagons. To help relieve the situation McCulloch allowed sutlers to sell supplies and forage at the forts in his command, but he still had to go as far away as Paris, Texas to find citizens willing to contract with the army. For flour and beef supplies the regiment usually relied upon donations from grateful citizens or purchases by agents who obtained goods "upon the faith of the Confederate States." Lack of ammunition and ordnance stores also created difficulties and led McCulloch to issue a strict caution against wasting ammunition. On at least one occasion soldiers in the command broke off a running battle with Comanches because ammunition nearly ran out.

85 Special Orders Number 46, June 17, 1861, Adjutant General's Records, TSL-A; Circular, August 2, 1861; McCulloch to Burleson, July 22, 1861, Burleson Papers, Barker Texas History Center, University of Texas.

86 McCulloch to King, December 21, 1861, John R. King Papers, TSL-A; quotation found in Special Orders Number 57, July 13, 1861, Burleson Papers, Barker Texas History Center, University of Texas.

87 Circular, August 2, 1861, Burleson Papers, Barker Texas History Center, University of Texas. For a general discussion of the regiment's supply problems in 1861 see, Havins, Camp Colorado, pp. 99-103. For a broader view of supply difficulties in the Trans-Mississippi Confederacy during the first year of the war, the best account is James L. Nichols, The Confederate Quartermaster in the Trans-Mississippi (Austin, 1964).
The regiment settled into the routine of its duties, which consisted chiefly of the patrol operations so familiar to anyone ever associated with the Ranger service. The system devised by McCulloch reflected the manner in which he established patrols over a decade earlier. For example, the instructions given to Captain Barry in June at Camp Cooper are indicative of the system used along the entire 400-mile line:

This company will cover the country from its Post at the Willow Springs, on the road to . . . [Camp Jackson], and will keep a detachment of 20 men under a Lieut. on a branch at or near the road, two or three miles beyond the Brazos, to be relieved by similar attachments every two weeks . . . and will keep up weekly scouts, in small parties, from the Post to that detachment, by starting the scouts on each Friday morning, directing them to meet the detachment on the next day. The detachment will send a scout on to the Willow Springs on Sunday, so as to meet and spend each Sunday night at that place, with the scouts from the Red river command.88

In this manner the regiment covered every mile at regular intervals, with men from one company able to relay any word of Indians to neighboring commands. The lack of regimental strength necessitated this type of patrol as an alternative to large punitive expeditions. Such expeditions the size and scope of those of 1858 now had two disadvantages. Obviously, if such a large operation was undertaken, there would be practically no protection left

88Special Orders Number 40, June 18, 1861, Burleson Papers, Barker Texas History Center, University of Texas.
for the settlers along the frontier, as Indian raids occurred more frequently beginning in mid-summer. There was no longer a 3,000-man force of the United States Army to back them up as before, nor anyone else for that matter. As federal troops threatened an invasion of the coast later in the year, and companies organized for Confederate service out of Texas, the thin line of Rangers on the frontier stood alone against their old foes. Secondly, Confederate officials insisted that Indian Territory not be violated by Texans raiding fleeing hostiles; this kept the homelands of many of the Comanche and Kiowa raiders off limits to the Texans. This wish to placate the Indian allies of the Five Civilized Tribes in Indian Territory was almost more than Henry McCulloch could bear. He sent word to Major Burleson that "General Pike has blocked the game on us as far as Indian operations are concerned," but admonished him to pursue any Indians who committed depredations in Texas and "follow them no odds where they go, and if you can come up with them whip them."\(^{89}\)

The regiment whipped few Indians throughout that long summer. Large scouts went out periodically to sweep

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\(^{89}\)Quotations from McCulloch to Burleson, September 20, 1861, Burleson Papers, Barker Texas History Center, University of Texas. In September McCulloch reluctantly withdrew his three companies stationed at Camp Jackson on the Red River, because of Pike's protest to their proximity to Indian Territory. McCulloch to Hebert, September 20, 1861, *Official Records*, Ser. I, 4:108.
suspected haunts of hostiles and could be gone for up to three or four weeks at a time. During the first week of August an engagement occurred between a large band of raiders and a detachment under the Lieutenant Colonel of the regiment, Thomas C. Frost. In a running fight the Texans killed two Indians but suffered the loss of Captain Green Davidson and a private, both killed. The Indians, on superb mounts, noticed the jaded condition of Frost's horses, then turned and offered battle in the open to their outnumbered pursuers. Frost declined and his men returned to camp. It is not difficult to imagine McCulloch's feelings when he wrote of the episode that "this cannot be regarded as one of those brilliant achievements which so often mark the conflicts between our rangers and the Indians." McCulloch could understand the lack of forage and hard riding that weakened the horses, but rarely before had a force of Rangers ever failed to attack their Indian

90 Such an operation was useful to break the patrol pattern that sometimes became too familiar to Indians seeking to slip through to the settlements. One such large scout set out in late July to the area between the Pease River and the Prairie Dog Town Fork of the Red River, but resulted only in fatigued horses and men. Special Orders Number 57, July 13, 1861, and McCulloch to Burleson, July 22, 1861, Burleson Papers, Barker Texas History Center, University of Texas.

91 Circular, August 2, 1861, Burleson Papers, Barker Texas History Center, University of Texas.
opponents, even when outnumbered. Just a week earlier a fight took place near the road between Camp Cooper and Camp Jackson. This time, a band of some forty Indians attacked ten men of Captain Barry's Company C and surrounded them on the prairie. With little cover, Barry's men held them off for five hours, but had five horses and one man killed and six men wounded. The Indians suffered two killed and an undetermined number wounded.\textsuperscript{92} While McCulloch praised the courage of his men, the fact remains that from the time the regiment entered Confederate service in mid-April, over six months passed before it achieved any type of outstanding victory over the Indians who continued to ravage the frontier.\textsuperscript{93}

That first major victory for the regiment came on 1 November when Captain Barry, on an extended scout, defeated a party of Indians along the Pease River. For some time McCulloch had planned for an aggressive scouting expedition to sweep through the land north of the headwaters of the Colorado River. On 17 July he left Camp Jackson to journey to Camp Colorado to make final arrangements of the

\textsuperscript{92}Ibid.

\textsuperscript{93}McCulloch to P. O. Hebert, November 30, 1861, \textit{Official Records}, Ser. I, 4:35.
Detachments of thirty-five men each from Fort Chadbourne, Camp Cooper, Fort Phantom Hill, and Camp Colorado rendezvoused at the latter post on 15 September. The only Indians spotted were on the first of November. In a running battle six of his men caught up with a group of Indians who fell behind their comrades. Barry's six men held them at bay until the rest of the detachment came up. They then killed ten of these Indians and wounded two others, while the main body of Indians escaped. Few though the victories were, it should be noted that no major incursions by hostile Indians took place on the north central Texas frontier from mid-October 1861 to mid-January 1862. To this it should be added, as pointed out earlier, that the Indian raids of 1861 did not match the size or intensity of previous years. Headquarters of the regiment remained at Camp Colorado through the summer and

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94 Duncan, ed., "Some Civil War Letters of D. Port Smythe," p. 160. Smythe colorfully described the plans: "And should old 'Abe' not send us 'work' from Kansas it is intended to make a Grand Campaign of the entire Regiment against the Red Rascals in the Autumn."

95 Regimental Orders Number 19, November 30, 1861, Barry Papers, Barker Texas History Center, University of Texas. A copy of these same orders is also found in the Burleson Papers, ibid; Thomas R. Havins, "The Texas Mounted Regiment at Camp Colorado," Texas Military History, 4 (Summer, 1964): 76-77. The site of the battle is misspelled in the Official Records as the "Peso" River. McCulloch to Hebert, November 30, 1861, Ser. I, 4:135.

96 Havins, Camp Colorado, p. 105.
into the fall, but McCulloch did not remain there in charge. Van Dorn's reassignment east of the Mississippi brought McCulloch to San Antonio on 4 September to become temporary department commander until the arrival of the new commander, General Paul Octave Hebert. McCulloch, remained in San Antonio to await Hebert, but upon the general's arrival in Texas on 18 September he relieved McCulloch by dispatch and proceeded to make his headquarters first at Galveston, then permanently at Houston. McCulloch commanded the First Texas Mounted

97 General Orders Number 17, September 4, 1861, Official Records, Ser. I, 4:100-101. Van Dorn rose to the rank of Major General, but rarely met the high expectations set for him. An irate husband murdered him at his headquarters in Tennessee on 7 May 1863.

Paul Octave Hebert, a native of Louisiana, was born in 1818. He graduated first in his class at Jefferson College in 1836 and third in his class at the United States Military Academy four years later. He served in the Mexican War and was elected Governor of Louisiana in 1852. After service in Texas he commanded the Sub-District of North Louisiana. He died in New Orleans in 1880. Ezra J. Warner, Generals in Gray: Lives of the Confederate Commanders (Baton Rouge, 1959), pp. 131-132.

98 Confusion reigned in the Department for over a month because Hebert's aide, George Wilson, failed to deliver the order relieving McCulloch, even though Wilson supposedly went directly to San Antonio with it. The Department of Texas, for over a month, saw both McCulloch and Hebert issuing orders as department commander.

In a serious falling out between McCulloch and his Assistant Adjutant General, W. T. Mechling, Mechling accused McCulloch of receiving General Order Number 1 from Hebert but not publishing or making known its contents. In fact, McCulloch arrested Wilson for neglect of duty but dismissed the matter before the Court of Inquiry held a meeting. Twenty-one pages of charges, counter charges, and testimony on the matter are found in, Personal Service
Rifles for a time through his adjutant, William O. Yager, then later through Lieutenant Colonel Frost and Major Burleson.99

McCulloch never returned to immediate command of his regiment on the Texas frontier. In late October regimental headquarters moved to Fort Mason and until the following spring the regiment continued to be run by his subordinates.100 McCulloch remained in San Antonio and in December assumed command of the new Western Military District of Texas which embraced not only the military posts northwest, west, and south of San Antonio, but also the posts at Victoria and Saluria.101 Technically still in command of the First Regiment, Texas Mounted Rifles, McCulloch shifted his attention to the Rio Grande and Texas coast just as Hebert and the two department commanders who succeeded him focused on threats to Texas from all sides but minimized the dangers on the Indian frontier.

The people who lived on that frontier never relented in their appeals to the state government for better

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File, Henry McCulloch, Confederate Record Group 109, National Archives, Washington, D. C.


100Yager to Burleson, October 17, 1861, Burleson Papers, Barker Texas History Center, University of Texas.

protection, and in this instance, at least, the state-rights conflict with the Confederate government later in the war perhaps helped retain for the frontier a measure of protection it would never have received from the Confederacy. When Governor Edward Clark heard rumors in October of 1861 that General Hebert planned to remove McCulloch's regiment from the frontier when its term of enlistment ran out in early spring, he immediately began working toward a plan to provide the best, permanent protection to the Indian frontier.102

It fell to newly elected Governor Francis Richard Lubbock, to complete the plan.103 As he received an increasing number of complaints from the frontier counties in November and December, Lubbock confessed that the force then on the frontier simply did not offer adequate

102 Clark to Hebert, October 22, 1861, ibid., Ser. I, 4:126.

103 Francis Richard Lubbock was born in 1815 in South Carolina and made his way to Texas in 1836. Lubbock was a leader of the Democratic Party in Texas in the 1850s and he was elected lieutenant governor in 1857. He was a delegate to the Democratic National Convention at Charleston, South Carolina in 1860 and in the following year he defeated Edward Clark in the race for governor. He retired from the governorship in 1863 to enter the Confederate service. In 1864 he became an aide to President Jefferson Davis. He was captured with Davis in May of 1865 and was imprisoned briefly in Fort Delaware. After the war he served as state treasurer for six terms of office and died at Austin in 1905. Webb, ed., The Handbook of Texas, 2:89.
With McCulloch's regiment to reach the end of its enlistment in early spring, and devastating Indian raids sure to follow its removal, Governor Lubbock and the Texas legislature prepared to prevent such a crisis.\textsuperscript{105}


CHAPTER III

THE FRONTIER REGIMENT, 1862-1863

When the Texas legislature met in November 1861 its members made quite clear the urgent necessity of planning to meet the pressing need of frontier defense. The companies of the First Regiment, Texas Mounted Rifles were under strength, its commander now had responsibilities calling his attention to south Texas, and the few minutemen companies formed under the law of the previous February were largely ineffectual. The greatest concern, perhaps, lay with the knowledge that the Confederacy, with all its other problems, might not be able to maintain an effective military presence on the Indian frontier of Texas.

Governor Francis Richard Lubbock pointed out to the legislature that the frontier would never be properly defended until the Indians were made to suffer for their raids. 1 Although Lubbock spoke highly of Henry McCulloch's "fine regiment," only infrequently did it mete out punishment to raiders. 2 Understanding that any

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Confederate force on the frontier was subject only to Confederate command and control, Lubbock anticipated a plan of protection drawn up by Texans knowledgeable of frontier conditions, yet a plan to be adopted and funded by the Confederate government.  

As the legislature considered these matters, the Committee on Indian Affairs concluded that the present troops on the frontier were stationed not only too far apart, but too far from the line of settlements.  

These Confederate troops, furthermore, had little assistance from local minutemen units, largely because of lack of cooperation between officers and men, and poor communication between these volunteers and the companies of regulars stationed on the frontier.  

The debate over what to do about frontier defense continued in the state legislature for the first few weeks in December. By this time Henry McCulloch was anxious to withdraw his regiment from the frontier in order to meet Union military threats along the Texas coast and he requested that at least six companies of eighty men each, recruited from the frontier counties, replace his forces.

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3Ibid., pp. 337-338.
5Ibid., pp. 79-80.
from Fort McKavitt to the Red River. The sooner the better, noted McCulloch, as "the Indians follow the buffalo down in the winter and get much nearer our border than in summer and must be closely watched or they will make heavy inroads upon the settlements this winter or towards spring." McCulloch believed that few men in his regiment would choose to serve on the frontier after their present term of service. Their reasons were much like McCulloch's:

During the whole Mexican War I was kept on the frontier, never was in a single "big" fight and with this 12 months and another put in in 1850 & 1851 I think I have done my full share of labour in that life with I fear but little good to my country, to get into something where the prospect of doing more good, or getting killed is brighter, or be permitted to relieve from official position and seek a place in my own way where I can at least see the flag of the enemy and hear the roar of their cannon.

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6McCulloch to Lubbock, December 21, 1861, Governor Francis Richard Lubbock Records, TSL-A.

7Ibid. About ten months earlier, McCulloch reported seeing a large number of buffalo as far south as the road from Fort Chadbourne to Camp Cooper. McCulloch to Robertson, March 9, 1861, Robert N. Scott and others, eds., The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies, 70 vols. In 128 books, reprint (Harrisburg, Pennsylvania, 1971), Ser. I, 1:644.

8McCulloch to Lubbock, December 21, 1861, Governor Francis Richard Lubbock Records, TSL-A.
McCulloch's companies then serving on the frontier consisted of only about forty men each, with their time of enlistment nearly up. In light of this reality, the legislature felt compelled to act promptly. They did so by passing "An Act to provide for the protection of the Frontier of the State of Texas," approved on 21 December 1861. The body of Rangers called for by this bill became known as the Frontier Regiment. The law called for a twelve-month enlistment of ten companies, with the men furnishing their own weapons, horses, and accoutrements. It called for nine companies to be raised from men living in counties along the frontier, with one company each from the following groups of counties: Clay, Montague, Cooke, and Wise; Young, Jack, Palo Pinto, and Parker; Stephens, Eastland, Erath, and Bosque; Coryell, Hamilton, Lampasas, Comanche, and Brown; San Saba, Mason, Llano, and Burnet; Gillespie, Hays, and Kerr; Blanco, Bandera, Medina, and Uvalde; Frio, Atascosa, Live Oak, Karnes, and Bee; El Paso and Presidio; with the tenth company to be raised by the governor from any section of the state.

9McCulloch to Commanding Officer at Camp Colorado, December 20, 1861, James M. Holmsley Papers, Barker Texas History Center, University of Texas.

10H. P. N. Gammel, Laws of Texas, 1822-1897, 10 volumes (Austin, 1898), 5:452-454.

11Ibid., 5:453.
The new law even went so far as to touch upon the tactics to be used by the regiment. It directed that the companies were to be divided into detachments of at least twenty-five men, stationed just beyond the line of settlements from some point on the Red River to the Rio Grande. The posts of the regiment were to be about twenty-five miles apart and, in a system reminiscent of McCulloch's Texas Mounted Rifles, scouts from each post to journey to adjacent post once per day. Of primary importance, according to Governor Lubbock, the men recruited were to be stationed in the vicinity of their home counties. These men, often fearful of leaving for Confederate service because of dangers to their families left behind, would leave "others free to give their services against our Abolition Enemies." 

The law specified that the troops raised under the act be subject to the rules and regulations of the Confederate States Army, but significantly added that the regiment "shall always be subject to the authorities of the State of Texas for frontier service, and shall not be removed beyond the limits of the State of Texas." The legislature then

12Ibid.

13Lubbock to McCulloch, December 24, 1861, Governor Francis Richard Lubbock Records, TSL-A.

14Gammel, Laws of Texas, 5:453.
urged that the regiment, when formed, be accepted into the Confederate States Army in lieu of the First Regiment, Texas Mounted Rifles. This was the plan seen by the lawmakers and the governor as "the most effective and economical mode of frontier protection."\textsuperscript{15}

Texas congressmen in Richmond, along with the Secretary of War and Postmaster General John Henninger Reagan of Texas, received copies of the bill and it quickly came up for debate before the Confederate Congress.\textsuperscript{16} That body on 17 January 1862 enacted a law authorizing the Secretary of War to receive the proposed Frontier Regiment into the service of the Confederacy for the protection of the Indian frontier of Texas. They concurred with the law as passed, that the regiment should not be removed from Texas during its term of service.\textsuperscript{17} This would have been the culmination of what Texans wanted from a national government since the early years of statehood, a force of Rangers on the frontier paid for and provisioned by the government but under the direction of Texans. It was not to be; five days later President Jefferson Davis vetoed the

\textsuperscript{15}\textit{Ibid.}, 5:453-454.


\textsuperscript{17}An Act to authorize the Secretary of War to receive into the service of the Confederate States a regiment of volunteers for the protection of the frontier of Texas, January 17, 1862, \textit{ibid.}, Ser. I, 53:771.
bill. He explained that such a bill withheld the control of the Executive of the Confederate States over such troops, and necessarily complicated the system of military administration of the Confederacy. The primary clash came over the Texas legislature's wish to keep the regiment under state control, and for two years the state and national governments debated the point while, as one historian put it, the regiment's "orphan troopers stayed alive by hunting buffalo."  

While Austin and Richmond debated, the unglamorous life of those Rangers still patrolling the frontier went on as before, with some no doubt marking time until their enlistment ran out. The constant drilling of the men continued, and while such drills right out of Hardee's *Light Infantry Tactics* were of dubious use in a running Indian fight, some of the officers hoped that such attention to army procedure could bring them promotion and transfer to another theatre of war. Colonel McCulloch continued to require strict obedience to regimental orders prohibiting horse races, card playing, or gambling of any

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form. Special attention to prevent the presence of alcohol among his troops extended to preventing sutlers from selling whiskey to anyone in the regiment, "except for medical purposes."\textsuperscript{21} Ironically, the ban against horse racing in the orders above emanated from Fort Mason, site of numerous runs of "the Fort Mason Derby" by men of the Second United States Cavalry during the summer of 1856.\textsuperscript{22}

On 1 February 1862 the men of the regiment elected James "Buck" Barry as major, replacing Major Burleson, who resigned in December. Barry then took direction of the northern portion of the defensive line, from Camp Cooper to the Red River, while Lieutenant Colonel Frost handled everything south of Camp Cooper.\textsuperscript{23} Orders came to the

\textsuperscript{21}Regimental Orders Number 20, December 5, 1861, Burleson Papers, Barker Texas History Center, University of Texas. These orders were similar to the standards laid down by Sam Houston when he commissioned minute companies of Rangers for frontier service. One assumes that McCulloch's men assiduously met these standards as well as any American soldiers have ever complied when faced by tedious and exacting routine duties.

McCulloch was not merely a martinet in his enforcement of the ban on whiskey in camp. Nine years earlier he represented Guadalupe County at the State Temperance Convention, and one of his staff members during the war described him as "a total abstainer now and has been all his life from strong drink." \textit{Texas State Gazette}, November 29, 1853; quotation found in Elijah Sterling Clack Robertson to Wife, December 1, 1862, Sutherland Collection, Department of Special Collections, University of Texas at Arlington Library.

\textsuperscript{22}Harold B. Simpson, \textit{Cry Comanche: The 2nd U.S. Cavalry in Texas} (Hillsboro, Texas, 1979), p. 76.

\textsuperscript{23}Greer, ed., \textit{Texas Ranger and Frontiersman}, p. 143.
captains of the regiment to begin assembling the companies of the First Regiment, Texas Mounted Rifles, for discharge in April at Fort Mason. While on the way the last Indian fight of the regiment took place. "Buck" Barry's old company encountered a sizeable Indian party along the San Saba on 9 April 1862. The raiders wounded four of Barry's men, but they suffered three killed and one wounded themselves and soon retreated. Most of the companies reported to Fort Mason by mid to late April to discover disconcerting news, for on 16 April the Confederate Congress passed the country's first military draft law. This act of conscription specified that men between the ages of eighteen and thirty-five already in service were to continue serving for three years from the date of their enlistment. A few of the men went back to frontier service, but most of them enlisted in the Eighth Texas Cavalry Battalion, a unit that later became part of the First Texas Cavalry Regiment.

At the expense of the State of Texas, while McCulloch's men went about their duties on the Indian frontier, the Frontier Regiment began organizing in January of 1862.

24 Ibid., pp. 143-144.


In the first week of the year Governor Lubbock appointed enrolling officers in the frontier counties\textsuperscript{27} who had little time to recruit up to one hundred men per company with no less than sixty-four privates in each.\textsuperscript{28} The enrolling officers were to place a priority on men who presented themselves for service with good horses and properly armed, with the emphasis on finding those who were "Indian fighters."\textsuperscript{29} On 29 January 1862 Lubbock appointed the ranking officers of the regiment: Colonel James M. Norris, Lieutenant Colonel Alfred J. Obenchain, and Major James Ebenezer McCord.\textsuperscript{30}

In the midst of these preparations, a new militia law also went into effect. Passed by the legislature, as proposed earlier by Governor Lubbock, the law of 25 December 1861 provided for the enrollment (with numerous

\textsuperscript{27}Lubbock to Colonel Jeremiah Yellott Dashiell, A.G., January 3, 1862, Frontier Protection Papers, Barker Texas History Center, University of Texas.

\textsuperscript{28}Special Orders Number 11, January 27, 1862, Official Records, Ser. I, 53:775.

\textsuperscript{29}William M. Walton to D. R. Farr, February 4, 1861, Governor Francis Richard Lubbock Records, TSL-A. "Buck" Walton, Lubbock's secretary, became Attorney General of Texas for a short while in 1866, and because of his disfranchisement as a Confederate officer practiced law in Austin under the name of W. P. de Normadie until 1870. Walter Prescott Webb, ed., The Handbook of Texas, 2 volumes (Austin, 1952), 2:860.

\textsuperscript{30}Lubbock to Dashiell, January 29, 1862, Governor Francis Richard Lubbock Records, TSL-A.
exemptions) of free white males in Texas between the ages of eighteen and fifty. The bill created thirty-three brigade districts in Texas, including the counties along the frontier line, with the militia in each liable to take the field upon the judgment of the governor in time of "invasion, insurrection or rebellion." In 1862 and 1863 the militia in the districts adjoining the frontier rendered only occasional aid against the Indian threat, with the exception of the Twenty-First Brigade District, which often rendered extensive service. This district contained counties in the northern part of the state often hard hit by Indian raids: Cooke, Denton, Wise, Montague, Jack, Young, Clay, Wichita, Archer, Wilbarger, Baylor, Throckmorton, Hardeman, Knox, Haskel, Stephens, Shackelford, and Jones. Early in the war its brigadier general was William Hudson, followed later by James Webb Throckmorton.

On the day of their appointment, the new officers of the Frontier Regiment received orders to journey immediately to the frontier to inspect the frontier line for the best location of the proposed outposts of the regiment.


making arrangements for their men to occupy the line by mid-March. Between 17 March and 7 April Colonel Norris posted his regiment along a new defensive line that occupied sixteen camps for use of the regiment: part of Captain Jack Cureton's company at Camp Cureton, where the Gainesville-Fort Belknap road crossed the West Fork of the Trinity River in Archer County, with the rest of the company at Camp Belknap near Fort Belknap; half of Captain John Salmon's company at Camp Breckenridge in Stephens County, the other half at Camp Salmon near Sloan's Ranch, on the East Fork of Hubbard's Creek in northeastern Callahan county; half of Captain T. N. Collier's company at Camp Pecan, where the Camp Cooper-Camp Colorado Road crossed Pecan Bayou in Callahan County, the other half at Camp Collier at Vaughn's Springs on Clear Creek in Brown County; half of Captain N. D. McMillan's company at Camp McMillan near Hall's Spring at the headwaters of Richland Creek in San Saba County, the other half at Camp San Saba where the Camp Colorado-Fort Mason Road crossed the San Saba River; half of Captain H. T. Davis's company at Camp Llano near the mouth of Rock Creek on the Llano River in Mason County, the other half at Camp Davis on Whitlock about four miles from its junction with the Pedernales.

Fig. 2—Posts of the Frontier Regiment, 1862-1863
River; half of Captain Charles De Montel's company at Camp Verde, two miles below old Camp Verde in Kerr County, the other half at Camp Montel on the head of Seco Creek in Bandera County; half of Captain J. J. Dix's company at Camp Dix where the Sabinal-Uvalde road crossed the Rio Frio in Uvalde County, the other half at Camp Nueces where the San Antonio-Eagle Pass Road crossed the Nueces river; half of Captain Robb's company at Camp Robb where the San Antonio-Eagle Pass Road crossed Elm Creek, with the other half at Rio Grande Station and old Fort Duncan.34

Eventually, only nine companies of the regiment entered the service, as a Confederate regiment under John S. "Rip" Ford occupied the line from Fort Brown to Fort Bliss to make up for the failure of citizens in Presidio and El Paso counties to raise their quota of soldiers for the Frontier Regiment.35 The patrols set up by these companies, or outposts of about fifty men each, initially differed little from the system used by the Texas Mounted Rifles; units patrolled from their camp to the adjacent camp to the south at two-day intervals, while each patrol

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usually consisted of five privates and one officer. A look at a map of the Frontier Regiment's line of outposts shows that the defensive line was not quite so far westward as the one drawn up the year before by Earl Van Dorn, while there were twice as many camps. The sector on the exposed northern portion of the line remained about the same; it ran from the vicinity of Fort Belknap to Preston's Bend on the Red River, rather than to Camp Jackson on that same river. It was this section of the line, so vulnerable to raids of Comanche and Kiowa tribesmen coming from Indian Territory and the unsettled portion of the Texas panhandle, that saw the greatest concentration of strength throughout the length of service of the Frontier Regiment.

The regiment got off to an inauspicious start in the spring of 1862. On 9 April a party of about twelve Indians killed a small boy, wounded another, severely wounded a man some twelve miles west of Lampasas, and escaped with but one casualty. Not long afterwards some enlisted men of the Frontier Regiment "behaved most cowardly and disgracefully;" they refused to obey orders, and ran away when

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36 Norris to Dashiell, April 28, 1862, Adjutant General's Records, TSL-A.

37 Greer, ed., Texas Ranger and Frontiersman, pp. 146-147.

38 D. W. Taylor to Lubbock, April 12, 1862, Governor Francis Richard Lubbock Records, TSL-A.
approached by a small group of Indians. Thus began a series of courtmartial that continued throughout the spring and summer. Colonel Norris, the forty-two-year-old commander of the regiment, failed to command the respect of his men, unlike his predecessor on the frontier, Henry McCulloch. Norris, a former lawyer and merchant, simply did not have the experience of serving on the Indian frontier that warranted his position. The colonel resorted to court-martial in an effort to establish discipline; predictably, the situation grew worse and Norris became even more unpopular.

The discipline problem extended even to the officers. During the summer of 1862 Captain Cureton became involved in a quarrel with Lieutenant Colonel Obenchain that resulted in Obenchain bringing charges against Cureton. Two of Cureton's friends murdered Obenchain, but escaped and were never brought to justice. This debacle brought Major McCord to the position of lieutenant colonel of the regiment, and "Buck" Barry took McCord's place as major.

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39 Lubbock to D. W. Taylor, April 23, 1861, Governor Francis Richard Lubbock Records, TSL-A.


41 Ibid., p. 22; Greer, ed., Texas Ranger and Frontiersman, p. 146.
To add to these woes, the problem of logistics that plagued so many Texas commands during the war surfaced almost immediately. Shipments of ammunition and percussion caps rarely met a regular schedule during the years that the state handled the provisioning of the regiment, but lack of powder remained the chief deficiency. In June of 1862 Norris complained that even the powder delivered was of such poor quality as to be unreliable. As he put it, "a great part of the powder sent us would not kill a man ten steps from the muzzle . . . loaded with all the powder that could be forced into the cylinder." This shortage of powder and shot continued throughout the following year. In the following April the regiment requested that the Texas State Military Board supply 5,000 pounds of powder to cover the period from 1 May to 31 October. Even though the state's Chief of Ordnance ordered 1,000 of powder to be shipped right away, the powder still had not reached the regiment a month later. The regiment relied for supplies on what they could procure themselves, or through channels in Austin by contracts with civilians. The regiment apparently had no commissary officer the caliber of John

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42 Norris to Dashiell, June 20, 1862, Adjutant General's Records, TSL-A.

43 Dashiell to State Military Board, April 25, 1863, Texas State Military Board Papers, TSL-A; Greer, ed., Texas Ranger and Frontiersman, pp. 147-148.
King of the Texas Mounted Rifles, and a lack of forage, pack saddles, and camp equipage remained a problem for the regiment.44

The Adjutant and Inspector General of Texas, Jeremiah Yellott Dashiell, evidently concluded otherwise.45 In October of 1862 he reported the regiment as efficiently armed and "has been most bountifully supplied with camp and garrison equipage."46 Dashiell's report indicated that the nine companies of the regiment averaged an effective strength of 115 men, with the total force at 1,050. By contrast, Major Barry in late spring estimated the regimental strength at over 1,200,47 while Colonel Norris's official report for the last six months of 1862 gave the strength as 1,153 officers and enlisted men.48 Dashiell's

44Greer, ed., Texas Ranger and Frontiersman, pp. 147-148.

45Jeremiah Yellott Dashiell was born in Baltimore, Maryland in 1804. He graduated from the University of Maryland in 1823, later practiced medicine in Kentucky, and helped to found Louisville Medical College. After service in the Army during the Mexican War he settled in Texas. During the Civil War he served in Texas as adjutant general, inspector general, and quartermaster general. He died in 1888. Webb, ed., The Handbook of Texas, 1:466.


47Greer, ed., Texas Ranger and Frontiersman, p. 146.

48Estimate of Funds Needed by Texas Frontier Regiment, July-December, 1862, Dorman H. Winfrey and James M. Day, eds., The Indian Papers of Texas and the Southwest, 1825-1916, 5 volumes (Austin, 1966), 4:66.
glowing report not only enumerated the commissary and quartermaster stores available for the regiment, but also cited the effectiveness of the force in its assigned duties on the frontier. The operations of the first six months resulted in twenty-one Indians killed and two hundred of their horses captured. Accounting for Dashiell's exaggeration, and fewer Indian raids than in the period immediately prior to the Civil War, the Frontier Regiment in 1862 offered no better protection than the Texas Mounted Rifles the year before. The Indians quickly discovered the weakness of a patrol system so familiar in routine, and during the winter of 1862-1863 began making more numerous and bolder raids.49

Dashiell's embellishment of the Frontier Regiment's prowess is explained by noting the actual purpose of his report to General Paul Hebert. With the original financial appropriation for the regiment nearly exhausted, the state government once more called upon the Confederacy to receive the unit into the Army. Dashiell, in the name of Governor Lubbock, offered the regiment to the commander of the District of Texas, General Hebert, with the proviso that it be used to protect the Indian frontier.50 A month later


Governor Lubbock received a reply from Hebert's Assistant Adjutant-General, Samuel Boyer Davis. The offer of a mounted regiment supposedly so well armed and equipped appealed to Hebert, and he accepted the regiment into Confederate service, subject to approval by President Davis, with the following stipulations: first, another company should be added to the regiment to bring it to a full complement under Confederate Army regulations; second, the regiment should be offered without conditions or restrictions as to service or command; third, the regiment must be mustered into service for three years or the duration of the war; and lastly, the department commander would receive the regiment into service when the state legislature complied with the conditions above.51

Texas officials would soon have another Department commander to deal with over the transfer of the Frontier Regiment, Major General John Bankhead Magruder.52 Magruder

51Davis to Dashiell, November 8, 1862, ibid., Ser. I, 53:856.

52The Confederate government assigned Magruder to the position on 10 October and he assumed command on 29 November 1862. Special Orders Number 237, October 10, 1862, ibid., Ser. I, 15:826; General Orders Number 1, November 29, 1862, ibid., Ser. I, 15:880-881. The egotistical and theatrical Magruder arrived in Texas under a cloud of disfavor because of his conduct during the Seven Days' Campaign in June and July of 1862. He redeemed himself, somewhat, soon after he arrived in Texas by his recapture of Galveston from Union troops in January 1863. Magruder remained in command of the district, technically called the Military District of Texas, New Mexico, and
assumed that Richmond would soon approve the transfer of the regiment and ordered Brigadier General Hamilton Prioleau Bee, commander of the Sub-Military District of the Rio Grande, to take charge of five companies of the Frontier Regiment and post them at Ringgold Barracks on the Rio Grande in preparation to receive a supposed federal invasion of the lower Texas coast.53 Even though Lubbock originally proposed to transfer the regiment with no restriction on its service, the prospect of removing over half the regiment from the frontier without plans by the Confederacy to replace them frankly alarmed him.54 The governor issued a call for an extra session of the legislature to convene on 3 February 1863 to consider, among other items of discussion, the dilemma of the proposed transfer of the Frontier Regiment.55

Arizona, until 4 August 1864. He then transferred to the District of Arkansas, replaced by John George Walker, but returned to Texas to replace Walker on 4 April 1865. For a cogent character sketch and critical account of his military conduct in Virginia, see Douglas Southall Freeman, Lee's Lieutenants: A Study in Command, 3 vols. (New York, 1946), 1:15-19, 606-611. For his command transfers, see Kerby, Kirby Smith's Confederacy, pp. 334, 407.


54Dashiell to Bee, January 12, 1863, ibid., Ser. I, 53:857-858.

Lubbock once more stated his views before that body that it was the duty of the Confederate government to protect the Texas frontier. He explained, however, that he simply could not approve of the transfer of half the regiment to the Rio Grande, even if it meant the transfer of the regiment could not take place.\textsuperscript{56} Unless protection be afforded to the frontier counties, he noted, "the frontier must recede . . . for just as soon as you fail to keep up a system of defense in your outer counties, [the Indians will] press forward upon the interior, murdering and robbing."\textsuperscript{57}

The question of finances was always present in the desire of Texas to have the Confederacy assume responsibility for frontier defense. The cost of sustaining the Frontier Regiment for the first ten months of its existence was $800,000, yet Lubbock and most of the legislators were unwilling to relieve a financial burden by acquiescing to Confederate control that might strip the frontier of its best means of defense. Lubbock then proposed a new plan of frontier defense, yet one that had its roots in the minutemen companies of Rangers of years past. He proposed


that twenty-five frontier counties from the Red River to the Rio Grande organize their own companies of one captain and twenty enlisted men each to offer protection to the frontier in the vicinity of their county. If the men and home county could provide arms, horses and subsistence for these companies, the cost to the state could be held to $300,000 per year. The state could then turn over the Frontier Regiment to the Confederacy, with the assumption that the Confederacy would soon transfer a unit of regimental strength to the frontier, and thereby replace the minute companies.58

The legislature rejected Lubbock's county plan in hopes that an arrangement could still be made with Richmond to transfer the Frontier Regiment to Confederate service.59 Accordingly, Lubbock set out to reorganize the regiment and submit it, once again, to Confederate service. To meet the requirements of the Confederate States Army regulations, Lubbock disbanded the regiment, then reorganized it into ten companies, now mustered into service for a period of three years, with the new title of Mounted Regiment, Texas


59Lubbock’s plan was the genesis of the Frontier Organization of 1864-1865, the last step in the evolution of frontier defense by the State of Texas.
State Troops. Colonel Norris tendered his resignation and James E. McCord took his place as colonel of the regiment, elected by the men rather than appointed by Lubbock.

With the reorganization of the regiment completed on 11 February, the legislature, after debate, enacted a frontier defense bill that authorized the governor to transfer the regiment to Confederate service with the understanding that it "shall be retained and remain upon the Indian frontier of the State of Texas, for its protection; in which event said regiment shall be subject solely to the military authorities of the Confederate States." This plan basically called for the same condition rejected by President Davis a year earlier, but now Lubbock

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60 Raines, ed., Six Decades in Texas, p. 475. People continued to call it by its original name, the Frontier Regiment.

61 Unquestionably, the best treatment of James McCord's management of the regiment is Michael Reagan Thomasson, "James McCord and the Texas Frontier Regiment," unpublished master's thesis, Department of History, Stephen F. Austin State University, Nacogdoches, Texas, 1965. For the Frontier Regiment in general, the most reliable secondary account is Holden, "Frontier Problems and Movements in West Texas," based largely on primary sources. Less complete are two dated works, Caroline Silsby Ruckman, "The Frontier of Texas During the Civil War," and Katherine Elliott, "The Frontier Regiment," typescript, Barker Texas History Center, University of Texas. More recent, although quite incomplete, is Overfelt, "Defense of the Texas Frontier: 1861-1865."

prevailed upon him to reconsider. Lubbock's written statement to President Davis on the matter contained a brief summary of past United States attempts to protect the settlers of the Texas frontier, and of the state's necessary reliance on "the light troops known as the Texas Ranger." The governor pointed out the patriotic zeal of the frontier men of Texas who left the state to fight for the Confederacy, "leaving their wives and children on the frontier, subject to be butchered by savages," who trusted in Texas to protect their families. This the state had done, argued Lubbock, and its effort deserved the consideration of the Confederate government to remedy the problem of frontier defense in Texas, and to relieve the Texas treasury of the burden. He called upon Davis, once more, to accept the transfer of the Frontier Regiment with the single exception that its service should remain on the Texas frontier.

While waiting for Jefferson Davis to reply, General Magruder, to whom Lubbock tendered the regiment, made plans to include it as part of his order of battle. Just one day after Lubbock wrote his letter to Davis, Magruder, subject to the president's approval of the transfer, turned over

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64 Ibid., Ser. I, 53:853.
defense of the Indian frontier to Brigadier General William Read Scurry, commander of the Eastern Sub-District of Texas. Magruder instructed Scurry to form a defensive line from Montague County, adjacent to the Red River, to Fort Clark, near Bracketville. The choice of Scurry for this command was an unusual one, not because of ability, as the forty-two-year-old former lawyer was an adequate commander, but because the sub-district he commanded embodied that portion of Texas east of the Brazos River. Such a command covered only the extreme northern section of the frontier line assigned by Magruder. The bulk of the four thousand men he commanded was located in the Houston-Galveston vicinity of southeastern Texas. A more logical choice, Western Sub-District commander General Bee, earlier protested that his headquarters at Goliad and attention to the south Texas coast and Mexico border rendered him unable to take charge of the Indian frontier.

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67 Bee to Dashiell, January 17, 1863, ibid., Ser. I, 53:858-859. The meager ability of the Confederate military in Texas to provide any kind of attention to the troubled northwestern part of the state led in 1863 to the creation of the Northern Sub-District of Texas.
ordered Colonel William Bradfute to take immediate command of the Indian frontier and be subordinate to General Scurry. Bradfute was to be given a regiment of regulars to cover the northern part of the line, while some companies of the Frontier Regiment would cover the southern end.  

As these plans progressed for Confederate military authorities to assume responsibility for the frontier, word arrived in Austin from President Davis; he refused to accept the Frontier Regiment if hampered by the condition that it remain under the direction of Texas rather than the Confederacy.  

It would be imprudent, however, to reason that Confederate control ensured better protection for the Texas frontier counties. In planning his frontier defense line, Magruder directed Scurry to require the regimental commanders of the proposed line "to spread out their companies as much as possible, so as to form a secure protection for persons and property." The weakness of such a passive defense readily showed in Colonel Norris's direction of the Frontier Regiment, in which the aggressive scouting expeditions seen previously on occasion by the


Texas Mounted Rifles was absent. Colonel James McCord would now have the opportunity to improve the system.

When McCord assumed command in February of 1863, the regiment finally had someone in charge who, unlike Norris, had practical experience on the Indian frontier. Although he arrived in Texas only ten years earlier, one of McCord's first jobs was leading a survey party in locating lines for a new chain of counties along the western edge of the Texas frontier, and in this manner he became familiar with the terrain over which he later led his regiment. In 1860, when Governor Houston ordered out local Ranger companies to help defend the frontier, McCord served a six-month term as first lieutenant in Captain Ed Burleson's company, then served with William C. Dalrymple's command on the northwestern frontier of Texas in early 1861.

With his Ranger background, and with evidence that the current passive patrol system was breaking down, McCord began plans to institute a series of aggressive actions against the Comanche and Kiowa raiding parties. He called upon his captains to express their views on discontinuing the patrol system, and after receiving positive

72 Ibid., pp. 9-10, 16, 21.
73 McCord to Dashiell, March 20, 1863, Adjutant General's Records, TSL-A.
responses, the reorganization began. The patrol system by that time operated from more than just the original sixteen camps selected for the regiment. By now detachments occupied, at various times, many of the old United States Army forts, including Camp Cooper and Forts Phantom Hill, Chadbourne, McKavett, Croghan, and Mason. With the reorganization, McCord placed Major W. J. Alexander in command of four companies of the regiment along the southern sector of the line, from Camp Colorado to the Rio Grande. For the heavily threatened northern sector, the six companies there went to probably the most experienced Indian fighter in the regiment, Lieutenant Colonel James "Buck" Barry. Barry's men covered the

74General Orders Number 3, April 8, 1863, Adjutant General's Records, TSL-A.

75Greer, ed., Texas Ranger and Frontiersman, pp. 146-147.

76General Orders Number 9, May 5, 1863, Adjutant General's Records, TSL-A.

77General Orders Number 5, April 13, 1863, Adjutant General's Records, TSL-A. The forty-one-year-old Barry, twelve years McCord's senior, combined his vast experience of Indian warfare with McCord's administrative ability and leadership qualities to lead the Frontier Regiment to the days of its greatest effectiveness, the summer and fall of 1863. Barry's autobiography is found in Greer, ed., Texas Ranger and Frontiersman, originally published in 1932 as A Texas Ranger and Frontiersman: The Days of Buck Barry in Texas, and is from Barry's diary and personal papers.
line from Camp Colorado to Red River Station in Montague County.\footnote{Red River Station was located where Salt Creek emptied into the Red River; it would later be the jumping-off point of the Chisholm Trail. The site is nine miles northwest of present-day Nocona, Texas. Glen O. Wilson, "Old Red River Station," The Southwestern Historical Quarterly, 61 (January, 1958): 350; Guy Renfro Donnell, "The History of Montague County, Texas," unpublished master's thesis, Department of History, University of Texas, Austin, 1940, p. 103.}

Colonel McCord, with headquarters at Camp Colorado, on 26 May 1863 ordered the regular patrol system discontinued.\footnote{General Orders Number 12, May 26, 1863, Adjutant General's Records, TSL-A. A duplicate of this order is also found in the Barry Papers, Barker Texas History Center, University of Texas.} The scouts that now took place concentrated larger numbers of Rangers to sweep in strength areas to the west and northwest of their camps, similar to the extended scouts undertaken from time to time by McCulloch's Texas Mounted Rifles. These scouts were often of company strength, or greater, and would take about three to four weeks to complete. Even though the order to change the system "officially" came in late May, Barry anticipated the directive; he previously ordered portions of three companies on a large scout north of the Red River, in the vicinity of the Wichita Mountains. The companies split up on the way back and reached their camps in mid-June. No Indian fights took place, but data collected on
availability of grass and water in the vicinity of the Red River could be used for future scouts.80

Not all scouts undertaken that summer were large ones, but even those smaller were aggressive in nature. An example is a scout undertaken by Captain M. B. Lloyd, who left from Camp Colorado with seven men on 19 July. They traveled up the Clear Fork of the Brazos for five days and, after finding Indian signs, quickly journeyed to Camp Cooper for supplies and reinforcements. Bolstered by the addition of eight men from that post, Lloyd and his men returned to the area under suspicion and, as expected, came upon a party of Indians equal in number to the Texans. The Rangers surprised their foes and a sharp fight on horseback ensued that left one Texan killed, four wounded, and the Indians in flight. Lloyd cut short the pursuit, sent to Camp Cooper for assistance, and renewed the chase with fresh horses. The Indians had too much of a lead, however, and after tracking them for twenty-five miles, Lloyd's men turned back.81 Such fights were typical of those throughout the rest of the year; no major ones with hundreds of combatants, but dozens of small skirmishes made possible by

80John T. Rowland to Barry, June 18, 1863, Barry Papers, Barker Texas History Center, University of Texas; Greer, ed., Texas Ranger and Frontiersman, pp. 150-151.

the relentless scouts, or sweeps, of the frontier, particularly that exposed sector protected by Barry's men. About the only thing now resembling the regular patrols of Norris's system lay in the express system set up by McCord, whereby mail and dispatch runs regularly went from camp to camp. In this way, not only could Indians signs leading to the settlements often be discovered, but McCord could gather information from the extreme limits of his defense line at least every two weeks.82

A major offensive operation on the scale of those of 1858, although planned for, never took place. In May 1863, Colonel McCord began preliminary preparations for a proposed three-month expedition into Indian Territory. He initially proposed the move to take place between September and December of that year, with Fort Belknap as the probable site of supply concentration and jumping-off point for the campaign.83 Governor Lubbock never gave his approval for such an operation, partly because he thought the regiment might be needed to repel a federal invasion after the fall of Vicksburg (4 July 1863), and because the meager funds appropriated for the regiment ran low by late


83McCord to Barry, May 20, 1863, Barry Papers, Barker Texas History Center, University of Texas.
summer.\textsuperscript{84} Two additional reasons concerned conditions along the northwestern Indian frontier. Captain Rowland, stationed in Montague County, expressed the view that the citizens along his part of the line feared an onslaught of Indians into their part of the country in the absence of so many of the regiment on an extended expedition.\textsuperscript{85} Lastly, confirmation of planned massive raids into the counties just south of the Red River came to the governor from an unusual source, General Magruder, from his headquarters in Houston. Magruder heard rumors of such plans and requested Governor Lubbock to concentrate the Frontier Regiment at Fort Belknap where, under Confederate officers and authority, the force could meet the coming threat.\textsuperscript{86} Lubbock, ever mindful of state authority, and aware of the logistical nightmare of concentrating the regiment for an unspecified length of time for a raid that might not materialize, cautioned McCord not to yield control to Confederate command, but to be ready to concentrate at Belknap if the need arose.\textsuperscript{87}

\textsuperscript{84}Greer, ed., \textit{Texas Ranger and Frontiersman}, pp. 149-150.

\textsuperscript{85}Rowland to Barry, September 3, 1863, Barry Papers, Barker Texas History Center, University of Texas.


\textsuperscript{87}Dashiell to McCord, October 1, 1863, Barry Papers, Barker Texas History Center, University of Texas.
The first months after McCord's change of policy brought immediate results. The Frontier Regiment fought more engagements with Indians and captured more horses from them than at any time previously.\textsuperscript{88} Yet, in the fall of 1863 the regiment faced another problem never before encountered by Rangers on the frontier, the job of hunting down men in the frontier counties who evaded the conscription laws. This duty initially entailed arresting draft evaders and deserters and turning them over to the proper authorities,\textsuperscript{89} but this seemingly secondary role by the regiment grew to be an endemic function of state and national troops across all of north Texas and the northwestern Indian frontier. Even the Indian menace, always present, often paled in comparison to the attention given to deserters and concomitant problems. To understand better how Texas and Confederate authorities cooperated to meet these twin threats in the midst of Civil War, it is necessary to examine the circumstances that led to the creation of an organizational structure to manage these problems, the Northern Sub-District of Texas. Such a discussion relates not only the manner of frontier

\textsuperscript{88}As W. C. Holden points out, greater opportunity to do this existed because the Indian presence on the Texas frontier increased after 1862. Holden, "Frontier Defense in Texas During the Civil War," p. 26.

\textsuperscript{89}General Orders Number 16, September 11, 1863, Adjutant General's Records, TSL-A.
protection given this part of Texas, outside the Texas Mounted Rifles or the Frontier Regiment, but entails the conditions that led to this section of the state becoming the Trans-Mississippi's haven for draft evaders, deserters, and renegades.
CHAPTER IV

CREATION OF THE NORTHERN SUB-DISTRICT

The most active defense of the Indian frontier during the last two years of the war remained, as it had for the first two years, on the northwest line of organized counties. As Lieutenant Colonel James "Buck" Barry put it, "Most of the important operations along the northern part of the Frontier Regiment's line of defense centered around Fort Belknap, which faced the hostile tribes across the Red River."¹ Throughout the term of service of Henry McCulloch's First Texas Mounted Rifles and the Frontier Regiment, the most threatened portion of the Indian frontier ran in a general line from Cooke County westward to Clay County, then southward to Eastland County. The protection offered to the counties along this line in 1861-1863, like that offered by the United States Army and Texas Rangers in the 1850s, was never enough to eliminate the raids of Comanches and Kiowas from north of the Red River, or from the Texas panhandle region. Local needs for defense brought forth local responses to supplement the force stationed permanently on the frontier.

Until the passage of the new Militia Law in December of 1861, the counties along the northwestern frontier complemented the regular defense force with minutemen companies established by the Minute Men Law passed by the Texas legislature the previous February. In the Red River counties and those adjacent, these companies of less than forty men each helped spread the alarm in the event of an Indian attack, then gave chase as far as practicable. Although they were not constantly in the field, these guardians of the frontier maintained, or attempted to maintain, a high state of readiness to react at a minute's notice. By law, no more than ten men and one commissioned officer were on patrol at any one time along the county lines; not an unfamiliar routine, as local groups of citizens were in the habit of responding to Indian threats, and already had in place a regular patrol of county lines on the lookout for runaway slaves. During the phase of

2H. P. N. Gammel, compiler, Laws of Texas, 1822-1897, 10 volumes (Austin, 1898), 5:346-347.

3Cliff Donahue Cates, Pioneer History of Wise County: From Red Men to Railroads, Twenty Years of Intrepid History (Decatur, Texas, 1907), pp. 116-117. C. D. Cates, whose brother and friends served with various frontier defense units in the Wise County region, remains an excellent source for little known aspects of minutemen and militia service on the northwest frontier.

4Ida Lasater Huckabay, Ninety-Four Years in Jack County, reprint (Waco, 1979), p. 78. The commissioners' court in some communities established patrols for local protection during the summer of 1861 since much of the
the full moon the minutemen patrols intensified; more men were called upon to maintain, for this short period, regular patrols across the north and west boundaries of each county. Under such a "Comanche moon" the Indians had better light to ride by and the frontiersmen knew it. They may not have been so aware that the Comanches rarely raided during a crescent moon, since the Indians believed that rain was imminent, which would slow down the riders and leave mud to give away their tracks.

When small parties of raiders continued to slip through the grasp of McCulloch's Texas Mounted Rifles to raid the settlements beyond, the counties on the northwest frontier cried for additional protection from the state. Now, however, an additional factor entered the picture. Evidence accumulated by Governor Edward Clark by late spring of 1861 led him to believe that much of the Indian trouble stemmed from provocation by Kansas Jayhawkers.

manpower left to enroll in state or Confederate units. A. Morton Smith, The First 100 Years in Cooke County (San Antonio, 1955), p. 32.

5 Cates, Pioneer History of Wise County, p. 117.


7 The term "Jayhawker," coined in 1856, referred to free-state men in southeast Kansas who joined together to oppose the border-ruffians of Missouri. During the Civil War the Jayhawkers were Unionists or Abolitionists who made war on any southern sympathizers. Its southern counterpart was a "Bushwhacker," a guerrilla who preyed upon the lives
Before the governor could react to meet this menace from Indian Territory, the citizens of north Texas took it upon themselves to do so. With rumors swirling about of a move by federal troops or Jayhawkers against north Texas, Mexican War veteran William Cocke Young of Cooke County gathered a makeshift regiment of over five hundred men to cross the Red River and seize the federal forts in Indian Territory. This force crossed the river during the first week in May of 1861 and by 5 May proceeded to occupy Forts Arbuckle, Cobb, and Washita, all abandoned by retreating federals under Lieutenant Colonel William H. Emory.®

To offer more permanent protection against this new threat, Governor Clark mustered into service four regiments, drawn from the counties between the Red River and Dallas-Fort Worth, "for the protection of the frontier from

and property of Union citizens. Hildegarde Rose Herklotz, "Jayhawkers in Missouri, 1858-1863," Missouri Historical Review, 18 (October, 1923), Part 2:267-268. Soldiers on the Texas frontier constantly referred to Jayhawkers in their dispatches and reports, always as those who rode with Indians on their raids, or who came through Indian Territory in small groups to raid north Texas. In north Texas, a Bushwhacker usually referred to a Texas citizen of Unionist sentiment who resisted conscription and robbed from his neighbors.

Louisiana to the County of Montague." The governor called out these four regiments for a twelve-month term of service, but could offer them only the promise of being paid by future legislation. Meanwhile, the men were to furnish their own horses and arms. One of the regiments was already in the field under Young, while the other three consisted of enthusiastic volunteers mustered during June and July of 1861, initially known as the First Texas Division. In only a short while it became evident that these four regiments would not be stationed the full twelve months on the Red River line. Had they been, the northern flank of McCulloch's First Texas Mounted Rifles, then covering the Indian frontier, would have been aided immeasurably. At the time, however, McCulloch's force was believed to be sufficient, and the state did not want to bear the burden of maintaining an entire division, now idle, on its northern frontier.

Colonel Young cautioned Governor Clark on the dangers of keeping volunteers inactive for a long period of time, and requested that the division be allowed to join General Ben McCulloch's army in Missouri. Clark was unable to authorize such a move unless the Confederate Army accepted

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9Graham Landrum and Allan Smith, Grayson County: An Illustrated History of Grayson County, Texas (Fort Worth, 1967), pp. 45, 61.

10Ibid., p. 45.
the force into its service, or until the governor of Missouri requested aid from Texas. Clark's appeal to General Hebert to accept the division was successful, and the regiments were transferred to Confederate authority in October of 1861. The division soon left Texas for service in Arkansas and Missouri.

In December of that year the legislature reorganized the state militia; of the thirty-three brigade districts created, the Twenty-first Brigade, more so than any other, actively participated in frontier protection. This district encompassed the northwest frontier of the state and included the counties of Cooke, Denton, Wise, Montague, Jack, Young, Clay, Wichita, Archer, Wilbarger, Baylor, Throckmorton, Hardeman, Knox, Haskell, Stephens.

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11Edward Clark to James J. Diamond, September 19, 1861, James Bourland Papers, Library of Congress, Washington, D. C. This collection is also located on microfilm in the Charles Ramsdell Collection of the Barker Texas History Center, University of Texas. All citations herein refer to the photocopied collection of the Bourland Papers, Library of Congress, copy in possession of the author.

James J. Diamond became Lieutenant Colonel of the soon to be designated Eleventh Texas Infantry, of which William Young was colonel. Landrum and Smith, Grayson County, p. 61.


13Landrum and Smith, Grayson County, pp. 45-47, 61-62.
Shackelford, and Jones. While each district was to maintain a brigade strength of at least 400, and as many as 1,200 men, the difficulty of the Twenty-first Brigade was that the eleven counties west of Jack and Clay had a combined population in 1860 of only 720 men, women, and children. Indian raids early in the war soon forced the complete abandonment of Clay County by its settlers, leaving a vast part of the district to be protected initially by McCulloch's Texas Mounted Rifles, followed by a few companies of the Frontier Regiment and the Twenty-first Brigade militia.

When the militia re-organization took place during Governor Lubbock's administration, his first choice for a brigadier general to command the Twenty-first Brigade District was James Bourland of Cooke County. Bourland, born in South Carolina in 1816, moved to Texas in 1840. He established a trading post in the Horseshoe Bend of the Red River and later owned a cotton plantation along the upper

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14 Gammel, Laws of Texas, 5:455.


16 J. P. Earle, History of Clay County and Northwest Texas, reprint (Austin, 1963), preface.

17 J. Y. Dashiell to Bourland, December 30, 1861, Bourland Papers, Library of Congress.
Delaware Bend of the river. Bourland declined the appointment, but he later figured prominently in frontier defense in another capacity from 1862 until the end of the war. William Hudson accepted the position and served until the militia was again re-organized two years later.

Hudson, like Bourland a native of South Carolina, was born in 1829 and moved to Rusk County, Texas in 1849. Five years later he settled in Gainesville, Cooke County, where he worked as a land surveyor. Earlier, in May of 1861, as a member of the Cooke County Commissioners' Court, Hudson directed the outfitting and supplying of the first company organized in Gainesville.

General Hudson established brigade headquarters at Gainesville and began the slow process of organizing the enrollment for the companies, battalions, and regiments of

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18William S. Speer and John Henry Brown, eds., The Encyclopedia of the New West (Marshall, Texas, 1881), p. 573; Amelia W. Williams and Eugene C. Barker, eds., The Writings of Sam Houston, 1813-1863, 8 volumes (Austin, 1942), 4:472.

19Speer and Brown, eds., Encyclopedia of the New West, p. 355.

20Hudson was also a member of Gainesville Lodge Number 210, Cooke County's first Masonic lodge. Its members included James Bourland, William C. Twitty (commander of the company Hudson helped to outfit), and John R. Diamond (Lieutenant Colonel in W. C. Young's regiment, who would later serve as a captain in Bourland's command). Smith, The First 100 Years in Cooke County, pp. 28, 30-31.
his brigade. As the law required, Justices of the Peace of each county acted as enrolling officers, and all white males between the ages of eighteen and fifty were expected to accept service in either the Confederate Army or the militia. In counties with no Justice of the Peace, Hudson appointed respected men in the community to handle the job. For example, in Wise County he selected thirty-seven year old John W. Hale, a former sheriff of Wise County, who continued in the post through all organizations of the militia throughout the war.

In January of 1862 the First Regiment Texas Mounted Rifles guarded the western extreme of the Twenty-first Brigade District, but it will be recalled that late in 1861 Henry McCulloch, on the insistence of Indian Commissioner Albert Pike, pulled his companies away from their Red River camp in northern Clay County. Therefore, the Confederate troops charged specifically with protection of the frontier, nearest to the more populous area of the Twenty-first Brigade District operated out of Fort Belknap in Young County with patrols extending to the Red River. Although the Frontier Regiment established a temporary post at

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23Cates, Pioneer History of Wise County, pp. 117-118.
Preston Bend of the Red River in Grayson County during the summer of 1862, the Red River counties and those adjacent placed a heavy reliance upon local militia and volunteer units for protection against Indian raids from the northwest and the growing threat of Jayhawkers and federal regulars from the northeast.

Volunteers in these counties worked to strengthen the defenses against Indian assaults, with one prominent citizen going so far as to plan an expedition of citizens to go into Indian Territory and catch the hostile Indians by surprise. Oliver Loving believed such a move could not only recover over 2,000 stolen horses, but surmised that "the Indians can be whipped [sic] out." The operation never got started, but the citizens of north Texas continued local attempts at defense. In Cooke County James Bourland supervised the construction of several stockades along the Red River approaches, from Sivells Bend westward to Fish Creek, then southward to the Branch Fork of the Trinity River. The militia in the area also helped

24 Loving to Bourland, April 12, 1862, Bourland Papers, Library of Congress. Born in 1812 in Kentucky, Loving moved to Texas in 1845, dealt in livestock, and in 1858 moved his herds to Palo Pinto County. During the war he supplied beef to the Confederacy, and after the war he became associated with Charles Goodnight in driving herds of cattle out of the state. The route they marked out to Colorado became known as the Goodnight-Loving Trail. Walter Prescott Webb, ed., The Handbook of Texas, 2 volumes (Austin, 1952), 2:87.
settlers to build palisades around their cabins for extra protection from an Indian attack.25

Throughout the spring and early summer of 1862 the settlers on the northwest frontier still felt the effects of hostile Indians who slipped by the Frontier Regiment and militia patrols, but at least worried little about a federal advance from Indian Territory. This period of time saw a large number of Confederate soldiers concentrating in northeast Texas in preparation for assignment on the Arkansas front, and their presence at least gave some relief to the Twenty-first Brigade District's eastern flank.26 By late summer the move to Arkansas ended; no longer did officials mass Confederate troops in northeast Texas to counter a federal threat through Indian Territory.

It was at this time, while the porous patrols of Colonel Norris's Frontier Regiment accomplished little

25Collins, Cooke County, Texas, p. 18.

26It was at this time that all of north Texas came under a new military sub-district. On 12 June 1862 Henry McCulloch assumed command of the North Eastern District of Texas, an area that comprised all troops in Texas east of the Brazos River and north of the old San Antonio Road (roughly, present-day State Highway 21). With headquarters at Tyler, he directed the regiments from the southern part of the state to Arkansas by way of Tyler, Marshall, and Jefferson, while troops from north Texas concentrated at Clarksville in Red River County. General Orders Number 5, June 12, 1862, Official Records, Ser. I, 9:718; Brief from War Records Office, Washington, D. C., August 30, 1886, McCulloch Papers, Barker Texas History Center, University of Texas; Cates, Pioneer History of Wise County, p. 124.
along the western line of counties, that word came to north Texas of a planned invasion of Texas by Jayhawkers and Indians from the Fort Cobb vicinity. General Hudson immediately called three of his regiments, approximately 200 men, into action, and received the cooperation of General Hugh P. Young of the Fifteenth Brigade District (Grayson and Collin County) for an equal number of men. This force, to be commanded by Colonel W. C. Twitty, was all Hudson believed he could rely on to repel the invasion.27 Governor Lubbock, having just complained to General Paul O. Hebert about the dismal conditions on the northwestern Indian frontier of the state, believed this threat to be so serious that he offered to turn the direction of the militia over to Confederate leadership.28 The order, unprecedented as it applied to defense of the northwestern Indian frontier, came by Lubbock's direction; the militia came under Hebert's authority during the emergency.29

This impending invasion turned out to be nothing more than rumors and tall tales, but the rumors spread as


always, and their effect on the state of mind of the populace created a crisis in northern Texas during the fall of 1862. Unionist sentiment in the region of Texas between Dallas and the Red River had been strong since the first months of the war, particularly in the counties of Cooke, Denton, Wise, and Collin. Of the nineteen counties in Texas that voted against the ordinance of secession in 1861, eight were located along the Red River or contiguous to those that were. As early as 15 January 1861 a document circulated in this sector that called for northern Texas to form a separate state and remain in the Union, but the disaffection intensified with opposition to the Confederate conscription laws passed in April and September of 1862.


31 These counties, and their voting record on secession, included: Collin, 948 against, 405 for; Cooke, 221 against, 137 for; Fannin, 656 against, 471 for; Grayson, 901 against, 463 for; Jack, 76 against, 14 for; Lamar, 663 against, 553 for; Montague, 86 against, 50 for; Wise, 78 against, 76 for. Ernest Wallace, *Texas in Turmoil* (Austin, 1965), p. 70; Ernest William Winkler, ed., *Journal of the Secession Convention of Texas, 1861* (Austin, 1912), pp. 89-90.


33 Ella Lonn, *Desertion During the Civil War*, reprint (Gloucester, Mass., 1966), pp. 4-7, 14-16.
Cooke County, and it was here, during the excitement of the supposed invasion, that the "conspiracy of the Peace Party" took place, an internal turmoil that led to murder, mass hangings, and a cloud of unrest that plagued this portion of the Indian frontier until the war's end, an episode that helped to determine the nature of frontier defense on the northwestern frontier.  

The controversial break up of the "Union League" in north Texas, along with the tragic "Great Hanging at Gainesville," is told in two basic primary sources. George Washington Diamond, a Henderson, Texas newspaper editor with access to the "Citizens' Court" records of Cooke County wrote the first account between 1874 and 1876, but it was held by his descendants for nearly a century until its publication, Sam Acheson and Julie Ann Hudson O'Connell, editors, George Washington Diamond's Account of the Great Hanging at Gainesville, 1862 (Austin, 1963). Diamond was not a citizen of Cooke County at the time of the controversy, but he visited there shortly afterward and accepted the offer to publish the official records of the proceedings. His older brother, James J. Diamond of Grayson County, was an ardent secessionist and a member of the Secession Convention's Committee of Public Safety. 

The second principal account of the Gainesville hangings is found in Thomas Barrett, The Great Hanging at Gainesville, Cooke County, Texas A. D. 1862, reprint (Austin, 1961). Barrett, a member of the jury during the Gainesville trial, published his controversial account in 1885. Only a limited number were distributed and not until well into the twentieth century could a copy be found; three original copies are known to exist today. The present author used a typescript copy of the original in the Barker Texas History Center, University of Texas. Barrett's account, unlike Diamond's, views the court as an extra-legal vigilante group; it is an apology for his participation. 

Other primary accounts include L. D. Clark, ed., Civil War Recollections of James Lemuel Clark (College Station, Texas, 1984), the reminiscences of one whose father was executed by the Gainesville court, with a partisan commentary by the author's grandson. A brief account is found in Cates, Pioneer History of Wise County, pp. 130-133, by a
A conspiracy of the Union League, or Peace Party, in north Texas was discovered in September, 1862. Initially, the organization consisted of men with Unionist sympathies who secretly banded together to discuss political views with others of their inclination. Members swore oaths to remain loyal to the United States Constitution and often communicated by secret signs, handshakes, and passwords.\textsuperscript{35} Ultimately, the group had approximately 1,700 sympathizers, but only approximately 200 became directly involved, while most of those lived in Cooke County. Their activities included the accumulation of arms and ammunition that might aid a Union invasion of Texas, and Cooke County members established regular communications with Jayhawkers to the north.\textsuperscript{36}  


Word of the existence of the organization first leaked out when a mail carrier, J. B. McCurley, overheard an intoxicated member, Ephraim Childs, speak out negatively about rebels and the war. McCurley immediately consulted Colonel James Bourland, who sent McCurley to the home of physician and known Unionist Henry Childs to find out further details. When McCurley returned with confirmation that Cooke County Unionists planned armed revolt as soon as federals invaded the state, the two turned over their findings to General William Hudson.37 They then sent a volunteer, Colonel Newton Chance, at home on furlough, to infiltrate the society. Chance soon returned convinced that a serious threat to life, property, and the government existed.38

Bourland and Hudson began calling in militia to the Gainesville area to prepare to break up the conspiracy by force. Militia units from Wise, Denton, and Grayson counties began converging on Gainesville, along with one

37Acheson and O'Connell, eds., Diamond's Account of the Great Hanging at Gainesville, pp. 18-25.

38Cates, Pioneer History of Wise County, p. 131; C. N. Jones, editor., Early Days in Cooke County, reprint (Gainesville, Texas, 1977), pp. 64-65. James L. Clark noted that Chance was not only foreman of the jury that deliberated the fate of the Unionist prisoners in Gainesville, but that he was also the first witness called to testify against them. Clark, ed., Recollections of James Lemuel Clark, p. 97; Newton Chance's testimony and cross examination is found in Acheson and O'Connell, eds., Diamond's Account of the Great Hanging at Gainesville, pp. 45-51.
company from Colonel Charles DeMorse's Twenty-ninth Texas Cavalry, two Confederate companies from Fort Washita, and a detachment from Major John S. Randolph's battalion of Partisan Rangers stationed at Camp Tishomingo. The military began sealing off Cooke County roads on the night of 30 September and arresting all known members of the secret order on the morning of 1 October 1862. Military officials arrested approximately twenty men the first day and over 130 during the following two weeks. Persons incarcerated included not only members of the Union League but also innocent men because of their Unionist sympathies. More would have been taken in the sweep, but word of the impending arrests leaked out on the night of 30 September and a number of Unionists fled the county in time.

As the prisoners began arriving in Gainesville panic spread with talk of insurrection. A lynching-mood crowd formed near the jail. Civil authorities called for a


40 Barrett, "The Great Hanging at Gainesville," pp. 5-6; Acheson and O'Connell, eds., Diamond's Account of the Great Hanging at Gainesville, p. 30. It should be pointed out that those in position of power in the militia and civil government were all men of strong southern sympathies. Two of them, James Bourland and William C. Young, represented two of the wealthiest men of Cooke County, men who together owned approximately one-fourth of the slaves in the county. Collins, Cooke County, Texas, pp. 10-11; Smallwood, "Disaffection in Confederate Texas," p. 353.
county meeting to take place, chaired by Colonel William C. Young of the Eleventh Texas Cavalry. Five prominent citizens were then selected to choose a jury, or citizens' court, of twelve men; they did so, and the jury voted that a majority decision would be in effect in each case before the court. In order to satisfy the growing crowd in town, and to deal quickly with those arrested, the trial began the day after the first arrests were made, on 2 October, with the leaders of the organization the first to be tried.41

Dr. Henry Childs and his brother, Ephraim, were the first brought to trial and they, like those who followed, did not have the benefit of counsel. The charges were conspiracy, insurrection, and treason, to which they both pleaded innocent. The jury rendered its verdict the same day; both men were sentenced to hang two days later and the sentence was carried out as scheduled. Within the following week six more men were condemned to a similar fate, but after one juror threatened to resign because of the scarcity of evidence presented and the swiftness of the verdicts, the jury adopted a two-thirds rule for conviction, retried the last man sentenced, and overturned his

conviction.\textsuperscript{42} With the town still in an uproar over the conspiracy, the crowds that constantly loitered near the guardhouse grabbed a man brought in by an officer who charged him with being a deserter and a horse thief, and hanged him on the spot.\textsuperscript{43}

As the guardhouse began filling up with prisoners being brought in every day, the jury suddenly announced its intention to adjourn for a week. The mob, eager for swift action, sent the citizens' court the names of fourteen men then under guard, and demanded that the unfortunates be turned over to them. If not, the mob leaders declared, they would storm the jail and kill all the prisoners. The civil and military authorities, never sympathetic with the plight of the accused Unionists, did not reassure the jury that firm protection would be offered to the prisoners. With that in mind, the jury surrendered the fourteen men to the mob, who quickly hanged them without trial.\textsuperscript{44}

The jury then adjourned, planning to reconvene in a week after tempers cooled and the mob had hopefully


\textsuperscript{43}Barrett, "The Great Hanging at Gainesville," p. 12.

dispersed, and intended to release the rest of the prisoners. With the jury in recess, an event took place that fanned the populace to rage and near hysteria. On 16 October, James Dickson, son-in-law of prominent Cooke County resident P. W. Titus, went deer hunting near the Red River with two companions. A shot rang out from a nearby thicket killing Dickson, but his companions escaped. A posse returned, led by Colonel Young of the Eleventh Cavalry, then home on sick leave. As the posse searched the woodlands near Hickory Creek, an unseen marksman killed Colonel Young, largest slaveholder and most prominent citizen of Cooke County. As word of the deaths of Dickson and Young spread, crowds gathered once more in Gainesville, more inflamed than ever, sure now that a real threat existed from armed Unionists in the region. Within a day after the trials resumed the jury condemned nineteen men to hang, men they previously planned to release, and set free some fifty to sixty others. Three other prisoners were turned over to military units, later to be court martialed and executed, while James Young, son of the murdered colonel, tracked down a man suspected of killing his father and hanged him. The executions of the nineteen condemned men at Gainesville began on Sunday morning, 19 October,
supervised by James Young, and the grisly work continued throughout the day.45

While the tragic affair at Gainesville took place, arrests continued in surrounding counties. Forty arrests took place in neighboring Grayson County, and a twenty-four-man jury began deliberations, but no executions took place. In Denton several arrests were made but only one man died, murdered by an irate secessionist.46 The most executions of Unionists outside Cooke County took place in Decatur, Wise County. Here, the local militia enrolling officer, Captain John Hale, took charge of the arrest of the alleged conspirators, which included some of the county's most respected citizens. The trial commission, consisting of fifty men, met on the second floor of the Confederate Arsenal in Decatur, and passed death sentences on five men.47

The scant evidence that convicted some of the condemned, and the mob executions of others on mere suspicion, left a mark on the entire region of the northwest frontier that time could not erase during the duration of the war.


47Cates, Pioneer History of Wise County, pp. 131-132.
Not surprisingly, this part of Texas became, in the last two years of the war, a sanctuary for Confederate deserters, renegades, active Union sympathizers, and draft dodgers; they were to find covert sympathy from those whose anti-Confederate feelings crystallized during these days of October in 1862. The problems that followed by late 1863 began to overshadow even the Indian menace. Frontier defense began to take on a new meaning, the protection of frontier settlers from a foe often as ruthless as the Indians, that is, themselves. Hereinafter, any discussion of frontier defense along the line of western settlements in Texas will take into consideration the increasingly complex problem that forced civil and military authorities to deal with desertion and resistance to conscription, as well as the ever present Indian raids and threat of federal invasion across the Red River.

The increase in Indian raids that everyone expected in the autumn of 1862 did not materialize until the first months of the following year, about the time of the reorganization of the Frontier Regiment by Governor Lubbock and the legislature. Cooke, Denton, Montague, and Wise counties suffered severe attacks in February by a force strong enough to repulse a Frontier Regiment detachment
sent to pursue. By February and March of 1863 settlers on the northwest frontier inundated Lubbock’s office for additional assistance. The militia enrolling officer for Wise County maintained that:

The Indians have almost entirely ruined the frontier counties. Montague and Jack County are broken up and all North & West of Decatur in this County are gone except a few of the most firm class. Some of the renegades which escaped from this & Cooke County on account of being associated with the so called Peace Party have joined the Indians and are assisting them in the depredation of this frontier.

On 23 February a petition by citizens from Wise, Parker, and Jack counties implored Lubbock to send an additional force to their section to help stem the rising tide of Indian depredations, and a family living near Fort Worth confirmed that:

Times are very hard here, everything scarce but money. The Indians are depredating heavily all above us. They are now in Parker, Jack, Palo Pinto, Erath, and other frontier counties in large bodies, stealing and killing. I fear we are going to suffer greatly from the Indians.

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49 John W. Hale to Lubbock, March 23, 1863, Texas State Military Board Papers, TSL-A.

50 Lubbock to Citizens of Wise, Parker, and Jack Counties, Texas, April 11, 1863, Governor Francis Richard Lubbock Records, TSL-A.

51 Joseph and Laura to C. M. Milam, March 12, 1863, McKinney Family Papers, Special Collections, University of Texas at Arlington Library.
From Gainesville sixty-two-year-old William C. Twitty, son-in-law of Texas pioneer Daniel Montague, described conditions to the Confederate commander of Indian Territory, General William Steele:

At the request of many persons, I write to inform you that unless we get troops at once on our frontier, it will be entirely broken up. The frontier now at Montague will [be broken up] very soon. At Sherman the Indians are plenty all along the line of the frontier, killing and stealing; have already killed some seven or eight persons but a little way west, and stolen all the horses on the frontier.\(^5\)

In the midst of the Frontier Regiment's reorganization, General Hudson of the Twenty-first Brigade District desperately tried to hold the Red River line together. During late 1862 and early 1863 he called militia companies into constant service along the northwest frontier, and included in his force a volunteer company from Montague County, all of which he stationed at points along the Red River with orders to daily scout north of the river for

Indian signs. With General Magruder at such a distance in Houston, Hudson found his nearest support to be the units fighting under Colonel Douglas Hancock Cooper in Indian Territory, which included the Choctaw and Chickasaw Mounted Rifles, and he agreed to cooperate with them in defending against Indians and Jayhawkers. Now, in March of 1863, in the face of increased Indian incursions, Hudson implored Governor Lubbock, General Magruder, and Colonel Cooper for aid.

Help was on the way. In February two Cooke County residents, James J. Diamond and James Bourland, journeyed to Houston and Austin to consult with General Magruder and Governor Lubbock on the subject. Bourland wished to raise a command to be used exclusively along the Red River for frontier defense, but Magruder could give no such commission; instead, he suggested that General Steele be consulted as to the formation of such a command through Indian

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53 Hudson to Dashiell, November 29, 1862, Adjutant General's Records, TSL-A.

54 Hudson to Dashiell, December 13, 1862, Adjutant General's Records, TSL-A. Cooper was promoted to brigadier general on 2 May 1863. The best sketch of his career is found in Rampp and Rampp, The Civil War in Indian Territory, pp. 151-153.

55 Hudson to Dashiell, March 8, 1863, Adjutant General's Records, TSL-A.
Territory headquarters. The news in Austin was more encouraging; Governor Lubbock promised to do his best to receive appropriations from the legislature, then in special session, to fund a frontier defense force under Bourland's command for the northwestern frontier. Lubbock failed in his objective when the legislature appropriated only $800,000 for the Frontier Regiment with no provisions to raise additional men exclusively for frontier service. Lubbock, however, was productive in obtaining General Magruder's cooperation in providing additional forces for the region. Magruder agreed to authorize General Hudson to raise up to five companies for frontier service, to station temporarily four companies of De Morse's Twenty-ninth Texas Cavalry in Cooke County with General Cooper's permission, and to send Colonel Joseph Phillips to the region with the Third Regiment, Arizona Brigade.

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58 Lubbock to Bourland, March 11, 1863, Governor Francis Richard Lubbock Records, TSL-A.

With the exception of General Hudson's militia, the only additional permanent force assigned to the threatened northwestern frontier was a cavalry battalion assigned to Colonel James Bourland. He ultimately commanded a regiment strung along both sides of the Red River, and although his force never received the recognition of contemporaries or historians such as that given the Frontier Regiment, his force was a permanent unit charged specifically with frontier defense, and served in that capacity for the last two years of the war. Bourland, once referred to as "the hangman of Texas"\(^{60}\) for his participation in the Gainesville hangings, was a small, quick-tempered man known as a strict disciplinarian. He remained a controversial leader for as long as he commanded his regiment, known as Bourland's Border Regiment; the qualities that first drove him to pursue mercilessly disloyalists never quite left this

Vol. 22, Pt. 2:802. Phillips, a Virginian who served with Magruder during the Peninsular Campaign in 1862, never reached the frontier. Magruder ordered his regiment to Louisiana to meet an emergency, but it would have done little good fighting Indians and Jayhawkers; the regiment mutinied long before Phillips arrived in Louisiana. Magruder to General Samuel Cooper, June 8, 1863, Official Records, Ser. I, Vol. 26, Pt. 2:57-58.

\(^{60}\)Speer and Brown, eds., *Encyclopedia of the New West*, p. 573.
man whom one observer called "a good fighter and a good hater."  

61"Notes on the Great Hanging in Cooke Co., Texas, October, 1862," Typescript, p. 298, Lillian Gunter Papers, Morton Museum, Gainesville, Texas. Bourland's command arrangement may have been the most unusual in the Trans-Mississippi Confederacy. Documents in the Bourland Papers, Library of Congress, refer to his command as the Border Battalion, consisting of four to six companies, until August, 1863. No accurate documentation pinpoints the date he formed his command, but it is known that he led volunteers in defending Cooke County in late 1862, while his battalion probably was mustered into service sometime in the period from March to May, 1863. The National Archives makes no reference to the status of his regiment until 1864, while a typescript summary of his regiment's activities, found in the Confederate Research Center, notes that the Border Regiment was "organized in early 1863 by Colonel James Bourland for the purpose of guarding the northern and western borders of Texas." Regimental Returns, Bourland's Regiment Texas Cavalry, Border Regiment, Confederate Record Group 109, National Archives; quotation found in "Bourland's Texas Cavalry," Typescript, Confederate Research Center, Hill Junior College, Hillsboro, Texas.

By the end of August he styled his command the Border Regiment, but it was a unit under the jurisdiction, initially, of General Steele's Indian Territory. By October he commanded a regiment located on both sides of the Red River, officially as part of the Second Brigade, First Division, under General Douglas Cooper's command, with headquarters at Fort Arbuckle. While Bourland was at Fort Arbuckle in Indian Territory, the commander of the Northern Sub-District of Texas assigned him the command of all Confederate troops in the Texas counties of Cooke, Montague, Clay, Archer, Young, Stephens, Palo Pinto, Parker, Wise, Denton, and Jack. His command was thus spread over 150 miles, north to south, charged with defending the frontier of Texas, while coordinating his activities with district commanders in Texas and Indian Territory.

The situation was alleviated, somewhat, in January of 1864 when he moved his headquarters to Gainesville, Texas and fell under the authority of the Northern Sub-District of Texas, but with at least two companies always on detached service near Fort Arbuckle. Special Orders Number 23, August 18, 1863, Special Orders Number [?], October 8, 1863, and Special Orders Number 64, October 9,
The problems inherent in establishing an effective defense for the northwestern frontier were exacerbated by lack of a command structure for the entire region. The extreme western counties saw James "Buck" Barry in command of the Frontier Regiment from Camp Colorado north to the Red River, with Colonel Bourland's command soon to be scattered east of Barry's, from north Texas to Fort Arbuckle. The nearest Confederate commander with authority over all of north Texas was in Houston, headquarters for the District of Texas, New Mexico, and Arizona. The reorganization that occurred on the Texas frontier in the late winter and spring of 1863 stemmed from several factors. As mentioned earlier, the Frontier Regiment underwent its reorganization during the attempt to transfer it to Confederate service. On a grander scale, the Trans-Mississippi Department itself received a new commander. On 7 March 1863 the newly appointed General Edmund Kirby Smith, a veteran of the Texas Indian frontier, arrived in Louisiana, and established his headquarters at Shreveport on 24 April.62

1863, Bourland Papers, Library of Congress. The only reference to Bourland's shift to Texas authority in January, 1864, is found in Samuel Bell Maxey to Henry E. McCulloch, January 19, 1864, Maxey Papers, Archives Division-Texas State Library.

A restructuring of Confederate authority in Texas soon took place, but for different reasons according to the perspectives of Texans, as opposed to Confederate military leadership. Governor Lubbock and frontier settlers had long wanted more effective means to defend the northwest frontier, so Lubbock promptly notified General Smith of the continuing Indian problems, as well as the new problems emerging with deserters and conscription in the northwest counties.63 A quick response resulted in the creation, on 30 May 1863, of the Third Military District of Texas, later known for the duration of the war as the Northern Sub-District of Texas.64

General Magruder appointed Colonel, now Acting Brigadier General, Smith P. Bankhead, a Tennessean and former artillery officer at Fort Pillow on the Mississippi River, to command the Northern Sub-District.65 Texas previously had been divided into Eastern and Western sub-districts, with headquarters at various locations, but normally near the coast. The new sub-district now had its headquarters in Bonham, Fannin County, not far from the Red


River, with boundaries as follows: north and east of a line running along the southern boundaries of Panola, Rusk, Cherokee, Anderson, Freestone, and Limestone counties, then to the Brazos River just west of Marlin, Falls County. The line went up the Brazos to Fort Belknap, then due northward to the Red River. Although assigned to the position on 30 May, it was not until 9 July that Bankhead actually reached Bonham to assume command of the new sub-district.

Bankhead's command was meant to be temporary until a brigadier general from Texas could be assigned, an appointment that came in August of that year. On 16 August General Magruder ordered Henry McCulloch to relieve temporarily General Scurry as commander of the Eastern Sub-District, but shortly after he made the new assignment, Magruder received instructions from Kirby Smith to appoint McCulloch to the position of commander of the Northern Sub-District. Kirby Smith stressed that the new position was

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67 General Orders Number 1, July 9, 1863, Orders and Circulars, Department of Texas, 1861-1864, Confederate Record Group 109, National Archives.

the most important and difficult command in Magruder's district, one for which he regarded McCulloch as having the necessary "tact, experience, energy, and good sense" for the command.\textsuperscript{69}

Governor Lubbock immediately sent his congratulations to McCulloch, glad that he was now "in charge of the Indian frontier."\textsuperscript{70} This statement is indicative of how the state government and frontier settlers viewed the new sub-district, as a means to combat effectively the problem of Indian depredations, and secondarily the desertion/conscription dilemma. General Magruder, and to a large degree, General Smith, rarely saw it that way. The Indian menace to that part of Texas at this time is simply absent from their correspondence, while those who lived there were never allowed to forget it. McCulloch's command, particularly for the first eight months, represented to them a way to coordinate, primarily, the defense of northeast Texas against federal offensives and as a way to enforce properly the conscription laws.

McCulloch spent much of the previous twelve months commanding a brigade in Walker's Texas Division in Arkansas and Louisiana.


\textsuperscript{70}Raines, ed., \textit{Six Decades in Texas}, p. 503.
One of the first works to chronicle the role of Texas in the war stated simply that McCulloch's object in taking command of the Northern Sub-District was to ensure "by either forcible or pacific efforts to get men out of what was called 'Jernigan's thicket,' which had been made a place of refuge by deserters and others that avoided conscription." McCulloch, undoubtedly briefed on his new assignment by General Magruder, did not allude to the Indian threat in his first proclamations and orders from Bonham. In his first address to the people of his sub-district, tendered in Bonham on his first day in command, he stressed the problems of conscription and desertion, and in colorful language decreed that "Lincoln's dastard hirelings," whose aim was to "insult our wives and mothers, our sisters and daughters; and commit outrages upon them worse than death itself," must be kept from invading the region. After Governor Lubbock put forth his views on the Indian frontier to McCulloch, he still expressed doubts that Confederate leadership would give the proper emphasis to the issue. The day after McCulloch made his initial address in Bonham, Lubbock wrote to "Rip" Ford that:


72Dallas Herald, September 30, 1863.
... the Indians on our frontier, incited by Jayhawkers, Renegades, and our savage, brutal and vindictive enemy, have become more cruel and bold than at any former period of our history. The force on our frontier is inadequate to its proper protection, and ... I fear the Confederate Commander will not feel that he can give to that Country the aid that I have solicited from him.73

Nevertheless, six weeks later when Lubbock gave his last address as governor of Texas, he expressed the belief that the formation of the Northern Sub-District established the basis to best initiate "the general protection of the frontier."74 It now fell to General McCulloch to organize his command structure as quickly as possible to deal with the myriad difficulties soon to beset the northwest frontier of Texas.

73Lubbock to Ford, September 18, 1863, Dorman H. Winfrey and James M. Day, eds., The Indian Papers of Texas and the Southwest, 1825-1916, 5 volumes (Austin, 1966), 4:77.

CHAPTER V

THE NORTHERN SUB-DISTRICT AND FRONTIER DEFENSE:

AUGUST, 1863 - JANUARY, 1864

In August of 1863, a month before General Henry McCulloch assumed command at Bonham, a fresh wave of Indian incursions struck the northwest frontier counties from Montague County along the Red River southward to east of Weatherford in Parker County and hit as close as twenty-five miles from Fort Worth. During the entire month defense against such raids fell primarily upon local citizens and militia of the communities involved, and upon the small force of the Frontier Regiment stationed at Fort Belknap and Red River Station. The command structure of the Northern Sub-District offered little assistance; in late July three of James Bourland's best companies of the Border Battalion left the region, along with a company of the Thirtieth Texas Cavalry, to reinforce Confederate forces north of Boggy Depot in Indian Territory.¹ Throughout August, Smith P. Bankhead, temporarily in command of the Sub-District, directed his attention chiefly to the military situation in Arkansas and Indian Territory.

¹Special Orders Number 8, July 22, 1863, Orders and Circulars, 1861-1864, Department of Texas, Confederate Record Group 109, National Archives.
July, General James Gillpatrick Blunt led a Union offensive in Indian Territory southward from Fort Gibson on the Arkansas River. His objective was to seize the Confederate supply base at Honey Springs and to strike General Douglas Hancock Cooper's force before it could be reinforced by General William L. Cabell from Arkansas. The ensuing battle of Honey Springs (or Elk Creek), fought on 17 July 1863, was the largest single engagement of the war in Indian Territory. The decisive battle secured for northern arms the upper section of the Texas Military Road that ran from Bonham, Texas to Fort Gibson. It threw the Confederates on the defensive in Indian Territory for the remainder of the war, and led to the final phase of the

2James Gilpatrick Blunt, born in 1826, practiced medicine for a short while in Ohio then moved to Kansas and became involved in politics. When the Civil War began he was made lieutenant colonel in the Third Kansas Regiment and rose to brigadier general the following year. He commanded several military districts in the Trans-Mississippi during the war, settled in Leavenworth, Kansas after the conflict, and died in 1881. Mark Mayo Boatner, The Civil War Dictionary (New York, 1959), p. 71.

3Lary C. Rampp and Donald L. Rampp, The Civil War in the Indian Territory (Austin, 1975), p. 21. William Lewis Cabell graduated thirty-third in his class at West Point in 1850. He served as a quartermaster during the first year of the war and in 1863 was promoted to brigadier general with command of all Confederate troops in northwest Arkansas. After the war he practiced law in Arkansas and Texas and died in 1911. Boatner, The Civil War Dictionary, pp. 111-112.
Union offensive, the capture of Fort Smith on 1 September 1863.4

These were the events that transpired to distract Bankhead's attention from Indian depredations that mounted in August. On 20 August he confirmed to Magruder's headquarters that General William Steele, then in overall command of Confederate forces in Indian Territory, had fallen back to cover Fort Smith, with the result that no organized force stood between Blunt and north Texas.

Bankhead explained that he was preparing to move with all available force to Boggy Depot, as the best means of defending his Sub-District.5 Just one week later Bankhead had the Fourth and Thirtieth Texas Cavalry regiments, as well as four full companies of James Bourland's Border Battalion, on the march for Boggy Depot with approximately

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800 men that he commanded in person. On Friday morning of 28 August Lieutenant Colonel Samuel A. Roberts replaced Bankhead as acting commander of the Northern Sub-District, and held the position until General McCulloch assumed command in mid-September.

For much of August and early September, as would happen just two months later, in October, a perceived threat to northeast Texas diverted attention from the quite real peril of Indian attack. The series of raids first began in Parker County on Saturday, 1 August, when a small party of seven Indians captured two children from their home near Spring Creek. A group of men from the small community immediately set out in pursuit, came upon the party two days later, and found the young boy and girl together on a horse at the rear of the Indian column.


Roberts to Turner, August 29, 1863, ibid., Ser. I, Vol. 26, 2:187-188. It was Bankhead's recommendation that Roberts, formerly in command of a camp of instruction at Tyler, Texas, be retained in permanent command of the Northern Sub-District. Instead, Roberts served McCulloch well as an assistant adjutant general. During his interim command no evidence exists that Roberts afforded any aid to citizens in the Indian ravaged counties, rather, his duties consisted almost entirely in forwarding supplies and reinforcements to Bankhead's brigade in Indian Territory.

Remarkably, the children were rescued during the pursuit, one of the few instances when captives were retaken so swiftly by pursuing Texans.\(^8\) Nine days later a raid, possibly by some of the same band, occurred on Patrick's Creek approximately nine miles south of Weatherford. The marauders killed, scalped, and mutilated two sons of a local minister and wounded two other men.\(^9\) On the same day, a short distance away, the warriors struck near the home of Mrs. F. C. Brown, whose husband was away in Confederate service, killed one of her daughters, wounded one, captured another, then killed Mrs. Brown before riding

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\(^8\)John C. Rushing to F. R. Lubbock, August 12, 1863, Barry Papers, Barker Texas History Center, University of Texas.

\(^9\)The victims were William and Stewart Hamilton, sons of the Reverend John J. Hamilton, James Vaughn, and a Mr. Reasoner. Ibid.; H. Smythe, *Historical Sketch of Parker County and Weatherford, Texas*, reprint (Waco, 1973), p. 167; J. W. Wilbarger, *Indian Depredations in Texas* (Austin, 1889), p. 524; Joseph Carroll McConnell, *The West Texas Frontier, or a Descriptive History of Early Times in Western Texas*, 2 vols. (Palo Pinto, Texas, 1933, 1939), 2:82-83. McConnell spent four years in research that consisted largely of interviews with approximately 500 Texas pioneers who lived there during the period of time he portrayed. Most of the interviews are reliable, and either closely match corresponding primary source material from the period or represent the only known account of the event. Unfortunately, while many of those old settlers he interviewed could pinpoint the year an event took place, an exact day or month could not be determined. Such accounts have been used here only if the exact dates could be confirmed by other sources.
away. Wise County suffered similar attacks during the same period when, just west of Decatur, a force of approximately twenty-five Indians killed a young boy, two sons of Parson Vernon, and wounded two others. On the same day they killed and scalped a man near the present community of Paradise, in southwestern Wise County, and put two arrows into the back of another.\(^{11}\)

Word of these latest attacks, so near Decatur, Weatherford, and Fort Worth, quickly spread across the northwest frontier. In Tarrant County, state militia of the Twentieth Brigade under General Nathaniel Terry, then in the process of organization, attempted to break for home to ensure the safety of their families. They did stay long enough to complete the enrollment, then their officers quickly sent them in organized units to clear the counties of Johnson, Parker, Palo Pinto, and Erath of the


\(^{11}\) Rushing to Lubbock, August 12, 1863, Barry Papers, Barker Texas History Center, University of Texas; McConnell, *The West Texas Frontier*, 2:98.
invaders. A despondent Weatherford resident wrote Governor Francis Richard Lubbock that:

The country is absolutely full of Indians, some of them have guns, but for the most part bows & arrows. They are doing great mischief! Consternation pervades the entire frontier which is constantly receding.  

Another citizen of north Texas, disheartened at recent news of a Union push toward the Red River across Indian Territory, spoke for the frontier settlers as well when he asserted that "things look gloomy indeed, and I am fearful we are a used up people. I am not generally despondent, but taking every thing into consideration it is impossible to be otherwise."  

Any additional efforts to meet these sudden, severe raids were feeble in the extreme. Bankhead, with an eye on events in Indian Territory and anxious to lead a force against federals on that front, heard of the first attacks


13Rushing to Lubbock, August 12, 1863, Barry Papers, Barker Texas History Center, University of Texas.

14James D. Wortham to Travis G. Wright, August 10, 1863, George T. Wright Family Papers, Barker Texas History Center, University of Texas. Wright was at one time quartermaster of Bourland's Border Regiment.
on 6 August. Threatened settlers soon poured petitions into his office. He responded by sending one squadron of Bourland's cavalry on a sweep through Wise and Parker counties. Bankhead also disarmed a company of the Fourth Texas Cavalry, a unit made up of men from the devastated counties, who began to desert so they could return to protect their loved ones. After only a short while in command, Bankhead grew weary of "this God-forsaken country" and complained to Magruder that "I wish myself anywhere but here." Bankhead received only one suggestion from Magruder concerning the Indian menace. One of Magruder's adjutants sent word for Bankhead to move to Indian Territory to assist General Steele, then added: "You will, if you can do so, drive the Indians from the border as you go, and if not able to do so (and it is feared you will not), you will proceed with dispatch to comply with above order." Bankhead ignored the unrealistic advice concerning the Indian threat and quickly made his way to Indian Territory.

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16Bankhead to Magruder, August 9, 1863, ibid., Ser. I, 53:888-889.

By late August, with almost all of Bourland's Battalion on the move toward Boggy Depot in Indian Territory, only four small squadrons of his cavalry remained to cover the Indian frontier: one each in Wise County, at the town of Montague in Montague County, at Minor's Bend of the Red River, and in northern Cooke County. This thin line of protection, however, could do little if the northern division of the Frontier Regiment while patrolling the region between Fort Belknap and Red River Station faltered in efforts to cover their portion of the line. In August, the Frontier Regiment failed to respond to the crisis. With a single exception, units of the Frontier Regiment failed to detect any of the raiders or find and punish any of them on their return trips with stolen horses. Bankhead, now flustered by events in the western section of the sub-district, informed Magruder that he had "asked as to the whereabouts of the Frontier Regiment, but no answer

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18 Bourland to F. M. Totty, August 26, 1863, Bourland Papers, Library of Congress. Bourland established his headquarters at this time near Delaware Bend on the Red River at the Cooke-Grayson county line. Bourland directed the fourth squad to be stationed "near Bourland's." This may refer to his old trading post at Horseshoe Bend of the Red River in Cooke County.

19 The one raid detected, but not delayed, occurred in north central Stephens County, when a large party of Indians attacked two Rangers on patrol duty between Fort Belknap and Camp Salmon. One Ranger escaped while the other, mounted on a mule, fell mortally wounded. McConnell, The West Texas Frontier, 2:87-88.
has been received," then commented that settlers along the frontier desired the removal of the regiment because of the lack of protection it provided.20

Direct responsibility for Frontier Regiment performance on this sector of the frontier fell to Lieutenant Colonel James "Buck" Barry. His officers reported a number of Indian signs during this period, but his men failed to confront any, a situation that Barry attributed to "the drouthy season" that resulted in few visible tracks, and the poor condition of the Rangers' horses, particularly those of Captain John T. Rowland's critical post at Red River Station.21 A brief season of relief from the Indians came in September, but it was only the lull before the storm. Twice more in 1863, in October and in December, the Comanches and Kiowas returned, more confident and bolder than before.


21 Rowland to Barry, September 3, 1863, Barry Papers, Barker Texas History Center, University of Texas; quotation from James K. Greer, ed., Buck Barry, Texas Ranger and Frontiersman, reprint (Lincoln, Nebraska, 1978), p. 166. Barry maintained that jealousy of the Frontier Regiment by those of Bourland's command, and their criticism of its performance in August, led to much of the talk at this time about disbanding the Frontier Regiment. When Bourland's men failed to detect or avenge the great Indian raid on Cooke County in December of 1863, Colonel McCord could not resist a retort: "I wonder what the immortal Colonel Bourland thinks now of keeping the Indians out?" Quoted in Greer, ed., Texas Ranger and Frontiersman, p. 171.
These renewed raids in the fall, however, often held an additional motive, rather than just the traditional "murder" raids or horse stealing expeditions; for the first time cattle raids on the frontier became commonplace. Federal agents attempted to restore relations with the Comanches and Kiowas in early 1863, and actually succeeded in coming to an agreement with two Comanche and four Kiowa chiefs in Washington, D. C., but the Senate failed to ratify the treaty. The temporary stabilizing of relations between these two tribes and the United States enabled the Indians who raided the Texas frontier to trade their stolen cattle to United States Army contractors in New Mexico and Indian Territory. It is estimated that approximately 10,000 head of cattle were thus driven from Texas in late 1863 and 1864.  

22William T. Hagan, United States-Comanche Relations: The Reservation Years (New Haven, 1976), p. 19; Ernest Wallace and E. Adamson Hoebel, The Comanches: Lords of the South Plains (Norman, Oklahoma, 1952), pp. 305-306; T. R. Fehrenbach, Comanches: The Destruction of a People, reprint (New York, 1983), p. 452; Mildred P. Mayhall, The Kiowas (Norman, Oklahoma, 1962), pp. 195-196. A Confederate beef contractor and owner of the largest cattle operations in north Texas at this time was John Simpson Chisum. Partially as a result of these cattle raids, Chisum chose to relocate his herds from Denton County to Concho County by a series of drives. Bourland, fearful that Confederate deserters would accompany the cattle drive from Denton County to Stephenville, Texas, then on to Concho County, requested Captain Joseph Ward to send out state troops from Weatherford to keep an eye on the drovers. Bourland to Ward, May 21, 1864, William Quayle Papers, Rare Book Room, University of Alabama. Northwest Texas had no shortage of cattle; Denton County alone in 1861 claimed over 48,000
General McCulloch reached Bonham in mid-September and assumed command of the Northern Sub-District. As public clamor over the recent Indian raids subsided, McCulloch set out to meet the herculean task of organizing his command for its many responsibilities. He gave primary attention to Indian Territory and the threat of a possible invasion of north Texas by Blunt’s Union forces. This action necessarily required him not only to provide for and route troops through Bonham to the front, but to arrange his sub-district to be the principal source of supplies and equipage for Confederate troops in Indian Territory as well as north Texas.

In the midst of these administrative goals, he was to enforce strictly the Confederate conscription laws, root out the growing number of deserters, draft dodgers, Jayhawkers, and bushwhackers in the region, and to maintain the confidence and morale of the people of north Texas. In the west, the relentless raids of Plains Indians placed a never ending pressure on the northwest counties, an urgency that called for the presence of soldiers on the frontier.


23The exact date of McCulloch’s arrival in Bonham is unknown, but the Dallas Herald reported that he passed through that city on Monday, 14 September and later printed his address of 17 September, his first to the people of the sub-district. Dallas Herald, September 16, 1863; ibid., September 30, 1863.
that he usually could not provide, because of the priority often given to the sub-district's other problems. In the face of these difficulties, McCulloch also contended with a command-control dilemma. The Northern Sub-District embraced much of the area assigned to the Frontier Regiment for protection, yet that body answered to the State of Texas, not to McCulloch's Confederate jurisdiction. To compound matters, Bourland's Border Regiment operated on either side of the Red River, answerable to General Steele in Indian Territory until January of 1864. It would require a vast endeavor of cooperation to achieve anything like a concerted effort on this portion of the Texas frontier.

The Indians returned in October, but this time the raids were not as extensive as before. The first ones hit Montague County during the second week of the month, and left four settlers dead and two seriously wounded at the George Porter home approximately five miles east of Head of

24While on his way to Bonham, McCulloch's old acquaintance, General Edmund Kirby Smith, wrote to encourage him in his new position, and to brace him for any public criticism that might entail his decisions: "Let me beg you to remember our people are a censorious people; they will find fault and abuse every one in authority; many complaints are unfounded; all should be taken with many grains of salt. I have been accused of frivolity throughout the department for riding out with my wife before office hours for three hours to pick blackberries." Kirby Smith to McCulloch, September 13, 1863, Official Records, Ser. I, Vol. 26, Pt. 2:222-223.
Elm, now Saint Jo, close to the Cooke County line. One of Bourland's squads under Captain Totty quickly picked up the trail, followed it for the rest of the day, and received reinforcements from a detachment of Company G of the Frontier Regiment stationed at Red River Station. In the brief fight against some twenty-five Indians, the soldiers lost one killed and the Indians made good their escape. Later that month Parker County was again the target. Mann D. Tackett, out rounding up his cattle, found himself surrounded by fifteen to twenty Indians, but managed to kill one and wound at least one before the attackers killed and scalped him. Not far away the raiders killed at least two more and carried off nine women and children into captivity.

McCulloch quickly got word of these latest attacks and expressed concern to Bourland that so many families of men serving their country should be left to the mercy of the

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25 McConnell, *The West Texas Frontier*, 2, 90-91. This raid struck on 10 October. McConnell cites at least four additional attacks in Montague County that appear to have occurred at this time, but the pioneers interviewed by McConnell did not specify that they took place in the month of October. Ibid., 2:89-92.

26 Ibid., 2:93-94. The date given, 26 October 1863, is preferred over Wilbarger, *Indian Depredations in Texas*, pp. 522-523, who gives a date of October, 1862. McConnell interviewed Tackett's nephews and used a manuscript of the episode based on the account of Tackett's son.

Indians. He also reported a movement of settlers from Parker into the interior counties to seek shelter, something that should not be necessary he stressed to Bourland, if the frontier received adequate protection.28 As Governor Francis R. Lubbock expressed it, in somewhat uncharacteristic terms for one so sensitive to the needs of the frontier, the movement of so many settlers away from the northwestern counties meant that they took their cattle with them into the heavier populated areas where the Indians would follow. Better to protect these settlers on the frontier where the Indians could find livestock without threatening the more populous regions.29

In the meantime, Bourland and Barry continued to adjust their forces in order to offer adequate protection. Bourland, near the end of October, described his efforts to detect raids long before they reached the threatened counties. He recently returned from a scout north of the Wichita Mountains in Indian Territory, and neither that scout, nor one that journeyed as far as the South Canadian River north of Fort Cobb reported any Indian signs. His Indian spies indicated that they did not believe a move against Texas was planned for the near future, but Bourland

28 McCulloch to Bourland, October 29, 1863, Bourland Papers, Library of Congress.

29 Lubbock to E. P. Turner, October 12, 1863, Governor Francis Richard Lubbock Records, TSL-A.
promised to keep the Frontier Regiment informed of any Indian incursions. Meanwhile, he kept one company at Fort Arbuckle and two on the Red River just north of Clay County to scout the land in between.30 At the same time, the Frontier Regiment companies of Barry's command withdrew their scouts for concentration to strike swiftly against a large raid rumored to be in the near future.31

From his headquarters in Bonham, McCulloch saw a sudden increase in the troop strength of the Northern Sub-District during October. He reported that he anticipated no Union threat to north Texas from Indian Territory, yet the rapid buildup of forces gave no relief to settlers

30Bourland to McCord, October 30, 1863, Barry Papers, Barker Texas History Center, University of Texas. An additional force of which Bourland could have availed himself was the state militia of the northwest frontier. On 9 October both General Steele and General McCulloch ordered him to assume command of the "Confederate States troops," "minute men," and "volunteer companies" of the counties of Cooke, Montague, Clay, Archer, Young, Stephens, Palo Pinto, Parker, Wise, Denton, and Jack. J. F. Crosby, A.A.G., to Bourland, October 9, 1863, Official Records, Ser. I, Vol. 22, Pt. 2:1036; Special Orders Number 64, October 9, 1863, Bourland Papers, Library of Congress. This arrangement would not last out the year, but while it did Bourland failed to use these men to patrol against the Indians; they remained on duty to guard against internal problems of security.

31McCord to Barry, October 26, 1863, Barry Papers, Barker Texas History Center, University of Texas. This is the massive raid, alluded to earlier, that Magruder warned Governor Lubbock about early in October. By the time Barry's men got the word, the raids of October were just ending; no large attacks came in November, but in December the greatest such activity of 1863 occurred.
fearful of Indian attack. None of the reinforcements was ordered to the frontier to assist Bourland or Barry to detect Indian incursions. To understand why this relief failed to materialize is to discern a large measure of the complexities that befell frontier defense from late 1863 until the end of the war. The great numbers of men who hid out in the "brush" in the Northern Sub-District threatened the integrity of the entire region. Their presence suggested an overt Unionist sentiment, and after the "Peace Conspiracy" of the previous year, Confederate authorities


33They were often called "brush men" or "bush men" by contemporaries. The author leans with the majority and will use "brush." For brief but informative accounts of threats to the internal security of Texas during 1862-1863 by disruptive gangs of deserters and those resisting conscription see, Kerby, Kirby Smith's Confederacy, pp. 89-94; Charles W. Ramsdell, Behind the Lines in the Southern Confederacy (Baton Rouge, 1944), pp. 50-53; Ella Lonn, Desertion During the Civil War, reprint (Gloucester, 1966), pp. 3-7, 13-27; and, Floyd F. Ewing, Jr., "Unionist Sentiment on the Northwest Texas Frontier," West Texas Historical Association Year Book, 33 (October, 1957): 58-70.
believed that to ignore it was to see it flourish. If men could avoid conscription by hiding out or desert their commands without fear of reprisal, military officials believed that the specter of their example could lead to widespread disaffection and plummeting morale.

Generals Smith and Magruder saw this problem in late 1863 as the greatest facing McCulloch's command, one that grew more serious as many of those persons in the brush robbed and pillaged their neighbors, cooperated with Jayhawkers, and resisted by force those sent to bring them in. Eventually, the frontier forces themselves, Frontier Regiment, Border Regiment, and the Frontier Organization of the following year, began to be used almost exclusively to track down and arrest such men. Leaders such as Bourland relished the job. The frontier soldiers probably never would have been called upon so extensively for such work had McCulloch been able to maintain the large troop strength of October, 1863, but the federal seizure of Brownsville and the lower Texas coast in November, and Union General Nathaniel Prentiss Banks's Red River Campaign the following spring, stripped the Northern Sub-District of nearly all but the state militia and the frontier forces. Never again would McCulloch have the strength to clear the discontents from the brush as in the fall of 1863. His
inability to do so affected the nature of frontier defense until the war's end.34

The move to do something about the pressing problems of desertion and resistance to conscription began just before McCulloch's arrival in Bonham. On 26 August, in accordance with President Jefferson Davis's recent proclamation on the subject, General Smith granted a "general pardon of amnesty" to all officers and soldiers in the Trans-Mississippi Department who willingly returned to duty by 30 September 1863.35 Texas was then in the process of organizing a 10,000-man force of state troops, called for by General Magruder the previous June, and acceded to by Governor Lubbock.36 McCulloch's duty then, when he took


35 General Orders Number 38, August 26, 1863, General Orders, Headquarters, Trans-Mississippi, from 6 March 1863 to 1 January 1865 (Houston, 1865), p. 23. This order designated Bonham as one of two locations in Texas to receive those returning to duty, in addition to Houston. The text of President Davis's amnesty proclamation of 1 August 1863 is found in Official Records, Ser. IV, Vol. 2:687-688.

36 Magruder to Lubbock, June 4, 1863, Official Records, Ser. I, Vol. 26, Pt. 2:34-35; Dashiell to Magruder, June 4, 1863, ibid., Ser. I, Vol. 26, Pt. 2:36. The troops in this reorganization of the state militia were called up for six months to serve under Confederate officers, a force destined to be reorganized again in December by the Texas
command, was to enforce the recruitment and organization of the militia, enforce the Confederate conscription laws, and do something about those in the brush who would not report.

It soon became evident that the amnesty deadline set by General Smith for the end of September should be extended, as that would have given McCulloch a bare two weeks to gather the recalcitrants from his entire sub-district. He first attempted to use the olive branch, rather than the sword, which ran counter to the wishes of some of the citizenry. In his efforts at conciliation McCulloch sought the help of two prominent men of the region who, in the secession crisis of 1860-1861, voiced legislature. By the end of July Magruder expressed dismay that so much of the available manpower was subject to exemption; he therefore urged a new "minute man" plan which the legislature later adopted. His plan called for mounted units to be formed from men over the age of fifty, and from men who, by civil office or employment, were exempt from military duty. These minutemen units were sometimes the first to respond and track Indian raids along the frontier, until reinforced or superseded by regular units. Proclamation to the People of Texas, July 16, 1863, ibid., Ser. I, Vol. 26, Pt. 2:114-115; Magruder to Lubbock, July 30, 1863, ibid., Ser. I, Vol 26, Pt. 2:126-127.

After only a few days on the job, McCulloch reported that he received a number of pleas that urged him "to take steps to arrest deserters and conscripts that have gone into the brush in large numbers in some portions of the district. These men live off the property and produce of the people near their camps, and are a terror to the country about them." McCulloch to Magruder, September 18, 1863, ibid., Ser. I, Vol. 26, Pt. 2:236.

Magruder extended the date of amnesty to 31 October. Magruder to Kirby Smith, October 20, 1863, ibid., Ser. I, Vol. 26, Pt. 2:369.
Unionist sentiments, but who both served the Confederacy faithfully: Benjamin Holland Epperson of Clarksville, and James Webb Throckmorton of McKinney.\textsuperscript{38} McCulloch called upon Epperson to seek out the men in the brush and urge them to do their duty.

I am satisfied that these men do not desire to do wrong, they cannot be opposed to our holy cause, they cannot be friendly to our enemies, but that they have simply come to wrong conclusions about their duty to Country, the country in which they live, their friends and families live. I cannot believe that they are willing to brand themselves as traitors, deserters or Tories, or that they are willing to destroy the happiness of their Mothers, wives, and daughters ... by having such disgrace heaped upon them.\textsuperscript{39}

Throckmorton, discharged from the Confederate Army in mid-September, returned home and attempted to encourage the spirits of those of north Texas who were losing faith in the war effort.\textsuperscript{40}

\textsuperscript{38}Epperson was a close friend and political adviser of Throckmorton who served as Governor of Texas from 1866 to 1867. Walter Prescott Webb, ed., The Handbook of Texas, 2 volumes (Austin, 1952), 1:568-569.

\textsuperscript{39}McCulloch to Epperson, September 29, 1863, B. H. Epperson Papers, Barker Texas History Center, University of Texas. Epperson wrote to the editor of his local newspaper and described the interview he had with McCulloch, in which he became convinced that McCulloch's policy was to go into effect "by kind, and gentle means, and he will not resort to sterner, until these are exhausted." Clarksville Standard, October 10, 1863.

\textsuperscript{40}Claude Elliott, Leathercoat: The Life History of a Texas Patriot (San Antonio, 1938), pp. 30-31.
McCulloch and three of his trusted volunteer aides, Samuel A. Roberts, Elijah Sterling Clack Robertson, and John Henry Brown, all journeyed to the various sections of discontent in the sub-district in attempts to persuade peacefully men to report for duty. Robertson's tour took him to the counties of Cooke, Denton, Grayson, and Tarrant, over 300 miles in eight days, after which he optimistically reported a positive sentiment throughout the region. Robertson, "confidential adviser" to McCulloch, accompanied the general in trips to speak to the state militia as they came in to enroll, talks that Roberts said seemed to inspire the men. Brown gave well-received speeches to

41 John Henry Brown took an active role in frontier defense when he assumed command of the Third Frontier District of Texas in January of 1865 while E. S. C. Robertson remained in the Northern Sub-District. Robertson was born in 1820 and moved to Texas in 1832. As a teenager he fought with his father's company in the Texas Revolution and was later acting postmaster general in the Republic of Texas. He practiced law for a time and won election as chief justice of Bell County in 1858. For most of the first two years of the war he served on Henry McCulloch's staff as an aide and purchasing agent. He returned to business interests after the war, helped promote Salado College, and died in Salado in 1879. Webb, ed., The Handbook of Texas, 2:486.

42 Robertson to Wife, October 11, 1863, Sutherland Collection, Department of Special Collections, University of Texas at Arlington Library.

43 Roberts to Epperson, October 7, 1863, Epperson Papers, Barker Texas History Center, University of Texas. McCulloch, normally of a patient and kindly nature, slowly began to advocate more ruthless means to get the men out of the brush after these optimistic days of late September and early October. It may be that the influence of Roberts
hundreds of men at Honey Grove and Paris, and likewise received praise, from the State Commandant of Conscripts no less, that his work and speeches "have borne fruit." McCulloch, however, left no doubt that the men were going to come in one way or the other. He preferred it to be a peaceful transition, but informed his staff that military power would be used if results were not quickly seen:

... and when driven to that - any hope of pardon and reconciliation ceases, and that I will hunt them down as the enemies of my Country, and her people, that I will send an armed force to take them dead or alive. Tell them I offer them peace, pardon, and friendship, and if they refuse, warn them of the consequences.

General Smith wrote from Shreveport in a similar vein, and encouraged McCulloch that severe measures would probably restrained him from taking even harsher measures: "Your man Sam Roberts is as pure a man as there is in Texas, but he will sometimes let the feeling get the better of his judgement, and you will have to check the gentleman in that particular." Samuel Bell Maxey to McCulloch, March 18, 1864, Samuel Bell Maxey Papers, TSL-A.

44John H. Brown to Wife, September 14, 1863, John H. Brown Papers, Barker Texas History Center, University of Texas; quotation from John S. Ford to John H. Brown, October 6, 1863, ibid. Brown and Robertson shared a room/office at headquarters in Bonham, on the ground floor, northeast corner of the courthouse, while McCulloch had a large room on the west side. E.S.C. Robertson to Wife, October 13, 1863, Sutherland Collection, Department of Special Collections, University of Texas at Arlington Library.

45McCulloch to Epperson, September 29, 1863, Epperson Papers, Barker Texas History Center, University of Texas.
have to be taken: "The deserters must be arrested and brought back to their commands or exterminated. . . . The question now is whether they or we shall control." 46

It was not long before McCulloch admitted that his pacific policy was close to being a failure. By late October he estimated that approximately 1,000 deserters remained in the brush, including the ones who avoided conscription. Most of these men were in those counties that voted against secession in 1861. 47 He estimated that the area bounded by Bonham, Dallas, and Gainesville harbored three armed camps of deserters, over 200 men strong in each, who regularly patrolled roads leading to their encampments. 48 The largest such encampment was located in Collin County, perhaps 500 strong at one time, a "gang of deserters, skulkers and bad men generally," under the leadership of a "desperate character" named Henry Boren. 49 James W. Throckmorton tried his best to talk Boren and his men in without success, although Boren

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49E.S.C. Robertson to Wife, October 13, 1863, Sutherland Collection, Department of Special Collections, University of Texas at Arlington Library.
appeared willing to negotiate with McCulloch. The only promise the renegades received was that the safety of their families and property would be guaranteed if they went into the army, nothing more.\textsuperscript{50} It appears that Boren first wanted his men supplied with arms, ammunition, and provisions, with time to put their affairs in order before their reporting date. This leeway McCulloch absolutely refused to give; weapons would not be provided in advance, a fortunate decision for him because a month later he learned from an informant that Boren's real intention was not to enter the service but to have his men seize Bonham and "wipe out secession in this part of Texas."\textsuperscript{51}

By this time General Smith was ready for McCulloch to adopt a firm course of action. Smith's adjutant, prominent Texas politician Guy Morrison Bryan, strongly insinuated the methods that might achieve success when he noted that in Louisiana, after two officers captured and executed ten deserters, over 400 were taken quickly or turned themselves in.\textsuperscript{52} To even contemplate such action, McCulloch had to have the available force. One unit, originally designated


\textsuperscript{51}Thomas Lanagin to McCulloch, November 28, 1863, Bourland Papers, Library of Congress.

to fight against Indians along the frontier, instead spent nearly its entire length of service in the sub-district confronting the deserter problem. The company was Ladies' Rangers, commanded by the experienced frontiersman, John R. Baylor. By this time McCulloch, as shown earlier, had an effective force of approximately 1,500 to 2,000 regulars in his sub-district, a total that included Bourland's command but none of the Frontier Regiment. The unexpected reinforcements he received in October, however, remained the most controversial.


Just a year previously, President Jefferson Davis relieved Baylor from his position as Confederate Governor of Arizona because of the controversy that surrounded Baylor's order to exterminate a band of Apaches. Baylor defended his action in a report, accompanied by the shield of an Indian chief ornamented with the scalp of a white woman, which he sent to General John B. Magruder. Baylor to Magruder, December 29, 1862, Official Records, Ser. I, Vol. 15:914-918.

54 For McCulloch's estimate of his strength on the day after the amnesty expired, see McCulloch to E. P. Turner, November 1, 1863, Official Records, Ser. I, Vol. 26, Pt. 2:378-379.
In mid-October a band of Confederate guerrillas under
the notorious William Clarke Quantrill crossed the Red
River at Colbert's Ferry and established winter camp along
Mineral Springs Creek about fifteen miles northwest of
Sherman, Texas, which put their camp nearly forty-five
miles from McCulloch's headquarters at Bonham. This
winter camp was necessary, in part, for Quantrill's men to
escape retribution for two of their recent affairs, the
first being their infamous sack of Lawrence, Kansas, on 21
August 1863, during which they looted the town and shot
down approximately 180 men and boys. Weeks later, while

55William Elsey Connelley, Quantrill and the Border
Wars, reprint (New York, 1956), p. 436. Connelley, while
secretary of the Kansas State Historical Society, acquired
biographical material accumulated by a boyhood friend of
Quantrill, supplemented by interviews of those who knew him
before and during the war, for his 1910 biography. While
difficult to write a biography of Quantrill in a detached
manner, Connelley shows a pro-Union, pro-Kansas bias. Two
relatively balanced treatments, based largely on the work
of Connelley and the reminiscences of those who rode with
him, are Carl W. Breihan, Quantrill and his Civil War
Guerrillas (Denver, 1959), and Richard S. Brownlee, Grey
Ghosts of the Confederacy, Guerilla Warfare in the West,
1861-1865 (Baton Rouge, 1958). Perhaps the best modern
treatment, by one of the premier historians of the Con-
federate west, is Albert Castel, William Clarke Quantrill:
His Life and Times (New York, 1962).

56While noting the "ruthless slayings and shocking
atrocities" committed by Quantrill's men at Lawrence,
Castel also maintains that: "From a purely military
standpoint it was a brilliant feat. Especially worthy of
admiration are the courage and determination he displayed
in carrying it out, and the magnificent timing which
enabled him to strike at Lawrence." Castel, Quantrill:
His Life and Times, pp. 142-143. A dozen years later,
Castel offered this more subdued observation: "Tactically
on their way to Texas, Quantrill's well-mounted and armed force of 400 men came upon the headquarters escort of Major General James G. Blunt. Blunt, then in the process of transferring his flag from Fort Scott, Kansas to threatened Fort Smith, had an armed escort of approximately 100 men with an accompaniment of assorted administrative personnel. Quantrill's band attacked on 6 October and nearly annihilated the escort; they killed eighty, wounded eight, and reported the death of General Blunt, although that officer managed to escape. Quantrill made his report on 13 October from General Cooper's headquarters at North Fork Town, near the junction of the North Canadian and South Canadian rivers, then reached north Texas sometime in the next few days. Quantrill, preceded by some of his men

the raid on Lawrence was a masterpiece, and Quantrill deserves recognition as a highly able cavalry commander. But it was also the most atrocious event of the Civil War." Albert Castel, "The Guerrilla War, 1861-1865," Civil War Times Illustrated, special issue (October, 1974): 22.

57 Lary C. Rampp, "Incident at Baxter Springs on October 6, 1863," The Kansas Historical Quarterly, 36 (Summer, 1970): 183-197. This article, with slight modifications, appears in Rampp and Rampp, Civil War in the Indian Territory, pp. 39-51. Quantrill's report of the affair, the only military report he filed during the war, is in Official Records, Ser. I, Vol. 22, Pt. 1:700-701.

58 The date of Quantrill's arrival in the Northern Sub-District is uncertain. On 15 October McCulloch wrote to Magruder to inform him of Quantrill's victory over Blunt, while one week later McCulloch reported that Quantrill was said to be within the sub-district. General Orders Number 187, October 19, 1863, Official Records, Ser. I, Vol. 26, Pt. 2:339-340; McCulloch to E. P. Turner, October 22, 1863,
two days before, reached Bonham late Sunday night on 25 October, and conferred with McCulloch the next morning.  

After he earlier heard accounts of the Lawrence raid and the affair at Baxter Springs, McCulloch, the old Indian fighter, already had fixed opinions about Quantrill and his manner of combat:

I do not know as much about his mode of warfare as others seem to know; but, from all I can learn, it is but little, if at all, removed from that of the wildest savage. I appreciate his services, and am anxious to have them; but certainly we cannot, as a Christian people, sanction a savage, inhuman warfare, in which men are to be shot down like dogs, after throwing


59 It was probably on the previous Friday that approximately 200 of Quantrill's men rode around the square in Bonham and displayed Blunt's captured headquarters flag. E.S.C. Robertson to Wife, October 24, 1863, Sutherland Collection, Department of Special Collections, University of Texas at Arlington Library. Robertson generally wrote his letters in time to send off in the noon mail; therefore, this account of Quantrill's men, "all young, fine looking, well disposed," probably referred to Friday, rather than to the Saturday morning when he wrote the letter.

At the meeting with McCulloch, one of the general's staff described the twenty-six-year-old guerrilla leader: "Have just seen him - Well he is nothing but a man - about five feet ten inches high - spare made - weighs about 150 - has fair hair, blue eyes - red complexion. No mark of greatness about him that may not be found many another Man of no worth at all." E.S.C. Robertson to Wife, October 26, 1863, ibid. These two letters by Robertson provide us with the only evidence of Quantrill's visit to McCulloch at this time, unlike the well-publicized meeting between the two the following March.
down their arms and holding up their hands
supplicating for mercy.\textsuperscript{60}

On the other hand, General Smith enthusiastically commented
about Quantrill's men being added to the force available to
seek out those in the brush, and stated that no better
soldiers could be employed than Quantrill's Missourians.\textsuperscript{61}
To dispel McCulloch of any notion he might have to send
Quantrill away, and perhaps to better control Quantrill's
men, Smith ordered McCulloch to keep them together as a
unit under Quantrill, preferably to collect stragglers and
deserters.\textsuperscript{62}

It was probably sometime in the first week of November
that McCulloch authorized Quantrill to find those in the
brush, but to arrest, not kill, them.\textsuperscript{63} Quantrill

\textsuperscript{60}McCulloch to E. P. Turner, October 22, 1863,

\textsuperscript{61}Smith called them "bold, fearless men . . . under
very fair discipline. They are composed, I understand, in
a measure of the very best class of Missourians." Smith to
2:383. Kirby Smith's biographer, Joseph Howard Parks,
General Edmund Kirby Smith, C.S.A. (Baton Rouge, 1954) is
noticeably silent concerning the general's strong support
of Quantrill's men in the Northern Sub-District; in fact,
little mention is made of Kirby Smith's harsh policy toward
deserters.

\textsuperscript{62}W. R. Boggs to McCulloch, November 12, 1863, Letters
Sent, Trans-Mississippi Department, Confederate Record
Group 109, National Archives.

\textsuperscript{63}Connelley, Quantrill and the Border Wars, p. 439.
Connelley does not specify a date, but cites a post-war
account by one of Quantrill's men that McCulloch ordered
Quantrill to help break up a gang hiding out in Jernigan's
ingratiated himself with some of those in the brush and discovered what was confirmed to McCulloch only later in November, that many of those hiding out wanted to come in to be outfitted and assigned to local units, then planned to desert to the federals. Upon Quantrill's return from Shreveport McCulloch determined to use other troops for the job at hand and sent Quantrill's band on another mission. In response to another recent Indian raid, McCulloch sent them to track the retreating Comanches; they did so for nearly a week, with no success. They were, however, at Thicket, located in northeastern Hunt County and the western part of present-day Delta County. This account coincides with O. M. Roberts, Texas, Vol. 11 of Confederate Military History, edited by Clement Evans, reprint, 12 vols. (New York, 1962), p. 105.

It seems that Quantrill captured but few of those in the brush and killed several, whereupon McCulloch quickly pulled him off such duty and sent him to report to Kirby Smith in Shreveport. Quantrill disagreed with McCulloch's policy of leniency and said as much to Smith. The commanding general agreed with Quantrill and recommended to McCulloch that "the only thing to be done now is to go vigorously to work, and kill or capture all those who refuse to come in. The commanding general thinks the ringleaders should have no quarter." Connelley, Quantrill and the Border Wars, p. 439; quotation found in E. Cunningham, Aide-de-Camp, to McCulloch, November 19, 1863, Official Records, Ser. I, Vol. 22, Pt. 2:1073. A copy of this letter, along with Smith's opinion that McCulloch was being deceived by many of the deserters, is found in E. Cunningham to Magruder, November 20, 1863, Official Records, Ser. I, Vol. 26, Pt. 2:429-430.

On the return trip McCulloch ordered the force to destroy whiskey stills along the Red River Valley; they wrecked one and killed its operators. Shortly afterward, the band unsuccessfully pursued a Union raiding party across Indian
least a brief reinforcement for the hard-pressed settlers on the frontier, and McCulloch at least got Quantrill's men away from the populated areas for a short while.

With the distraction of Quantrill temporarily out of the way, McCulloch continued his policy to persuade the deserters to come in, to enforce the conscription laws, and to organize the militia. By the first week in November McCulloch indicated that large numbers of deserters, led by Henry Boren, were ready to report, while a number of men in other parts of the sub-district also came out of hiding, thanks to McCulloch's use of "soft words better than hard ones to bring the young ones back to their duty." Most of these men came in from areas east of a line from Gainesville to Fort Worth, but it was still difficult to

 Territory. Little information and no specific date is available for the military service of Quantrill's men from late November, 1863 to March, 1864. Practically no mention is made in Lary C. Rampp, "William C. Quantrill's Civil War Activities in Texas, 1861-1863," Texas Military History, 8 (No. 4, 1970): 221-231, while the best general works contain only a few sentences. Most of their focus centers about the power struggle for command that took place among Quantrill's lieutenants during the winter of 1863-1864, and the lawlessness of Quantrill's men toward the populace in Sherman, Texas and vicinity. One unsubstantiated contemporary source notes that during this time Quantrill's force "often stopped raids of Jayhawkers and Indians."
"Notes On Quantrill," Gunter Family Collection, North Texas State University Archives, Denton, Texas.

66 McCulloch to Bourland, October 29, 1863, Bourland Papers, Library of Congress; quotation from E.S.C. Robertson to Wife, November 4, 1863, Sutherland Collection, Department of Special Collections, University of Texas at Arlington Library.
get them in from the frontier counties farther west.

McCulloch requested that Bourland pull whatever force he could spare from the Indian frontier to sweep through the counties of Wise, Jack, and Parker where severe problems from men in the brush existed. He then added a fateful concluding paragraph:

Extend pardon to all that you believe come in voluntarily, arrest all others alive wherever found and let them all understand that they must go to the army and stay obedient [to] the Country or be killed.67

This order went to one who saw little difference between the conspirators hanged the year before at Gainesville and those now in the brush. In a letter to one of his company commanders he thus interpreted McCulloch's instructions:

If you find those Deserters and Traitors in the brush shoot them down. We must rid the country of all the Bad Men. If any of them comes in and gives up with out being arrested you will send them to these Head Quarters and I will forward them to Gen. McCulloch and let him dispose of them.68

In Houston, General Magruder, unaware that McCulloch was rapidly collecting deserters, on 6 November instructed

67 McCulloch to Bourland, October 29, 1863, Bourland Papers, Library of Congress.

68 Bourland to J. B. Anderson, [ ? ], 1863, Bourland Papers, Library of Congress. In his desire to rid the country of "Bad Men" numerous complaints came to McCulloch's attention throughout the following year concerning the murder of prisoners taken by Bourland's men, and court martial charges leveled at Bourland a year later implicated his tacit approval of such killings.
McCulloch to break up immediately the armed camps of deserters then forward his militia to Houston. His order was no less emphatic than that implied by Kirby Smith: "You will, of course, use every exertion to effect their extermination as soon as possible." One day before Magruder wrote this letter, McCulloch had designated the fifth day of November as absolutely the last date of voluntary amnesty in the Northern Sub-District. In a broadside printed at Paris, Texas and distributed across the sub-district, McCulloch proclaimed that:

the further time granted to deserters and absentees, from the army to come in voluntarily, has expired, that force will now be resorted to in order to accomplish what pacific measures have failed to do. No deserters will be permitted to remain in this Sub District. It may be well to say that the policy of pardoning deserters, has worked badly, has injured the service, and must be stopped; and that those so lost to honor as to desert, need expect to find no shelter in this Sub District, all will be hunted down and brought to justice.

On this same day, McCulloch succeeded in his efforts to get the most dangerous camp of deserters to come in voluntarily, approximately 300 men, but only after he promised them a furlough of about fifteen days to take care of affairs at home before they had to report for enrollment.


70Circular, November 5, 1863, Orders and Circulars, Department of Texas, 1861-1864, Confederate Record Group 109, National Archives.
This group was in addition to 335 men who came in during the efforts of the previous three weeks; some of these were immediately sent to their commands, while others in need of equipment were ordered to report on 22 November with the others.\textsuperscript{71}

This was the origin of a most singular outfit, simply called the "Brush Battalion."\textsuperscript{72} Initial command of the unit went to Captain John R. Baylor, who later left for Richmond to serve in the Confederate Congress; he was soon succeeded by Major John R. Diamond.\textsuperscript{73} On 21 November

\textsuperscript{71}McCulloch to E. P. Turner, November 9, 1863, ibid., Ser. I, Vol. 26, Pt. 2:401. In this report McCulloch explains that "I have had to make concessions to these men that they did not deserve at the hands of any man, but I have done it for the good of the country." See also, Clarksville Standard, November 7, 1863.

\textsuperscript{72}Historians of the period have been able to discover little about this unit which served against Indians and gangs of deserters from November, 1863 to March, 1864. The most detailed treatment of the subject, Kerby, Kirby Smith's Confederacy, p. 218, consists of three sentences. It was not officially called the Brush Battalion, but for lack of a better descriptive term contemporaries often referred to it as such. General Samuel Bell Maxey, a native of north Texas who assumed Confederate command in Indian Territory in December, 1863, was particularly fond of the phrase.

\textsuperscript{73}Kerby, Kirby Smith's Confederacy, p. 218, states that the unit was "raised and commanded by Congressman John R. Baylor," but does not mention Diamond. The date that Diamond assumed command is unknown; but he served until relieved of command in March, 1864, when the force was broken up, and two months later became lieutenant colonel of Bourland's Border Regiment. J. R. Diamond, Personal Service File, Confederate Record Group 109, National Archives. After the Battalion left for the frontier, Baylor was not involved directly in its operations. It is
General Magruder, in response to the federal invasion at Brownsville three weeks earlier and the seizure of much of the south Texas coast, ordered all State and Confederate troops from the Northern Sub-District to report to Houston, with the exception of three mounted companies and one battalion of organized militia. Possibly unaware of the nature of the Brush Battalion at the moment, or unsure of likely that only his name was used initially to lend distinction to the new unit. He never again appears directly in the affairs of the Brush Battalion, neither in the Official Records nor in manuscript collections of the principals involved. The session of the Second Congress of the Confederate States of America began on 2 May 1864, but Baylor was late; he did not appear until 25 May 1864. Official Records, Ser. IV, Vol. 3:1191.

Baylor, who before the war owned a ranch near Weatherford in Parker County, defeated the incumbent, Malcolm D. Graham, for the seat in the House of Representatives. Baylor, whom one observer said always "went for his opponents harshly and pointedly," made a speech during the campaign in which he stated: "The flop-eared militia of this section remind me of an old hound I once had when living on the Clear Fork of the Brazos. . . . So it is with the gentlemen of Parker who ought to be serving their country. They got up a big yell, and an awful excitement, and sent all the young pups into the ranks to fight the enemy, while they remained behind, eating up the buttermilk and clabber." H. Smythe, Historical Sketch of Parker County and Weatherford, Texas, reprint (Waco, 1973), pp. 161-162. Baylor, once relieved of his command for his extermination policy toward Indians, as cited earlier, thus joined James Bourland, "the hangman of Texas," as the officers McCulloch most depended upon during the upcoming months to keep the Indians at bay and to maintain harmony with the conscripts in the frontier counties.

just what promises McCulloch made to its members, Magruder made no mention of them.\textsuperscript{75}

Under these circumstances, McCulloch by necessity saw the Brush Battalion now as a much needed force to supplement the frontier defense in his sub-district. In October and November he collected deserters from numerous outfits, but chiefly from seven Trans-Mississippi regiments. During his preliminary organization of these men in early November he designated certain of them to rejoin their commands, but then agreed that approximately 400 volunteers could fill up four companies for Brush Battalion service on the frontier.\textsuperscript{76} When McCulloch met the men of the battalion on Sunday, 22 November, the appointed date for those furloughed to report, he came upon a scene of confusion and marked unpreparedness. Only three companies were present, rather than four. In addition, one hundred men who either had refused to report to their regular commands or just recently had come in from the brush volunteered for frontier duty. To complete the nightmare, the men came in

\textsuperscript{75}As late as 18 November Magruder asked if the deserters had come in, and under what conditions. E. P. Turner to McCulloch, November 18, 1863, ibid., Ser. I, Vol. 26, Pt. 2:427.

with little more than the clothes they wore, thus being utterly unprepared for campaigning.\textsuperscript{77}

Even with this many men reporting, McCulloch informed General Steele that approximately 1,000 men remained in the brush scattered about his sub-district.\textsuperscript{78} With the frontier in need of added protection, and with the federals relatively inactive in Indian Territory, McCulloch prepared to supply and equip immediately the battalion as best he could and send it off the following Saturday, 28 November, to serve under Bourland's jurisdiction on the frontier; that is, all but one company, the one that contained Henry Boren and his brothers. These "Jernigan's Thicket" men balked when they heard it was Bourland they were to serve under; they simply did not trust him.\textsuperscript{79} As for the rest of the Brush Battalion, McCulloch recommended that Bourland post up to one-half of them on patrol duty, and keep the rest busy making shelters for the winter.\textsuperscript{80} After a short

\textsuperscript{77}McCulloch to Bourland, November 22, 1863, Bourland Papers, Library of Congress. During the day McCulloch reported that two additional companies showed up, giving him over a total of five companies with approximately 500 men available for frontier service.


\textsuperscript{79}McCulloch to Bourland, November 22, 1863, Bourland Papers, Library of Congress.

\textsuperscript{80}McCulloch also planned to give the men a last speech of encouragement as he saw them off from McKinney in Collin County. \textit{Ibid.}
march westward, Bourland ordered the battalion to encamp at Denton to await supplies and the necessary equipment for Indian service in the field.81

On the frontier McCulloch planned for the men of the Brush Battalion to advance to positions where they could form an integral part of the defense of the Indian frontier. Initially, McCulloch intended for them to help Bourland fill the gap between Frontier Regiment units at Fort Belknap and Red River Station, but Bourland had grander plans for them. On 11 December Bourland assigned the men to their new posts. He ordered Major Diamond to post one company along the upper Little Wichita River in Archer County, nearly due north of Fort Belknap, and to station two companies farther north on the Wichita River.82 The last two companies, under Captain Ferrell, were to be stationed still farther north in Indian Territory approximately 35 miles northwest of Warren's Trading Post on the Red River under the command of Captain C. L. Roff of

81Bourland to Barry, December 7, 1863, Barry Papers, Barker Texas History Center, University of Texas.

82Special Orders Number [ ? ], December 11, 1863, Bourland Papers, Library of Congress. These orders do not mention Archer County by name. The author concludes, however, that Bourland was referring to the North Fork of the Little Wichita, rather than to the East Fork in eastern Clay County. Only troops placed on the North Fork would be consistent with the advanced screen of the four other companies of the battalion, and would likewise cover the northern flank of the Frontier Regiment.
Bourland's Border Regiment. A Lieutenant Merchant, the battalion quartermaster appointed by McCulloch, had the thankless job of furnishing transportation, supplies, and forage from frontier counties already woefully short of forage and almost non-existent in transportation facilities.

A movie script of the scenario might envision that these men "gone bad" would be transformed into paragons of frontier service, but such was not to be. Problems abounded from the day they left McKinney, and with few exceptions the men were more hindrance than help to the beleaguered frontier. By the end of the year that part of the sub-district north of an east-west line running through Dallas still suffered from the presence of those in the brush, whose numbers now were reinforced by deserters entering north Texas from Indian Territory, as well as from the inefficiency of the Brush Battalion. By early January

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83 Ibid. Of three trading posts established on the Red River by Abel Warren from 1836 to 1848, the one referred to here was located near the mouth of Cache Creek in present Love County, Oklahoma, just north of the present community of Charlie, Texas. Webb, ed., Handbook of Texas, 2:864.

84 General Orders Number [?], December 11, 1863, Bourland Papers, Library of Congress; quotation from A. Cameron Petree to Ellen Galbraith, March 30, 1864, Galbraith Family Papers, in possession of Charles Eversole, Jr., Grapevine, Texas. This letter notes that Merchant, described by an acquaintance as "a fine looking fellow and a pretty sharp one" served in the Brush Battalion until its breakup in March, and was promoted to captain during that time.
a staff officer reported that the region was swarming with deserters and Union sympathizers, men who grew so bold as to even steal General McCulloch's horse. Afterwards, McCulloch reflected that the men of the Brush Battalion behaved abominably everywhere they went, "committing petty depredations on the property of the people about all their camps." The news was no better from General Maxey in the Indian Territory. On the day after New Year's, that officer reported that an entire company of General Cooper's brigade deserted, and probably were headed for the Northern Sub-District, while a couple of weeks later Maxey's spies (after infiltrating deserter bands in north Texas) indicated that the men in the brush in north Texas were

85W. A. Pitts to E. S. C. Robertson, January 8, 1864, Sutherland Collection, Department of Special Collections, University of Texas at Arlington Library. Pitts also stated that "our scouts are bringing them [deserters] in every day, and occasionally shooting one."

86McCulloch to E. P. Turner, April 6, 1864, Official Records, Ser. I, Vol. 34, Pt. 3:742. In this dispatch, McCulloch does not lay all the miseries of the sub-district at the feet of the Brush Battalion: "Many robberies, thefts, and murders have been committed in the country, principally by men with Federal overcoats on, some of which have been traced to Captain Quantrill's company proper, and others to some of the men who came here with him last fall, and to renegade Missourians and Arkansans who have left our army in Arkansas and Missouri, and have been lurking about the country all the winter, in spite of my best efforts to rid the country of them."
determined never to come out, that they longed for a federal invasion of north Texas. 87

The burden of such a command would have weighed heavily upon anyone, but for McCulloch, who still desired action as a field commander, the endless months of administrative difficulties with seemingly little good to show for it were especially galling. In late December he wrote to General Magruder and requested a transfer to field command, anywhere, even to a small cavalry command along the coast. 88 By January the frustration from the turmoil of his command seemingly overwhelmed the disconcerted McCulloch. In a harsh letter to Magruder, he tried to point out the real situation in his sub-district. He stated that when he finally got the deserters out of the brush, and ordered them to their state militia commands near Houston, they refused to go, and he had insufficient force to compel them, nor could he induce them to report to their original commands, wherever located. In bitterness, McCulloch uncharacteristically said that the best thing for

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87 Maxey to McCulloch, January 2, 1864, Maxey Papers, TSL-A; Maxey's spies reported approximately fifty deserters holed up again in Jernigan's Thicket, and much smaller bands of deserters scattered across the northern part of the sub-district. Maxey to McCulloch, January 20, 1863, Samuel Bell Maxey Papers, The Thomas Gilcrease Museum Library, Tulsa, Oklahoma.

88 McCulloch to Magruder, December 18, 1863, Henry E. McCulloch, Personal Service File, Confederate Record Group 109, National Archives.
the country would be to kill them; as traitors they deserved death. What little infantry he had was used almost solely in guarding prisoners and protecting stores from thieves, while the few cavalry units he had were engaged primarily in hunting deserters and escorting prisoners, while at the same time they tried to guard against Indian incursions. In recent weeks, McCulloch reported a dozen men killed and severely wounded, some by his men in pursuit of deserters, but most by bushwhackers. He concluded with the observation that:

In addition to the deserters, absentees, and skulkers almost one-fourth of this population ought to be taken up for aiding and assisting deserters ... and disloyal expressions and acts. I would be much gratified if I could be relieved and join you on the coast where the enemy is to be met and where there are loyal and true men to meet him with.89

McCulloch did not transfer; he threw himself into his work with a new vigor as spring approached, and stayed in command of the Northern Sub-District until the war's end.

When the Brush Battalion received their orders to reinforce the frontier in mid-December, they soon had their

89 McCulloch to E. P. Turner, January 6, 1864, Official Records, Ser. I, Vol. 53:923-925. Kirby Smith learned of McCulloch's December request for transfer and wrote him: "I dislike to hear you speak of going into the ranks. You are doing good, you are occupying a position, it is true, of great difficulty and great responsibility ... but there is glory for you in the discharge of your duties." Smith to McCulloch, January 4, 1864, McCulloch Papers, Barker Texas History Center, University of Texas.
chance to encounter the Plains Indians, for the largest Indian raid of 1863, one of the largest and most devastating of the war, hit the Northern Sub-District within two weeks after Bourland assigned them to the line. The great raid into Montague and Cooke counties in late December should have come as no surprise since officers of the Frontier Regiment and Border Regiment had early warning that such a raid was imminent. Captain Rowland, from Red River Station, reported indications of such a raid to Lieutenant Colonel Barry during the first week of December, and he sent his men in regular patrols to scout in the Cache Creek vicinity, north of the Red River approximately fifty miles to the northwest of Red River Station. At the same time, Bourland learned "from reliable sources" that hostile Indians on the Canadian River, north of Fort Cobb, were prepared for a heavy raid into Texas. In response, he ordered the Chickasaw Battalion, then attached to his forces, to occupy Fort Arbuckle, and ordered Captain A. B. White's company at the fort to move westward to extend the line anticipated to be filled by the Brush Battalion. In addition, he could count on the support of Baylor's company of Rangers, and a small mounted company of

90Rowland to Barry, December 5, 1863, Barry Papers, Barker Texas History Center, University of Texas.
militia under Captain S. P. C. Patton, recently attached to his command.  

On the early afternoon of 21 December 1863 a force of approximately 300 Comanches crossed the Red River east of Red River Station, entered Montague County, then made for the Illinois Bend region near the Montague-Cooke county line.  

This was no cattle raid. They first struck the Anderson, Willet, and Hatfield homesteads at Illinois Bend. Here they killed a man, two women, and a child, wounded three others, then burnt the homes and moved on.  

Captain Rowland, with less than thirty men (the rest were scouting or hauling supplies to Cache Creek), quickly reacted to news of the murders at Illinois Bend and set out from Red River Station. Just before they reached the Wallace settlement near Sadler Bend, with Rowland's men in hot pursuit,  

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91 Bourland to Barry, December 7, 1863, Barry Papers, Barker Texas History Center, University of Texas.  

92 John Henry Brown, Indian Wars and Pioneers of Texas (Austin, n.d.), p. 115. This coincides with McConnell, The West Texas Frontier, 2:99, an account based largely upon Brown's work. A. Morton Smith, The First 100 Years in Cooke County (San Antonio, 1955), p. 40, and Michael Collins, Cooke County, Texas: Where the South and the West Meet (Gainesville, 1981), p. 19, both give the twenty-first as the date the raid began, rather than the twenty-second, based upon the reminiscences of a Cooke County resident.  

93 Some members of these families escaped to nearby woods and avoided detection. Brown, Indian Wars and Pioneers of Texas, p. 115; McConnell, The West Texas Frontier, 2:100.
pursuit, the Indians recrossed the Red River near the mouth of Mountain Creek, probably to deceive their pursuers into thinking the raid was over. 94

Rowland's men rested their horses that night at the Wallace settlement, determined to begin their pursuit early the next morning. As they did so, word of the raid quickly spread to nearby settlers at the Elmore settlement of Fish Creek about six miles to the east, and to the Potter settlement four miles southeast of Elmore's. The news reached Gainesville that night. A detachment of Captain Patton's company, some twenty-five strong, left immediately and reached Wallace's before daybreak. 95 Back at Sadler's Bend, the settlers forted up and hoped that the Indians were really gone.

Early the next morning the confident warriors recrossed the Red River between the Wallace and Elmore settlements to complete what they started the day before. When they reached the first house at Elmore, the settlers hiding there became so terrified to see such a great number of Indians that they bolted and tried to run for safety,

94 Typed MSS, p. 400, Lillian Gunter Papers, Morton Museum, Gainesville, Texas; Brown, Indian Wars and Pioneers of Texas, p. 115.

rather than to stay and be burned out. The Indians soon killed several, chased others for miles, plundered the home, and stole the horses. As the raiders swept on unimpeded, settlers living close by the Elmore and Potter settlements could tell the Indians were getting closer by observing the smoke of burning homes. As they destroyed and plundered whatever was in their path, the main body moved south to the Bonner home on Elm Creek, located only six miles west of Gainesville. Fleeing settlers later exaggerated the extensiveness of the attack to include Gainesville itself.

As the large party of Indians moved with their plunder, the force of Rowland, Patton, and volunteer citizens finally confronted them. They found little problem in tracking the invaders—just following the smoke of burning homes solved that, but the Indians moved rapidly, with extra mounts as usual, while the men with Rowland frequently had to rest theirs. Finally, they overtook the war party near a ridge that overlooked a large field at Potter's settlement, some ten miles northwest of Gainesville. The Indians, full of the confidence borne of a fighting heritage and superior numbers, continued to move


97 Collins, *Cooke County, Texas*, p. 19; Smith, *Cooke County*, pp. 40-41.
at a leisurely pace, and showed little regard for the force behind them—until Rowland began forming his men for a charge. These Comanche warriors may have felt many emotions when faced by the charging Texans, but fear was not one of them. Before Rowland's men had scarcely started, the Comanches to their front quickly broke into two wings and began circling to both flanks of the Texans. One did not have to be a veteran of Indian warfare to see what was happening. Rowland's men halted, fired ineffectively at long range, then began to break for the rear. Several Texans were shot down in the pursuit, but most made it to the protective safety of a nearby fence and kept the attackers at bay. As the warriors trotted off the field, Rowland tried to get his men to move once more to the attack, but the demoralized defenders refused to budge. The only thing left was to wait for reinforcements and begin pursuit the following day. 98

A contemporary source put white losses during the raid at thirteen killed and thirteen taken into captivity. 99 Bourland's first report of the action to McCulloch, written on the night of 22 December, estimated fifteen Texans

98 Brown, Indian Wars and Pioneers of Texas, pp. 117-118.

killed "and some 2 or 3 young women carried off." Two days later his report to McCulloch confirmed losses of twelve killed and seven wounded, with ten homes burned, and numerous horses stolen. It was a devastating raid. The Indians lost only a few men and the pursuit by ultimately hundreds of Texans never overtook the raiders after they crossed the Red River. Repercussions from the raid were immediate; foremost in everyone's mind was how such a large band of Indians penetrated the screen of patrols and traveled undetected into the midst of the settlements.

Upon examination, it appears that the raid occurred, unknowingly, at precisely the right moment just before Bourland's defensive preparations for the northwest frontier were complete. It will be recalled that on 11 December Bourland ordered Major Diamond to post the Brush Battalion over a seventy-five-mile-line, from the Little Wichita to north of the Red River. These orders, however, were not expected to reach Diamond until the fourteenth,

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102 Bourland reported that the Comanches were tracked far to the west, but had too great a lead for the Texans to overcome. He concluded that their destination was the headwaters of the Pease River, or the Prairie Dog Town Fork of the Red River. Bourland to Barry, January 1, 1864, Barry Papers, Barker Texas History Center, University of Texas.
while the Brush Battalion was still near Denton. During the pursuit of the raid, one of the officers who brought reinforcements and joined the chase was Major Diamond, presumably with some of the better men of the Brush Battalion, an indication that Diamond was still in Denton awaiting supplies before the battalion could move out.\textsuperscript{103}

The raid hit from the northwest before the Brush Battalion could fill the gap between the Red River and Captain White's company, ranging to the west of Fort Arbuckle. Captain Rowland's Frontier Regiment company at Red River Station was in closer touch with Bourland than to his superior, "Buck" Barry, and undoubtedly coincided his movements with those of Bourland for defensive plans north of the Red River. The scouts he had out toward the mouth of Cache Creek, thirty-five miles south of an expected Brush Battalion outpost, probably were too far to the south to detect the Indian penetration.\textsuperscript{104}

It may also be that over confidence by Bourland contributed to the December disaster. Bolstered by the 500 man Brush Battalion, General's Cooper's Chickasaw

\textsuperscript{103}Bourland to John R. Diamond, December 14, 1863, Bourland Papers, Library of Congress; Brown, \textit{Indian Wars and Pioneers of Texas}, p. 118.

\textsuperscript{104}Barry insistently pointed out that the raid occurred in "Colonel Bourland's section." He obviously felt that Rowland was not responsible for letting the raid get through. Greer, ed., \textit{Texas Ranger and Frontiersman}, p. 171.
Battalion, and the companies of Baylor and Patton added to his own regiment, Bourland believed he had the strength to take the war to the enemy. He planned to take to the field as soon as possible, in cooperation with the Frontier Regiment, to "make a move against the Indians & Federals" in Indian Territory.\textsuperscript{105} It was in the midst of such preparations that the thunderbolt struck Cooke County; thirteen months would pass before Texans on this part of the frontier could carry out such an offensive expedition reminiscent of those of 1858. The Indian raids that occurred in 1864, although fewer in number than in 1863, struck with a deadlier force on a larger scale. One historian explained the diminished number of raids in 1864 this way: "Perhaps the reason was that the country was so full of jayhawkers, deserters, renegades and military parties hunting them, that the Indian considered it a very unsafe place."\textsuperscript{106}

General McCulloch did not delay to remedy a frontier defense that could allow such a raid to take place; he knew

\textsuperscript{105}Bourland to John R. Diamond, December 13, 1863, Bourland Papers, Library of Congress; Greer, ed., Texas Ranger and Frontiersman, pp. 168-169; quotation found in Bourland to Barry, December 7, 1863, Barry Papers, Barker Texas History Center, University of Texas.

manpower was always needed, but he believed a change in methods might accomplish as much. In January Bourland lost his force of Chickasaws, and in the process joined McCulloch's command in the Northern Sub-District. Normally not one to chastise subordinates by post for their failures, McCulloch nevertheless wrote to Bourland that:

I am unwilling to censure anyone unjustly but it seems rather strange to me that the Indians should be in the country in such large numbers before they were discovered. Several scouting parties may escape the observation of the vigilant but certainly such a body of men could have been discovered if there had been anyone on the watch at all.

After he continued to receive reports of settlers who left the frontier for the interior because they could no longer count on the frontier forces for protection, McCulloch wrote to Bourland to propose a change in the plan of operations for the northwest frontier. Bourland should institute the familiar patrol system, station at least one company on the Red River near the Clay-Montague county line, post two companies between that point and Fort Belknap, and leave one company on the Red River in Cooke County. A portion of Bourland's force would remain in the

107 Maxey to McCulloch, January 19, 1864, Maxey Papers, TSL-A. This letter confirms that Bourland was by now under McCulloch's command, but no order exists to give us the exact date of transfer.

vicinity of Fort Arbuckle to scout westward for Indian signs. This change, McCulloch noted, would have three major advantages: it would help solve the logistical problem of hauling supplies to the greater distances of Bourland’s earlier positions, afford closer cooperation with the Frontier Regiment elements stationed at Fort Belknap, and, just as importantly, bring a defensive line closer to the settlements to instill greater confidence among the settlers.

The Brush Battalion would be excluded by these new preparations on the Indian frontier; by now military officials considered them too unreliable to be entrusted with defense of the Indian frontier, as reports came in almost daily of their poor behavior. Finally, McCulloch tried "to get the good men out from the bad by culling them." He endeavored to discover just who could be depended upon, so that they could be placed with a company under Captain Ferrell, to maintain at least one reliable

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110 Ibid. Lack of forage for the horses was a severe problem along the Red River during the winter of 1863-1864, in part because the presence of thousands of buffalo wintering there destroyed so much of the grass. Rowland to Barry, December 5, 1863, Barry Papers, Barker Texas History Center, University of Texas.

unit for service out of more than 500 who marched off to serve in the Brush Battalion. The problem of the Brush Battalion, widespread disaffection in the Northern Sub-District that would lead to the breakup of a plot that rivaled the "Peace Conspiracy" of 1862, and mounting problems with Quantrill's band were all on the horizon for the northwest frontier of Texas. Before examining their resolution, it is imperative to describe the origins and implementation of the last major organizational change in the defense of the Texas frontier, the establishment of the Frontier Organization. A final attempt by the State of Texas to provide the best possible protection for settlers who lived along the Indian frontier merits special attention.

\footnote{McCulloch to Bourland, January 7, 1863, Bourland Papers, Library of Congress.}
CHAPTER VI

TRANSFER OF THE FRONTIER REGIMENT AND
CREATION OF THE FRONTIER DISTRICTS

The final modification of the system of frontier defense in Texas began after the election of the state's last wartime governor. On 3 August 1863 Pendleton Murrah defeated Thomas Jefferson Chambers and took office three months later, on 5 November.¹ Murrah, like outgoing Governor Francis R. Lubbock a native of South Carolina, had somewhat of a mysterious background. No one knew exactly where or when he was born, nor who his parents were. He

¹A few months prior to the election five candidates contended for the office. In addition to Murrah and Chambers, the race attracted Edward Clark and Henry McCulloch, and the friends of Sam Houston made a strong bid for his nomination. The aged and ill Houston withdrew his name, and died in July; Clark and McCulloch also withdrew, like the incumbent, Governor Francis R. Lubbock, to see active duty in the field. McCulloch's campaign, orchestrated by his staff officers, announced his candidacy through newspapers and by the distribution of thousands of circulars. As one of his supporters stated his chances: "Hope Murrah will not [run] - but in either case activity will elect McCulloch & save the State from misfortunes." John H. Brown to E.S.C. Robertson, May 10, 1863, Sutherland Collection, Department of Special Collections, University of Texas at Arlington Library. Houston, still widely respected across the state, despite his unenthusiastic embrace of secession in 1861, absolutely despised Chambers, and harbored doubt about McCulloch's military ability. David P. Smith, ed., "Civil War Letters of Sam Houston," Southwestern Historical Quarterly, 81 (April, 1978): 420, 424. See also, Llerena Friend, Sam Houston: The Great Designer (Austin, 1954), pp. 351-352.
graduated from Brown University in 1848, was admitted to the Alabama bar, and shortly afterwards journeyed to Texas where he was elected to the legislature in 1857.2

Murrah placed particular emphasis upon frontier defense in his inaugural address. Like Lubbock in his last speech to the legislature, Murrah believed that the establishment of the Northern Sub-District went a long way toward strengthening the northwestern frontier and, like Lubbock before him, believed it the responsibility of the Confederate government to ensure the defense of the Texas frontier.3 Facing Murrah was the presence of the state supported Frontier Regiment, a force that came under considerable scrutiny by its critics in late 1863. Predominant, however, in the move to attempt once again its transfer to Confederate service was the question of its financial burden upon the state treasury, but once again the legislature was reluctant to release it to Confederate command without some provision for the frontier's protection.

In November of 1863 General John B. Magruder became exceedingly impatient to obtain the services of the

2James T. DeShields, They Sat in High Place: The Presidents and Governors of Texas (San Antonio, 1940), p. 247.

Frontier Regiment as an additional force to help meet the
Union invasion of south Texas. He initially wished for the
regiment to be turned over to General Henry McCulloch so
that Confederate units in the Northern Sub-District could
be forwarded to the coast.\(^4\) By the end of the month
Magruder proposed to Murrah that the Frontier Regiment be
equally concentrated in two sites, at Fort Belknap under
General McCulloch, and at Fort Clark under Western Sub-
District commander James Edwin Slaughter.\(^5\) The troops at
Fort Clark would be used primarily to guard against a Union
thrust at either San Antonio or along the Rio Grande.

\(^4\)Stephen D. Yancey to McCulloch, November 6, 1863,
Robert N. Scott and others, eds., The War of the Rebellion:
A Compilation of the Official Records of the War of the
Rebellion, 70 vols. in 128 books, reprint (Harrisburg,

\(^5\)Magruder to Murrah, November 23, 1863, ibid., Ser. I,
Vol. 26, Pt. 2:447. The thirty-six-year-old Slaughter was
a Virginian and great-nephew of former President James
Madison. Magruder assigned him to command the Western Sub-
District in October; he assumed that position on 23
November 1863 and held it until the war's end. Earlier,
General Kirby Smith strongly recommended him for such a
post: "General Slaughter has the confidence of the Mexican
population of the Rio Grande. I am induced to make this
request from the growing importance of the Rio Grande [and
of] having an officer in command [who] possesses the
faculty of controlling the Mexican population and accom-
modating the differences which are continually arising on
the frontier." Patricia L. Faust, ed., Historical Times
Illustrated Encyclopedia of the Civil War (New York, 1986),
p. 691; General Orders Number 1, November 23, 1863,
from, Kirby Smith to General Samuel Cooper, June 10, 1863,
Personal Service File, James E. Slaughter, Confederate
Record Group 109, National Archives.
Murrah expressed concern that such a concentration would leave too large a gap unprotected along the central Texas frontier. If authorities transferred the Frontier Regiment to Confederate service the 300-mile-line between the two forts would be unprotected thus causing the interior of the state to suffer. General Edmund Kirby Smith, with first-hand geographic knowledge of the Texas frontier, concurred, and while he normally left the posting of troops to his district commanders, he at least recommended to General Magruder to follow Murrah's wish to have a portion of the regiment stationed at Camp Colorado and along the Llano River as well, possibly at Fort Mason.\(^6\)

The subject of frontier defense and the fate of the Frontier Regiment played a major role in deliberations of the Tenth Legislature in November and December of 1863. While the governor and legislators seemed willing to transfer the regiment to the Confederacy, even with no restrictions, they hesitated to do so without assuring the best protection possible for the frontier counties. The result was a plan similar to one proposed by Governor Lubbock during the previous session of the legislature. The new law passed the legislature as "An Act to Provide for the Protection of the Frontier, and turning over the

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Frontier Regiment to Confederate States Service," and represented the last major modification of frontier defense by the State of Texas during the Civil War.

The new plan created what became known as the Frontier Organization, an organizational structure that functioned in the frontier counties not only until the surrender of the Trans-Mississippi Confederacy but for some months afterward. Enacted by the legislature on 15 December the law declared that all persons liable for military service who were actual residents of the frontier counties of Texas were to be enrolled and organized into companies of not less than twenty-five and not more sixty-five men. The Act defined the frontier line as all the following counties, and included all those located north and west of the line: Cooke, Wise, Parker, that part of Johnson west of the Belknap and Fort Graham road, Bosque, Coryell, Lampasas, Burnett, Blanco, Bandera, Medina, Kendall, Atascosa, Live Oak, McMullen, La Salle, Dimmit, and Maverick. On the following day the lawmakers amended the bill to include that portion of Karnes County lying southwest of the San Antonio River, and that part of Bee County lying southwest of the Medio River.8

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7H. P. N. Gammel, compiler, Laws of Texas, 1822-1897, 10 volumes (Austin, 1898), 5:677.
8Ibid., 5:689.
Fig. 3--Population by county, 1860

NR -- No returns in census of 1860

boundary of the Frontier Organization

Unorganized Territory
The law instructed Governor Murrah to divide the designated counties into three districts and to appoint a suitable person with the rank and pay of Major of Cavalry to take charge of the organization of mounted companies within the district, said person to be charged with the defense of the district. The law based the organization of the companies upon the minuteman pattern familiar to the Texas frontier. A captain and two lieutenants led each company and, typical of instructions long used by Ranger companies in Texas, the law required each man to have at all times a horse, gun, ammunition, ten days provisions, and necessary equipment for service in the field.

Of the entire force raised in such manner, the major of each district was to require that one-fourth of his men, on a rotation basis, be in service at any one time, with provisions that the governor could set forth extraordinary circumstances by which the entire force could be called out. That the Frontier Organization was to be used to protect the frontier from Indian incursions was not stated in the bill but rather was an understood prerequisite. The law emphasized, however, that all members of the organization were to take an oath that they would use the best of their abilities to arrest and deliver to the nearest Confederate State authorities every person reported or known to be a deserter, either from the state or
Confederate States army, including all persons known to be avoiding conscription. Furthermore, any soldier of a district who refused to abide by his oath, or if charged with any other offense, was to be court-martialed. If guilty of a minor offense, said person could then be turned over for Confederate States service. For their actual service in the field, the daily pay of officers and men was to be: captains, three dollars; lieutenants, two dollars and seventy-five cents; sergeants, two dollars and fifty cents; corporals, two dollars and twenty-five cents; and privates, two dollars.9

Section 12 of the new law stated that upon the completion of the new organization the governor was to turn over the Frontier Regiment to Confederate authorities. In this manner authorities hoped that the frontier would have adequate protection, even if the Confederate controlled Frontier Regiment left to counter a threat elsewhere. Just as importantly, this protection would come from those who lived on the frontier, from men hopefully motivated to give their best effort to protect their families and property. When the legislators passed the Frontier Organization bill, they also appropriated eight hundred thousand dollars to pay deficits for the support of the Frontier Regiment and

9Ibid., 5:677-678.
they appropriated one million dollars to defray the cost of defending the frontier in 1864 and 1865.\textsuperscript{10}

The Frontier Regiment obviously could not be transferred immediately; the Frontier Organization had to be in place doing effective service before the transfer. It was hoped that the details could be worked out by early February. In the meantime, it is interesting to ascertain Colonel James McCord's views on the changes made in the status of his regiment. Upon his arrival in Austin near the end of the legislative session, McCord wrote to Lieutenant Colonel Barry that:

There seemed to be a strong disposition on the part of nearly all of the members to rid the State of the expense, and many, or at least some of the Frontier members, did all they could to get us away, and they have succeeded, or at least we will soon be at the mercy of the coming. Gen. . . . but so soon as I can I will try and get [Governor Murrah] to use his influence with the Comding. Gen. to keep the Regt. where it is.\textsuperscript{11}

Although expressing disappointment over the effectiveness of the Frontier Regiment, including charges made by Colonel Bourland, a number of people living on the frontier complained about the consequences should it actually be withdrawn. On the northwestern frontier Captain J. T. Rowland, at Red River Station, reported that citizens of the region

\textsuperscript{10}Ibid, 5:670, 688.

\textsuperscript{11}McCord to Barry, December 16, 1863, Barry Papers, Barker Texas History Center, University of Texas.
petitioned General McCulloch to use his influence to retain the regiment on that part of the frontier, while an old friend of General Kirby Smith informed him that should the Frontier Regiment be removed, the central Texas frontier would be overrun by cattle thieves and bushwhackers.

The transfer of the Frontier Regiment proceeded slowly and uncertainly throughout the first months of 1864. Part of the problem stemmed from the extended time necessary to complete arrangements for the Frontier Organization, but routine matters within the Frontier Regiment contributed as well to the delay. Because of the scattered condition of the regiment it was a lengthy process to gather supplies and stores for the subsistence of the regiment at its proposed stations, Fort Belknap, Camp Colorado, Camp San Saba (replacing Fort Mason), and Fort Clark, and to arrange for the transfer of commissary commitments from state to Confederate responsibility.

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12 Rowland to McCord, January 9, 1864, Adjutant General's Records, TSL-A.

13 John Hunter to Kirby Smith, January 28, 1864, Edmund Kirby Smith Papers, Ramsdell Microfilm Collection, Barker Texas History Center, University of Texas (original manuscripts located in the Southern History Collection, University of North Carolina).

14 McCord to D. B. Culberson, January 13, 1864, Adjutant General's Records, TSL-A; A. H. Lee to Barry, January 14, 1864, Barry Papers, Barker Texas History Center, University of Texas. The best secondary account of the Frontier Regiment on the central Texas frontier, from its transfer to the end of the war, is Thomas Robert
As far as how the men of the regiment felt, McCord reported that his captains and most of his men favored the transfer, but in response to Governor Murrah's early suggestion that the regiment first be mustered out of state service and then enrolled into the Confederate Army, McCord replied that this option might tempt too many of the men to join other commands. He favored a simple transfer. One company composed of many men from the northwest frontier, however, protested their removal to the Rio Grande rather than to Fort Belknap. They expressed doubts that the men of the Frontier Organization could be trusted to guard the frontier. They viewed this new organization as:

composed of men from almost every section of the state and even from other states, as well as a considerable number of deserters who have fled from conscription & draft, a great many of whom have neither families, property nor visible occupation.  

Havins, Camp Colorado: A Decade of Frontier Defense (Brownwood, Texas, 1964), pp. 127-169, based almost exclusively on the Barry Papers, and to a lesser extent, the Adjutant General's Records.

15 Michael Reagan Thomasson, "James E. McCord and the Texas Frontier Regiment," unpublished master's thesis, Department of History, Stephen F. Austin State University, Nacogdoches, Texas, 1965, pp. 67-68; by March, McCord believed that there would be few desertions from the regiment when the transfer took place, those to worry about were probably in Captain Whiteside's company, a man whom McCord believed had lost all control over his men. McCord to D. B. Culberson, March 3, 1864, Adjutant General's Records, TSL-A.

16 Petition by Company E, Frontier Regiment, January 21, 1864, Governor Pendleton Murrah Records, TSL-A.
The Adjutant and Inspector General of Texas, David Browning Culberson, directed that the transfer of the regiment take place on the first day of March, 1864. New company elections took place at the time, while slight adjustments were made in the proposed sites for location of the companies. Two companies each maintained their bases at Camp Verde, Fort Inge, and at Fort Duncan, while James "Buck" Barry took command of four companies stationed at Fort Belknap. In addition, the ten companies were reduced in number to only eighty men each so that two additional posts could be located at Camp San Saba and Camp Colorado.

Not even this arrangement would last long for the Frontier Regiment. In response to the federal offensive

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17 James K. Greer, ed., Buck Barry, Texas Ranger and Frontiersman, reprint (Lincoln, Nebraska, 1978), p. 172. The thirty-three-year-old Culberson, a strong supporter of the new Frontier Organization, was a member of the Texas Legislature in 1860, but resigned his seat because he opposed secession while his east Texas section favored it. He helped organize the Eighteenth Texas Infantry, and later was colonel of the regiment. After his health broke down in the winter of 1863, he accepted the position of Adjutant General of Texas and served until his election to the legislature in late 1864. William S. Speer and John Henry Brown, eds., The Encyclopedia of the New West (Marshall, Texas, 1881), p. 551.

18 Greer, ed., Texas Ranger and Frontiersman, p. 172; Havins, Camp Colorado, pp. 130-133. Colonel McCord opposed the move to create two additional companies; he much preferred to keep the regiment concentrated than to scatter it along the line. A. H. Lee to Barry, January 14, 1864, Barry Papers, Barker Texas History Center, University of Texas.
under General Banks up the Red River in Louisiana in a move that threatened east Texas, General Magruder ordered the six southern companies to La Grange to replace the mounted regulars who earlier moved eastward to reinforce General Richard Taylor's effort to stop Banks. These companies concentrated on Onion Creek near Austin in May, 1864 to prepare for their move to the coast.\(^\text{19}\) While the regiment was thus split, a couple of months passed before it could be ascertained just who was in overall command of Barry's detachment at Fort Belknap. General Slaughter commanded the Western Sub-District that encompassed all the frontier counties except the populated ones along the extreme northwestern frontier, but his attention was always to the coast and Rio Grande defenses rather than to the protection of the interior. General McCulloch was the logical choice as the Confederate commander to best direct Barry's battalion of the regiment, but he labored for some time without specific instructions to do so. He could only request that Barry's men and the Frontier Organization companies cooperate with Bourland's Border Regiment to maintain frontier defense. As late as 26 April McCulloch wished to move two companies of the Frontier Regiment farther west, but he complained to General Magruder that he doubted his

\(^{19}\)Thomasson, "James E. McCord and the Texas Frontier Regiment," p. 73; McCord to Barry, June 3, 1864, Barry Papers, Barker Texas History Center, University of Texas.
authority to do so. Finally, Magruder confirmed in May that Barry's four companies at Fort Belknap were, indeed, subject to McCulloch's orders.

In August Barry received orders to transfer his command to the coast. The departure of his four companies left only a small remnant of the regiment on the frontier, a two-company battalion stationed at Camp Colorado under Captain Henry S. Fossett. For over two months Barry and his companies remained on duty at various points near the coast until General John G. Walker, who succeeded Magruder,

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21 Greer, ed., Texas Ranger and Frontiersman, p. 174; Magruder to W. R. Boggs, May 25, 1864, Official Records, Ser. I, Vol. 34, Pt. 4:630. During this time Colonel McCord remained in a state of perplexity over conflicting orders concerning his regiment. Originally, Barry's detachment received orders in April to head for the coast with the rest of the regiment. Magruder countermanded these orders, but McCord had difficulty finding out the exact plans for his troops. As late as June he wrote that "it seems to be settled that the six southern companies will go to La Grange and be under the command of Genl. Magruder and the four northern companies to remain at Fort Belknap subject to orders from Gen. McCulloch." Greer, ed., Texas Ranger and Frontiersman, p. 274; quotation found in McCord to Barry, June 3, 1864, Barry Papers, Barker Texas History Center, University of Texas.

22 Greer, ed., Texas Ranger and Frontiersman, pp. 174-175. These two companies, designated A and B by General Magruder, were the two additional companies created for the Frontier Regiment. Fossett, of Meridian, Texas, in Bosque County, commanded this small force of the Frontier Battalion. Havins, Camp Colorado, pp. 132-133.
ordered them back to Fort Belknap in October. The six southern companies never again returned to frontier service, even though Colonel McCord continued to work toward that end. In November, after word came of renewed difficulties on the frontier, not the least of which was the great Elm Creek Raid by Comanches and Kiowas near Fort Belknap, McCord appealed to General Walker for permission to return his regiment to frontier service. Walker refused; he told McCord that "he had but few troops in this vicinity and if he needed any at all he would be likely to want them this winter." For the rest of the war this contingent of six companies remained chiefly in the newly-created Central Sub-District, stationed at Bastrop, Columbus, and at various points near the coast. With the

23Greer, ed., Texas Ranger and Frontiersman, p. 182.

24McCord to Barry, November 10, 1864, Barry Papers, Barker Texas History Center, University of Texas.

Frontier Regiment in such a state of flux for much of 1864, and with the permanent removal of half its strength from the frontier by late spring, the heaviest burden of frontier defense fell to the formation designed to take its place, the Frontier Organization.

The command structure of the Frontier Organization occupied the attention of the state government in the first month of 1864. In the first week of January, 1864, Governor Murrah appointed three men to the rank of major and charged them with the command of the three newly created Frontier Districts. The First (or Northern) Frontier District consisted of the counties of Cooke, Wise, Jack, Parker, Montague, Young, Palo Pinto, Knox, Baylor, Stephens, Shackelford, Jones, Haskel, Hardeman, Archer, Clay, Throckmorton, Wichita, Wilbarger, and Greer, the northwestern frontier counties with a combined 1860 population of approximately 15,000.26 The Second (or

26Greer County was located north of the Prairie Dog Town Fork of the Red River, between the North Fork of the Red River and the one hundredth meridian. The legislature created it in 1860 and after the war it remained the center of a boundary dispute between the United States and Texas over the wording of the Adams-Onis Treaty of 1819 concerning the Red River boundary. In 1896 the United States Supreme Court ruled that Greer County was a United States territory, and in 1907 it became part of the State of Oklahoma. It was not settled during the Civil War, and in 1885 only ten families lived there. Walter Prescott Webb, ed., The Handbook of Texas, 2 volumes (Austin, 1952), 1:730-732.

Of the twenty counties in this Frontier District, only half of them had any population listed at all in the 1860
Central) Frontier District contained the counties of Erath, Bosque, Coryell, Hamilton, Comanche, Brown, Lampasas, San Saba, Mason, Eastland, Coleman, Runnels, Concho, McCulloch, Menard, Kimball, Callahan, Taylor, and that part of Johnson County west of the Fort Belknap road to Fort Graham, an area with an 1860 population of approximately 12,000.27 The Third (or Southern) Frontier District included the counties of Burnet, Kerr, Llano, Gillespie, Blanco, Bandera, Medina, Frio, Live Oak, Atascosa, McMullen, Dawson, Maverick, Zavalla, Dimmit, La Salle, Edwards, Kinney, that portion of Karnes County lying southwest of the San Antonio River, and that part of Bee County lying southwest of the Medio River, a region with an 1860 population of approximately 15,000.28

census; one of them, Shackelford, listed only four residents, and Clay County's entire population of 109 abandoned the county during the war. All 1860 census returns listed herein are taken from William Curry Holden, "Frontier Problems and Movements in West Texas, 1846-1900," unpublished doctoral dissertation, Department of History, University of Texas, Austin, Appendix I.

27 These nineteen counties included eight counties with no population listed for 1860.

28 Only five of these twenty counties were unpopulated in 1860. The breakdown of counties listed for the three Frontier Districts above is found in The Texas Almanac, 1865 (Galveston and Austin, 1860-1865), pp. 42-43. The author used a copy, containing all six years in one volume, located in the Barker Texas History Center, University of Texas. The information is more conveniently found in James M. Day, ed., The Texas Almanac, 1857-1873 (Waco, 1967), p. 509.

In the Third Frontier District, the Dawson County
To administer these districts Governor Murrah appointed William Quayle as commanding officer for the First Frontier District, George Bernard Erath for the Second Frontier District, and James M. Hunter for the Third Frontier District. It is somewhat puzzling why there has been so much confusion by those who have written about the organization to ascertain correctly just who commanded these districts, and the effective manpower enrolled in each. Quite a few secondary works, including a number of county histories, provide quotes from the law that created the Frontier Organization with an inaccurate listing of its commanders but with little else. Scarcely more than three or four pages in any one account have ever been written about this organization that formed the backbone, for good or bad, of frontier defense in Texas for the last one and one-half years of the Civil War.

listed, created in 1858, is now defunct. The legislature withdrew its territory, formed from parts of Kinney and Uvalde counties, in 1866; it included no part of present-day Dawson County, created in 1876. This same district also included present-day Real County, created in 1913 from parts of Bandera, Edwards, and Kerr counties. Webb, Handbook of Texas, 1:473; ibid., 2:446.

Fig. 4—Boundaries of the Frontier Organization
Even the most reliable sources have not been completely accurate in relating what little information they presented about the origins of the Frontier Organization. W. C. Holden, "Frontier Defense in Texas During the Civil War," p. 28, lists William Quayle of the First District with an initial troop strength of 1,517; George Erath of the Second with 1,413, and General J. D. McAdoo of the Third with a force of 1,334. He cites two sources for these conclusions, Erath's memoirs, and a memorandum found in the Adjutant General's Records, Archives-Texas State Library.30 Robert L. Kerby, Kirby Smith's Confederacy, likewise gives the same troop strengths and the same commanders,31 also based on Erath's memoirs and the same memorandum, dated March, 1864. He at least goes on to note that James W. Throckmorton replaced Quayle in "early 1865," while at the same time John Henry Brown took over the Third District. J. C. McConnell, The West Texas Frontier, 2:104-105, simply lists the chart given in The Texas Almanac, 1865, which contains commanders and company strengths for

30The Erath memoirs consist of a typed manuscript found in the Barker Texas History Center, University of Texas. The memoirs also appear in Lucy A. Erath, "Memoirs of George Bernard Erath," Southwestern Historical Quarterly, 27 (October, 1923): 27-51. Both Holden and the present author used the original typed manuscript.

October, 1864. This chart gives Throckmorton as the First District commander, with Quayle as second in command; Erath as commander of the Second; and General John D. McAdoo in charge of the Third, while McConnell adds Major James Hunter as second in command. Two theses which should contain a great deal about the Frontier Organization actually give few details. Ruckman, "The Frontier of Texas During the Civil War," quotes H. P. N. Gammel, Laws of the State of Texas, to give the wording of the bill that created the organization, but gives little else concerning leaders, strengths, or any other information. Overfelt, "Defense of the Texas Frontier: 1861-1865," gives the same leaders and strengths as McConnell, cites Erath's memoirs and McConnell's work, then says little more of the organization.

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32 Part of the problem in discovering just who commanded the districts, and when, lies with information found in The Texas Almanac, 1865. The organization and strength it gives for the Frontier Districts is for October, 1864, but the information it gives is often erroneously cited as the initial strength and command structure of the organization, effective as of March, 1864, when its commanders completed enrollment in the districts. The Almanac correctly gives George Erath as commander of the Second District, but does not explain changes that took place in the other districts in 1864 and 1865.

33 Caroline Silsby Ruckman, "The Frontier of Texas During the Civil War," unpublished master's thesis, Department of History, University of Texas, Austin, 1926.

The page referred to in Erath's memoirs, as cited by the authors above, states that "I had some six or eight counties in my district, containing in all fourteen companies and about a thousand men." The 1,413 men cited by Holden and Kerby above comes from a memorandum located in the Adjutant General's Records, Archives-Texas State Library, dated March, 1864. As early as 2 February Erath estimated that he would have a total force of approximately 1,400, then three weeks later he declared that eighteen companies had reported, with six more expected. Finally, on 1 April he submitted his initial returns: 1,390 officers and men, representing twenty-one companies plus three squads, with two squads still expected to report.

Curiously, Overfelt had access to James M. Day, ed., Senate and House Journal of the Tenth Legislature, First Called Session, yet he still referred to McAdoo as the initial commander of the Third District, then four pages later, p. 68, he belatedly notes that Murrah replaced Hunter with McAdoo. Overfelt, in his listing of the counties included in the Frontier Organization, lists only those that contributed companies to the strength of each district.

35"Memoirs of George B. Erath," Typed MSS, p. 106, Barker Texas History Center, University of Texas, cited hereinafter as "Erath Memoirs."

36This author has been unable to locate this memorandum. An examination of the Adjutant General's Records, TSL-A, failed to unearth it. It could not be found in the folders labeled General Correspondence for 1864, nor in the Ranger Records files, nor in the files for State Troops, 1864, nor in General and Special Orders for the Frontier Districts, nor in any related files for 1864. It has probably been misplaced.
short of the total suggested by the March memorandum above.  

It is more difficult to reconcile the initial returns for the Third District with the total of 1,334 men cited by Holden and Kerby's March memorandum. On 11 May 1864 the Third District's commander, James Hunter, submitted a most detailed report in which he listed the strength, date of organization, and county of origin for each company. Earlier, on 24 February, Hunter complained that the enrolling officers of the southern counties in his district were exceedingly slow in filing their muster rolls with his office; only thirteen companies reported by that date. The May report gives the aggregate strength of his command as 1,211 (effective strength at only 1,061), with twenty-two companies reported and several still to do so. It is difficult to see how 1,334 men could have been listed nearly two months earlier, particularly as slowly as the returns came in.

37 Erath to Culberson, February 2, 1864, Adjutant General's Records, TSL-A; Erath to Culberson, February 22, 1864, Adjutant General's Records, TSL-A; Monthly Report of the State Troops of the 2nd Frontier Dist. of Texas from the Organization March 1864 to April 1, 1864, Adjutant General's Records, TSL-A. These documents are obviously more accurate than Erath's memoirs.

The First Frontier District returns also came in slowly, but with good reason; Major Quayle reported that several of his couriers, bearing muster rolls, turned back and laid low when observers sighted hostile Indians in Wise, Parker, Jack, Cooke, and Montague counties. By late February, however, he completed the organization and reported a total strength of 1,165, a force that would have been larger except that several men belonging to the Frontier Regiment unlawfully joined the organization and had to be removed from the rolls. The next official district return that can be located for Quayle's district is that of June, 1864, when he reported a total strength of 1,353 officers and men in service. Once more, it is doubtful that he could have reported a March strength of 1,517 as cited by Holden and Kerby.

There are dozens of Muster Rolls for Frontier District companies located in the Adjutant General's Records, TSL-A. From these one may glean something of the organization and of the men who served on the frontier during the last eighteen months of the war. Companies normally averaged

39 Quayle to Culberson, February 4, 1864, Quayle Papers, Rare Book Room, University of Alabama Library, cited hereinafter as Quayle Papers, UAL.

40 Quayle to Culberson, February 20, 1864, Quayle Papers, UAL.

41 District Return, 1st Frontier District, June, 1864, Adjutant General's Records, TSL-A.
between fifty and fifty-five in strength, usually with about fifteen men per squad for patrol duty, but it should be recalled that by law only one-fourth of the force was to be in the field at any one time, a requirement generally adhered to except in times of emergency. Thus, of the force of approximately 4,000 men enrolled in the organization by the spring of 1864, 1,000 men remained constantly in the field. The length of service at any one time naturally varied according to the task, presence of the enemy, and availability of supplies, but most squads on patrol duty expected to remain out for approximately ten days.42

The men who joined the Frontier Organization, as might be expected, were older than the average men in service to the Confederate Army. In his monumental study of the Confederate soldier, distinguished historian Bell Wiley concluded that approximately one-third of all the Confederacy's soldiers were between the ages of eighteen and twenty-five, while just under 17 percent were in their

42Any generalizations made here about the Frontier Organization are based upon a careful reading of several hundred pages of documents related directly to the Frontier Organization, found primarily in the previously cited Adjutant General's Records, Quayle Papers, and Bourland Papers. The author is in possession of photocopies of the entire collection of both the Quayle Papers and the Bourland Papers, as well as every such significant document found in the Adjutant General's Records, save for the Muster Rolls, abstracts of which were transcribed by hand.
thirties. By contrast, an examination of the Muster Rolls of the Frontier Organization reveals that the average age of its soldiers was thirty-two, while approximately 15 percent of the force consisted of teenagers. Although the district commanders early expressed concern that adequate weapons might not be found to arm all who enrolled, the men obtained a weapon of some sort, but the quality left something to be desired. In the most complete district-wide returns available for the spring and summer of 1864, each man of the organization owned on the average less than two weapons, while the total number of pistols and shotguns, about equal in number, represented half the number of rifles. One company of forty-five Tonkawa scouts under their chief, Castile, went about their duties in the First Frontier District collectively armed with but four

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44 This figure is based on sixteen typical companies representing nearly 900 men, found on original Muster Rolls, Adjutant General's Records, TSL-A, and on copies of four Muster Rolls located in the Confederate Research Center, Hillsboro, Texas.
rifles; bows and arrows served the rest. Correspondence from the Frontier Districts for the length of their existence chronicles a never ending dilemma of logistical problems and, as the Frontier Regiment experienced before, the lack or poor quality of powder and percussion caps for arms frustrated efforts until the war's end. The most common complaints stemmed from caps made of lead that only exploded with difficulty, caps that were too large and often dropped off the nipple of the gun before firing, and "slow-push" powder, crudely homemade powder used when none other was available, all factors that more than once gave the Texans little superiority over the bows and arrows used against them.

The commanding officers of the districts, majors and brigadier generals of State Troops, gave almost without exception the leadership and energy necessary for the arduous task of frontier defense during the last year of the war. Each brought different skills and experience to the office, and if some of them saw little active service on the frontier, they at least knew the frontier people and

45The breakdown of weapons is from district returns for the First and Second Frontier Districts for April, June, and August, 1864, Muster Rolls, Adjutant General's Records, TSL-A.

46Quotation from John A. Hart and others, Pioneer Days in the Southwest From 1850 to 1879 (Guthrie, Oklahoma, 1909), p. 267.
problems to be faced. The scores of captains who commanded the companies in the field represented a wide range of the best and worst the frontier had to offer; each responded according to his gifts, and as in all such organizations, it was soon evident which captains and companies could be relied upon. Perhaps few of them would have served as Ranger captains in the 1840s or 1850s, but the best of them knew their jobs, and went about their work with as little fanfare and as much expertise as any who ever took to the saddle on the Indian frontier of Texas. They may not have been called a Ranger Regiment as were McCulloch's First Texas Mounted Rifles, or the Frontier Regiment, but they met all the requirements of minutemen companies of Rangers that served on the Texas frontier for over twenty-five years. Now, however, many of their fellows who would have been by their side performed their duty eastward with the armies, and Indians were no longer the only enemy.

In January, when Governor Murrah divided the western counties to create the Frontier Districts, he appointed William Quayle of Tarrant County to command the First Frontier District. Quayle was born on 18 October 1825 in Kirk Michael Parish on the Isle of Man. As a child he came to America with his parents and settled in Ontario County, New York. While a young man the sea became his life and for ten years he served on whaling vessels, merchant ships,
and eventually became captain and part owner of a vessel. He found time to travel extensively in Europe and Asia until recurring health problems forced him to seek a milder climate. Quayle came to Texas in the 1850s and settled near the community of Grapevine, northeast of Fort Worth. He served as a district clerk and district judge in Tarrant County, and the Secession Convention of Texas approved his position as chief justice of Tarrant County. Always ready to serve his adopted state, he organized a company of cavalry in June, 1861, the first company to leave Tarrant County for Confederate service, a unit that became Company A, Ninth Texas Cavalry, with Quayle elected as lieutenant colonel. Quayle ably commanded the regiment at the battles of Pea Ridge and Corinth, but with his health broken by sickness after the latter battle, he returned to Tarrant County.


50"Col. William Quayle," p. 373. The two-day battle of Corinth took place on 3-4 October 1862. The date of Quayle's return to Texas is unknown.
Shortly after his return he won election to the State Senate and took his seat in February, 1863. When the Tenth Legislature met in session in November of that year, Quayle began to assert his leadership. He served as chairman on the part of the Senate for the Joint Committee on Frontier Protection, the body that did so much to push through the bill to transfer the Frontier Regiment to the Confederate Army and to create the Frontier Organization. When Governor Murrah appointed him to command the First Frontier District, Quayle brought with him to the organization an enthusiastic support for its success, the experience of leading men into battle, and the proven ability to maintain discipline through leadership.

Major Quayle reached his district in late January, 1864, and began the essential process to organize his forces, to appoint enrolling officers, present instructions to his captains, and to raise the morale of the war-weary citizens of his district. He selected the town of Decatur, Wise County, for his headquarters as a central location easily accessible for the populated areas of his

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52 Day, ed., House Journal of the Tenth Legislature, Regular Session, pp. 73, 131-132.

district. Quayle early on stated the objective of the Frontier Organization, which should not have been difficult for him to do, as he helped write the law that created it:

I believe this organization will be of great benefit both to the State and the Confederate States in keeping out the Indians & arresting deserters and those persons who are avoiding conscription and draft service and turning them over where they belong.

Quayle completed the preliminary organization of his district by March and, while he was not under Confederate authority, he immediately extended to Colonel Bourland, an acquaintance from the war's early days, and to General McCulloch, whose Confederate sub-district encompassed half the First Frontier District, his earnest wish for his men to fully cooperate with Confederate units in the region.

Quayle struggled throughout the spring and summer to maintain order in this, the most complex and difficult district to manage in the entire Frontier Organization. By summer's end Quayle prepared to step down as commander of the district. He wished for some time off for his health, and to put his own affairs in order, but lying just

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54 Quayle to Culberson, February 4, 1864, Quayle Papers, UAL. Only a short distance north of Decatur ran the old Butterfield Overland Express road that linked Gainesville to Fort Belknap, via Jacksboro.

55 Quayle to Culberson, February 10, 1864, Adjutant General's Records, TSL-A.

56 Quayle to McCulloch, February 20, 1864, Quayle Papers, UAL; Bourland to Quayle, March 9, 1864, ibid.
below the surface was the relentless pressures of his job, exacerbated in August and September by continual difficulties with the men of Bourland's command. He wrote to Governor Murrah on 8 September and requested to be relieved, a request the governor granted on 26 September.\(^\text{57}\)

It is not known if Quayle recommended anyone for his position, but he enthusiastically approved Murrah's choice, James W. Throckmorton of McKinney.\(^\text{58}\)

The thirty-nine-year-old Throckmorton was born in Sparta, Tennessee and moved with his family to north Texas in 1841. He studied medicine and served as a surgeon during the Mexican War, but grew weary of the profession and entered politics in 1851. He served in the legislature

\(^{\text{57}}\) Culberson to Quayle, September 26, 1864, Quayle Papers, UAL. For outrages committed in Quayle's district by Bourland's men at this time see, Bourland to Quayle, September 8, 1864; McCulloch to Quayle, September 12, 1864; McCulloch to Bourland, September 12, 1864; and, Bourland to Quayle, September 20, 1864, Quayle Papers, UAL.

Bourland's strongest response is indicative of his view of cooperation: "You speak of the citizens wishing all the Confederate troops moved from the Border. Major, I must claim preemption in this Country. I served as Private under Gen. T. J. Rusk in thirty eight, and was then hunting Indians in this Country and had neither bread or salt, and I for one never stopped until we drove the enemy from this Country. Now it appears to me, that it hardly would be fair for a new set to come in and out me now, having slept on those plains for nearly twenty seven years. If those men that is so anxious to get my men out cannot come in, and cooperate with them friendly, it will be best for them to get out from among us." Bourland to Quayle, September 8, 1864, ibid.

\(^{\text{58}}\) Quayle to Culberson, October 7, 1864, Quayle Papers, UAL.
for ten years, attempted to organize a Union party in Texas, and cast one of only seven votes against secession in 1861. Although opposed to secession, when war came he became one of the first political leaders in the state to take the oath of allegiance to the Confederacy, then organized a company of volunteers that participated in capturing Forts Arbuckle and Washita in Indian Territory. While sick on leave, he was elected to the Texas State Senate and resigned from the army on 12 September 1863.

Throckmorton, one of the state's most distinguished politicians, and one of the influential voices of north Texas, met in Austin for the regular session of the Tenth Legislature. There he represented Collin and Grayson counties and was chairman of the Military Affairs Committee. His cordial acquaintance with William Quayle stemmed from this period when he and Quayle served together on the Committee on Frontier Defense. For the rest of the war these two friends were on the best of terms, supportive of each other, and willing to aid each other's attempt to preserve and perfect the Frontier Organization.


At the same time that the legislature created the Frontier Organization it also passed "An Act to Provide for the Defense of the State," an effort to reorganize the State Militia. This law called out the militia for a six-month period, subject to Confederate command while in service within Texas, and created a reserve corps that in time of emergency would keep two-thirds of the militia in the field for as long as needed to meet the threat. On 1 March 1864, Governor Murrah appointed Throckmorton as a state brigadier general to command Brigade District Number 3, one of six militia districts created in the state. Throckmorton issued the necessary instructions throughout his district and began assembling the militia of his district by the third week of March. He selected Bonham as his headquarters, where he could work in close cooperation with General McCulloch, and established his brigade encampment in the southwest corner of Fannin County. With the 800 to 1,000 men that he assembled by the first of April, he hoped to have them ready to either meet Union invasions of Texas by way of Louisiana or Indian Territory, to guard Confederate commissary stores, to help round up

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64 Throckmorton to Murrah, March 28, 1864, Governor Pendleton Murrah Records, TSL-A.
and guard deserters found in the brush, and to detach two companies to be used by Quayle in his district for frontier service.  

When the first called session of the legislature met in May, both Throckmorton and Quayle attended; this time Quayle was a member of Throckmorton's Committee on Military Affairs. The Committee strongly recommended that the existence of the Frontier Organization continue; Governor Murrah agreed, as he stated to the legislature:

If thoroughly systematized and faithfully executed, it promises better protection against the peculiar warfare waged upon the frontier by the Indians than any plan heretofore adopted. It seems to harmonize well with the habits, the peculiar interests and pursuits of the people of those counties.  

This session of the legislature also passed a law that made Throckmorton's succession of Quayle a natural one. The lawmakers gave the governor the discretion to assign one of the state brigadier generals for duty in a Frontier District "to make more efficient the frontier organization." Quayle's competent administration of the First

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65Quayle to Murrah, March 7, 1863, Governor Pendleton Murrah Records, TSL-A; Throckmorton to Murrah, March 20, 1863, ibid; Throckmorton to Quayle, April 4, 1864, Quayle Papers, UAL.

66Elliott, Leathercoat, pp. 82-83; quotation found in Day, ed., Senate and House Journal of the Tenth Legislature, First Called Session, p. 17.

67Gammel, Laws of Texas, 5:772.
Frontier District brought no need of a change, unlike the situation that arose in the Third District; only Quayle's desire to be relieved changed the command structure.

Throckmorton did not travel immediately to Decatur to take charge on the frontier. He wished first of all to attend the second called session of the legislature, 15 October to 15 November 1864, a session that Quayle did not make because of the renewed threat of "Indians and renegades" in the First District. Afterwards, Throckmorton reached home at McKinney on 27 November and began arrangements for his new assignment in Decatur. When he started for Decatur, less than two weeks later, Quayle was already at home in Tarrant County, in poor health again. Throckmorton arrived in Decatur on 13 December, set up headquarters in the old Howell and Allen store, which had been converted into an arsenal during the war, and

68 Quayle to Culberson, October 7, 1864, Quayle Papers, UAL.

69 Throckmorton to Quayle, November 28, 1864, Quayle Papers, UAL.

70 Throckmorton to Murrah, December 9, 1864, Governor Pendleton Murrah Records, TSL-A. In this letter Throckmorton related that Quayle recently returned from accompanying a scout that seized 65 horses from Indian raiders.
officially assumed command of all state forces in the First Frontier District.\(^1\)

Not until January did Major Quayle return to Decatur as Throckmorton's second in command.\(^2\) A testament of Quayle's efforts on behalf of the First Frontier District is seen in a letter that Throckmorton wrote to Governor Murrah:

\begin{quote}
I cannot close this communication without admitting to the very able service rendered by Maj. Quayle. I knew it before I came here, but could not appreciate it before I began to look into matters. The . . . organization has been immense. This with other labors has been herculean & I scarcely see how he has been able to discharge his office duties with so little aid, and at the same time perform so much duty in the field. This frontier & the state owes him more than can be known or appreciated.\(^3\)
\end{quote}

Quayle's health continued to deteriorate and he served in the district only until the end of March, when he obtained a furlough, sold his property, and moved his family to

\(^{1}\)Throckmorton to Quayle, December 14, 1864, Quayle Papers, UAL; General Orders Number 1, First Frontier District, Governor Pendleton Murrah Records, TSL-A; Elliott, Leathercoat, p. 88.

\(^{2}\)Throckmorton to Murrah, January 13, 1865, Governor Pendleton Murrah Records, TSL-A. The notation in The Texas Almanac, 1865, p. 43, that gives Quayle as Throckmorton's second in command for October, 1864, is technically correct. Murrah approved Throckmorton's appointment in September, but not practically so, for as demonstrated Throckmorton did not assume command until December, and Quayle did not join him until the following January.

\(^{3}\)Throckmorton to Murrah, December 20, 1864, Governor Pendleton Murrah Records, TSL-A.
The last change of command in the First Frontier District took place in May, when Throckmorton accepted a commission from General Kirby Smith to journey with Albert Pike to Indian Territory to treat with chiefs of the hostile Comanche and Kiowa tribes. In his absence Major John W. Lane commanded the district during the last month of the war.

The only frontier district where widespread dissatisfaction led Governor Murrah to act was in the Third District, where James M. Hunter received the command in January, 1864. Hunter was born in 1829 in Buncombe County, North Carolina and moved to Texas in 1851 where his brother, John, lived in Fredericksburg. Hunter quickly learned something of life on the Texas frontier when he raised a company of eighteen men to protect the surveying parties led by Robert Neighbors along the Brazos and its Clear Fork tributary. He later was a mail carrier on the

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74 McCulloch to Quayle, March 22, 1865, Quayle Papers, UAL; Throckmorton to Bourland, March 31, 1865, Bourland Papers, Library of Congress. In February and March of 1865 Quayle sold approximately 500 acres of land in Tarrant and Denton counties, as well as three town lots in Birdville, Tarrant County. Pearl Foster (O'Donnell), Trek to Texas: 1770-1870 (Fort Worth, 1966), p. 165.

When the war ended, Quayle joined several Confederate officers, as well as Governor Murrah, in a move to Mexico. After several years in Mexico Quayle returned to Texas for a short while then moved to Missouri, where he lived until his death in 1901. "Col. William Quayle," pp. 372-373.

75 Elliott, Leathercoat, p. 94.
San Antonio to Santa Fe run and was in three sharp fights with Apaches in the process. During the war Hunter was a veteran of service with the Frontier Regiment as first lieutenant, then as captain of a company based at Camp Davis in Gillespie County. The widespread Unionist sentiment that affected much of the region, particularly among the German population of south Texas, led to bloodshed earlier in the war. Hunter's approval by the German element and his knowledge of the land and people of the district made him Murrah's choice for the command.

Not surprisingly, Hunter's enrolling officers were slow in performing their duties and in forwarding muster rolls to Hunter's headquarters in Fredericksburg, Gillespie County; after all, this was a region where two years

76Confederate Index File, James M. Hunter, Archives-Texas State Library. The only complete sketch of Hunter's life is A. J. Sowell, Early Settlers and Indian Fighters of Southwest Texas (Austin, 1900), pp. 561-566. Hunter was still alive when Sowell, an old acquaintance of his, wrote his biographical sketch. Only two sentences on p. 565 out of the six pages refer to Hunter's role as commander of the Third Frontier District: "Judge Hunter then received a commission as major from Governor Murrah to serve in the frontier district from Burnet County to the mouth of the Rio Grande. He organized his district effectually for frontier protection, and remained in this until the close of the war." After the war he served as a Ranger captain in 1870, later in the state legislature, then in the 1890s as county judge of Mason County.

77Murrah certainly had no lack of candidates for the job. The Governor Pendleton Murrah Records, TSL-A, contain numerous letters to Murrah from prospective appointees who sought an appointment as commander of one of the frontier districts.
earlier German members of a Union Loyal League formed militia companies to defend the area equally against Indian raiders and conscription officers.\textsuperscript{78} Enrolling the men of his district for frontier service posed a minor problem for Hunter compared to the events of spring in the Third Frontier District when a large number of citizens lost confidence in his leadership and prevailed upon the governor for a change. A series of murders, robberies, and outrages perpetrated by bushwhackers, state troops of the Third District, and men of the Frontier Regiment, excited the populace of Gillespie and Kendall County into a frenzy.\textsuperscript{79} The height of the troubles came in May while the legislature met in Austin, when Hunter arrested five men of the Frontier Organization and two of the Frontier Regiment, including William Banta, captain of Company A.\textsuperscript{80}

\textsuperscript{78}Hunter to Culberson, February 24, 1864, Adjutant General's Records, TSL-A; Kerby, \textit{Kirby Smith's Confederacy}, p. 92.

\textsuperscript{79}Details of the offenses in question are found in Justice Court Sworn Affidavits, Justice Court, Precinct No. II, March 4, 1864, Adjutant General's Records, TSL-A; Petition of Citizens of Gillespie, Kerr, and Kendall Counties, March 31, 1864, ibid.; and Hunter to Julius Schultze, March 4, 1861, ibid. One statement made at this time by a Kerrville resident, said that all the minute men of Kendall County were disloyal to the Confederacy; he also gave the names of five men who swore to "burn out all the American settlers in the frontier counties," once the Frontier Regiment left the area. Statement of Fritz Schleidier, March 26, 1864, ibid.

\textsuperscript{80}Hunter to Culberson, May 13, 1864, Adjutant General's Records, TSL-A.
wrote to the governor and requested that, because he suspected the jail to be unsafe, he be allowed to send the men to prisons in Austin or San Antonio.81 Less than two weeks later an armed group of men rode into Fredericksburg, overcame the guard stationed at the jail, opened fire, killed one of the prisoners and seriously wounded four others.82 All this occurred not long after a bold band of renegades left the vicinity but vowed to return and to "have the frontier in a blaze before any troops can get there."83 These episodes were in mind when Governor Murrah related to the legislature that:

Major Hunter, though laboring [in] the midst of great difficulties, deserves great credit for the energy and address exhibited by him in prosecuting an inquiry into the facts connected with the horrid murders and robberies committed in Gillespie County.84

81 Hunter to Murrah, May 1, 1864, Dorman H. Winfrey and James M. Day, eds., The Indian Papers of Texas and the Southwest, 1825-1916, 5 volumes (Austin, 1966), 4:83-84.

82 Hunter to Culberson, May 25, 1864, Adjutant General's Records, TSL-A. It was both Hunter's and Culberson's opinion that the real danger lay with an armed party who might try to rescue the men from jail; it seems that a vigilante committee enforced their brand of justice before a rescue could be made. Culberson endorsed Hunter's letter to Murrah of 1 May with the notation that it was a civil matter, not a military one, and it was the responsibility of the local magistrate to authorize the move to another jail.

83 S. B. Gray to Murrah, May 28, 1864, Governor Pendleton Murrah Records, TSL-A.

These problems set the stage for a change of command in the Third Frontier District. Thomas C. Doss, a prominent resident of Gillespie County, headed a delegation that met with Governor Murrah to urge that a "distinguished man" be sent to command the Third Frontier District. Murrah agreed, and on 20 June he assigned Brigadier General of State Troops John D. McAdoo to command the district. McAdoo was born on 4 April 1825 in Anderson County, Tennessee, was graduated from the University of Tennessee in 1851, and moved to Texas three years later. He settled near Washington-on-the-Brazos, where he combined a law practice with the management of his plantation. When the war began he volunteered and served with the Twentieth Texas Infantry until 1863. From September to December of 1863 McAdoo was in Houston and with the rank of lieutenant.


86 Special Orders Number 484, Executive Office, June 20, 1864, Official Records, Ser. I, Vol. 53:1001. It is possible that the difficulties in the Third District played a role in the legislature's willingness, in the law of 31 May, to authorize the governor to appoint higher grade officers to improve the efficiency of the frontier districts.

colonel where he was Assistant Adjutant General of State Troops. While in that office, in December General Magruder recommended him to a position with the state militia under the legislative act that reorganized the militia. With this background, Governor Murrah the following March appointed McAdoo to command Brigade District Number 6 as Brigadier General of State Troops.

After McAdoo assumed command in Fredericksburg on 23 June, he made an inspection tour of much of his district. The report he later filed best describes the conditions that led to his appointment in Hunter's place:

I found almost the entire population of a large portion of the District laboring under the greatest excitement: the people divided into hostile parties, the civil law practically suspended; the hand of violence busy and unchecked, and indeed a bloody intercine war alarmingly imminent. Within a few months, twenty men had perished by violence. Some had been way-laid and shot; others taken from their homes at the dead hour of midnight and hung, and their houses robbed; and some had been mobbed and murdered in jail and in irons. No man felt secure—even at home. All confidence seemed lost in the capacity of any authority, civil or military, to restore law and maintain order. The Indians seemed to be the least talked of, the least thought of, and the least dreaded of all the evils that threatened and afflicted the Frontier.

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90 McAdoo to Culberson, September 15, 1864, Adjutant General's Records, TSL-A.
McAdoo tried to assure the people of his district, and to restore confidence, and to a large degree he succeeded. He was well received throughout the district and made a good impression on nearly all he met. He attended numerous public functions in those first weeks, including a Masonic procession in Burnet County and a barbecue in Blanco County.91

Throughout the successful work done by McAdoo during his first few months in command, he insisted that much of the credit should go to the energy displayed by his staff.92 Noticeably silent was any mention of Major Hunter, still officially his second in command. McAdoo's correspondence never again mentions Hunter, nor can any record be found of Hunter's involvement in any major position of responsibility with the Third Frontier District. On 19 January 1865 Hunter tendered his resignation as major of the district. Murrah immediately accepted his resignation and Hunter's official capacity with the district ended.93

91 T. C. Doss to Murrah, July 25, 1864, Governor Pendleton Murrah Records, TSL-A. In this letter Doss states that only the Germans and a few others were dissatisfied with the removal of Major Hunter.

92 McAdoo to Culberson, September 15, 1864, Adjutant General's Records, TSL-A.

93 Hunter to Murrah, January 19, 1865, Governor Pendleton Murrah Records, TSL-A.
In November the Confederate commander of the Western Sub-District, General James Slaughter, in one of his rare moments of cognizance toward the frontier district enclosed within his own sub-district, attempted to usurp McAdoo's authority. He abruptly appointed one of his subordinates, Colonel A. C. Jones, who commanded the eastern division of the Western Sub-District, to take command of the Frontier Organization in the counties of Nueces, Duval, McMullen, Live Oak, Bee, Goliad, Refugio, and San Patricio. Slaughter claimed that since he had it on good authority that no Indians had been seen in the designated region for seven years, the Frontier Organization there was unnecessary, and its existence was merely a pretext for many to remain out of the service. He further pointed out to Governor Murrah that:

I am able and willing to protect those counties much better than the organization and the state can possibly; and to show that the present system does not effect its objects, I will state that Maj. Hunter with a large part is at present engaged in driving beeves to Chihuahua and that hundreds of these men are engaged in hauling cotton to different points on the Rio Grande--

94L. G. Aldrich, A.A.G., to A. C. Jones, n.d., Governor Pendleton Murrah Records, TSL-A; Slaughter to Murrah, November 24, 1864, ibid. Slaughter was not exactly up to date on the boundaries of the Third Frontier District, or either he meant to include all minutemen companies in the counties he named that were outside the Frontier Organization.
those men certainly are not protecting the frontier.95

Needless to say, Slaughter's invective came to naught; Murrah and the legislature struggled to maintain and perfect the Frontier Organization too long, even against the wishes of General Smith and President Davis, to see its integrity diluted by the maneuver of a sub-district commander.

Yet another change in the command structure of the Third Frontier District occurred when Major Hunter resigned in January of 1865, a change that altered McAdoo's role as commander. On 19 January John Henry Brown accepted Governor Murrah's appointment as Major of the Third Frontier District.96 Brown was born in Pike County, Missouri on 29 October 1820. Brown County, Texas is named after his father, Captain Henry S. Brown, who came to Texas in 1824 to engage in trade with Mexicans and Indians. With no formal education, he eventually served as editor for the Galveston Civilian, the Indianola Bulletin, and the Belton Democrat, Mayor of Galveston, and a member of the Texas Legislature. He was not, however, without frontier experience. He engaged in his first Indian fight in the

95Slaughter to Murrah, November 24, 1864, Governor Pendleton Murrah Records, TSL-A; quotation found in, Slaughter to Murrah, November 30, 1864, ibid.

96Brown to Murrah, January 19, 1865, Governor Pendleton Murrah Records, TSL-A.
winter of 1839-1840, and in the latter year fought with
distinction against the Comanches in their great raid on
Linnville. 97

When the Civil War began, Brown served as a staff
officer for General Ben McCulloch. When McCulloch died at
the Battle of Pea Ridge, Brown returned home in poor
health. He soon returned to work, this time on General
Henry McCulloch's staff as major and as McCulloch's
Assistant Adjutant General in June, 1862. 98 Poor health,
"bloody flux and severe affection of the chest," forced his
resignation in November of that year, with this endorsement
by McCulloch on Brown's resignation request:

Approved and respectfully forwarded. This is one
of my oldest and best friends, selected from
among them as the man to go with me through this
war. It is natural that I should hate to give
him up. 99

Once more he joined McCulloch's staff at Bonham in the
Northern Sub-District, but his broken health, that this
time required surgery, forced his departure from Bonham in

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97 The best account of Brown's life is a thirty-four-
page account of his career found in, Victor M. Rose, The
Life and Services of Gen. Ben McCulloch, reprint (Austin,
Texas, 1958), pp. 226-260. A brief but useful sketch of
his life, written by himself, is found in, Speer and Brown,
dbs., Encyclopedia of the New West, pp. 131-134.

98 Register of Appointments, Personal Service File,
John Henry Brown, Confederate Record Group 109, National
Archives.

99 Brown to McCulloch, November 21, 1862, John H. Brown
Papers, Barker Texas History Center, University of Texas.
May, 1864. Undaunted by his physical disability and determined to do all he could for Texas, Brown commanded a company of San Saba County men in the Second Frontier District until Murrah appointed him as major in the Third District.

The command arrangement of both the Second and Third Frontier Districts changed during the winter of 1864-1865. In December, General McAdoo began to specify all his correspondence written from Fredericksburg as "Headquarters, 2d & 3d Frontier Districts," signed "Brigadier General Commanding." From January, 1865 until the end of the war, both Brown and George Erath endorsed their correspondence as the commanding officers of the Third and Second Districts, respectively. Brown was not simply a second in command, as Hunter became, but was the major in command of his district, with McAdoo in the role probably intended by the legislature, to coordinate the efforts of all frontier forces in the region and to work in harmony with the Confederate military. This role by General McAdoo lessened

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100 Rose, Life and Services of Gen. Ben McCulloch, pp. 249-250; John H. Brown to Wife, May 9, 1864, John H. Brown Papers, Barker Texas History Center, University of Texas.

101 Muster Roll, June, 1864, Adjutant General's Records, TSL-A. Brown's company was typical of those in the Frontier Organization. With a strength of fifty-nine officers and men, the unit listed seven teenagers and thirty-six men over the age of thirty, for an average age of thirty-two.
the administrative burdens on Brown and Erath and allowed them to concentrate more on the military proficiency of their commands.102

George B. Erath, oldest of the Frontier Organization commanders, was the only one who maintained the leadership of his district from inception to war's end. Erath, for whom Erath County is named, was born in Vienna, Austria on 1 January 1813. He came to Texas in 1833, joined John H. Moore's Ranger company in 1835, and fought in the Battle of San Jacinto in 1836. Service in Ranger companies in the 1830s and 1840s gave him a first hand knowledge of the Texas frontier. In Austin, he served in the Eighth and Ninth Congresses during the days of the Texas Republic, then was a state senator from 1857 to 1861.103 During the early part of the Civil War he was a lieutenant, then captain, in Company I of the Fifteenth Texas Infantry. In late 1862 poor health forced him to take sick leave at home.

102Brown actually confused the issue of command when he wrote in his two volume history of Texas: "In 1864 the frontier was divided into three districts, northern, central and southern, of the northern district...Major Wm. Quails [sic] of Tarrant. Of the central district...Major George B. Erath of McLennan. Of the southern...Major John Henry Brown." John Henry Brown, History of Texas, From 1685 to 1892, 2 volumes (St. Louis, 1893), 2:443. He made no mention of Hunter or McAdoo and thus perpetuated the belief in several secondary works to follow that he was sole commander of the Third Frontier District.

in McLennan County, and brought about his resignation from the Confederate Army on 2 December 1862.\textsuperscript{104}

In January of 1864 a courier surprised Erath by bringing him a commission from the governor to command the Second Frontier District.\textsuperscript{105} He accepted and on 14 January arrived at Gatesville, Coryell County, his chosen headquarters of the district. He immediately appointed sixteen enrolling officers to begin their work, then saw to it that regular mail services and couriers connected his headquarters with Austin and the populated areas of his district.\textsuperscript{106} Erath never quite seemed to master the intricacies of administrative paperwork during his term of service, probably his staff was incapable of the needed help, and he never wrote detailed reports of his patrols as submitted by Major Hunter, but he knew what it took to prepare men for battle, whether against Indians, thieves, bushwhackers, or deserters. He quickly employed a chief scout, a man once held captive by Indians for ten years, promptly arrested those who refused to be mustered into the service, and personally supervised a number of the patrols

\begin{quote}
\textsuperscript{104}Personal Service File, George B. Erath, Confederate Record Group 109, National Archives.

\textsuperscript{105}"Erath Memoirs" p. 106.

\textsuperscript{106}List of Enrolling Officers, January, 1864, Adjutant General's Papers, TSL-A; Erath to Culberson, January 18, 1864, ibid.; Erath to Culberson, February 2, 1864, ibid.
\end{quote}
that set out in search of Indian signs or deserters, all this in just his first month of command while the companies were still reporting in for duty.107

Erath hardly settled in at headquarters before he recommended that the system of patrol duty established by the legislature be altered. Rather than to keep one-fourth of the companies in constant rotation to serve in the field, Erath proposed to eliminate wasted motion by keeping one-fourth of the men permanently in the field, while the remainder worked to harvest crops, forward supplies to those on patrol, and remain constantly ready to be called out in emergencies. The idea looked good on paper, but no one could be found who relished the idea of permanent service on patrol, and the rotation continued.108

When he sent in the completed report of his district for the month of April, he praised the officers and men of his command for their zeal and energy. He set out on an inspection tour of the district and expressed satisfaction that all was running smoothly, with one exception. He

107Erath to Culberson, February 8, 1864, Adjutant General's Records, TSL-A; Erath to Culberson, February 15, 1864, ibid.; Erath to Culberson, February 22, 1864, ibid. Erath still suffered recurring bouts of illness that left him scarcely able to mount a horse. On such occasions he said that if he could get someone to help him onto his horse, then he could generally spend the day in the saddle. "Erath Memoirs," p. 106.

108Erath to Culberson, January 18, 1864, Adjutant General's Records, TSL-A.
strongly urged that at least one-half of his men be allowed to take the field to counter the increasingly active Indians and white renegades in the western counties of his district. If he could not get one-half in constant service, he hoped that he at least be given the discretion to order a majority of his force into the field, with the assurance that the state would pay them for their service. 109 To this end he urged State Senator George E. Burney to persuade lawmakers in the forthcoming session to remedy such manpower problems so that his men could "drive rascalls [sic] and torys [sic] from the country." 110 In this he partially succeeded. A law passed that session allowed the frontier districts each to form two provost guard companies of sixty-four men each, for constant duty in the capture and guard of deserters. 111

No major change took place in the command arrangement of the Second Frontier District, other than McAdoo's new role alluded to above. Erath continued to work in close cooperation with the varied frontier forces about his district. Operations in his district often led him to join forces between his men and those of adjoining frontier

109 Monthly Report of the State Troops of the 2nd Frontier District, April 1, 1864, Adjutant General's Records, TSL-A; Erath to Culberson, April 28, 1864, ibid.

110 Erath to Burney, May 6, 1864, Quayle Papers, UAL.

111 Gammel, Laws of Texas, 5:771.
districts. The battalion of Confederate troops stationed at Camp Colorado was in his district, and after September, 1864, General McCulloch's Northern Sub-District expanded to include the northern counties of the Second Frontier District. Even Colonel Bourland of the Border Regiment sent scouts from the Red River to pursue deserters in Erath's district.\footnote{McCulloch urged Quayle to cooperate with Bourland and Erath in, McCulloch to Quayle, October 8, 1864, Quayle Papers, UAL; McCulloch's sub-district doubled in size in September, 1864 when its southern boundary extended along the 32nd parallel westward to the Rio Grande and included all of Texas north of that line. General Orders Number 6, September 24, 1864, Adjutant General's Records, TSL-A. Colonel James Bourland sent a large scout of approximately 100 men under James Bourland to scour the countryside between Hubbard's Creek and Camp Colorado, the northwestern region of the Second Frontier District. The force left on 26 August and remained until November. Bourland to Quayle, August 26, 1864, Quayle Papers, UAL; D. S. Howell, "Along the Texas Frontier During the Civil War," West Texas Historical Association Year Book, 13 (October, 1937): 86-88.}

As the Frontier Organization prepared for war in 1864 here at the cutting edge of civilization, the will and capacity for battle that seemed so limitless in early 1861 began to give way with the rest of the Confederacy's hopes. In a corner of the war where men never talked of glory, it remained to be seen if this new organization of frontier defense could hold its own against increased assaults from within as well as from without.
CHAPTER VII

CONSCRIPTION, DESERTION, AND DISAFFECTION
IN THE FRONTIER DISTRICTS, 1864-1865

Under the Texas Legislature's "Act to Provide for the Defense of the State," passed in December 1863, Governor Pendleton Murrah proceeded in January 1864 to retain in the state militia for a six-month period all able-bodied men not in Confederate service or exempted by state law. This stance by Texas, combined with the fact that the legislature simultaneously exempted men in all or part of fifty-nine counties in the frontier districts to enable them to enroll in the Frontier Organization, inevitably led to a state-rights clash over the issue of conscription. This conflict, through subsequent debate between Texas and Confederate officials, held ramifications that affected the structure of the Texas State Troops and threatened the existence of the Frontier Organization. General John Bankhead Magruder, from headquarters in Houston, quickly responded to the state militia law, but his initial concern dealt with that part of the law that proposed to offer

1H. P. N. Gammel, Laws of Texas, 1822-1897, 10 volumes (Austin, 1898), 5:698-699; Albert Burton Moore, Conscription and Conflict in the Confederacy (New York, 1924), p. 247.
three-month furloughs to one-third of the militia on a rotation basis. The general did not wish to see any reduction in the militia strength of 10,000 men, subject to Confederate control within Texas, that he struggled so hard to gain from Governor Francis R. Lubbock and the legislature in the summer of 1863.2

In early January of 1864 Magruder had one of his staff, Colonel John Sayles, his judge advocate general, to present his views to Governor Murrah on the conflict between Confederate conscription laws and the new militia law. Murrah's spirited response left no doubt that he would not be as compliant on the issue of conscription and Confederate authority as his predecessor in office. Murrah maintained that Texas called these troops into being under the sovereign will of the state; as such, the militia should be seen as volunteer aid to the Confederacy and Magruder had no right to assume command over them unless the government of Texas gave him that right.3

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2Magruder to Murrah, December 18, 1863, Governor Pendleton Murrah Records, TSL-A.

General Edmund Kirby Smith, likewise, quickly brought the issue to Governor Murrah's attention, then pointed out that in regard to the conflict between the legislature's actions and the Confederate conscription law then in effect, that only the president could suspend conscription in any locale, such as the frontier counties of Texas. Smith complained that "it is to be regretted that the Legislature should have passed an act so well calculated to produce an unpleasant issue between State and Confederate authorities." Not only did General Smith question the legality of suspending Confederate conscription laws in the frontier districts, but he particularly doubted whether the men of the Frontier Organization were even needed for frontier protection. Murrah earlier estimated that between 1,800 and 2,200 men would enter the Frontier Organization. Smith calculated that to add this number to the Frontier Regiment, soon to be transferred to the Confederacy, with service tentatively planned for the Indian frontier between Fort Belknap and Fort Clark, would give Texas a force of approximately 3,000 men assigned exclusively to frontier defense. Smith's analysis, however, neglected two important points. The law in question called for only

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5Ibid.
one-fourth of the men enrolled in the frontier districts to be in service at any one time which, if 2,000 were enrolled, would provide for only 500 men in the field at any one time. There also remained the unalterable fact that once the Frontier Regiment became a Confederate Army unit, it was subject to recall at any time to meet emergencies elsewhere, which is exactly what happened only three months later when Magruder ordered Colonel McCord and the six southern companies of the regiment to the interior. It may have been somewhat of an embarrassment for Murrah, although not an unwelcome one, when he later reported to Smith that some 4,000 men, twice that expected, actually reported for enrollment in the frontier counties that spring.6

In an attempt to clarify the fate of the Texas militia, Generals Smith and Magruder met with Governor Murrah in Houston to try to arrive at an amicable arrangement. Instead, Murrah insisted upon state control of the "conscript element," and compromised only so far as to allow those of conscript age, who wished to do so, to enter

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6As William Quayle observed early on: "There are nearly twice as many persons in the District as was supposed at the passage of the Act. There had many come into the District last season (Autumn)." Quayle to Culberson, February 4, 1864, Quayle Papers, UAL. As General McCulloch would have attested, as he desperately attempted to get men out of the brush, these men did not suddenly move to the frontier to trade with Indians.
either new or old companies in Confederate Army service. 

To complicate matters the Confederate Congress at this time, in an attempt to raise the number of men needed against the growing northern armies, passed a new draft law on 17 February 1864. The law in question conscripted for the duration of the war all white men between the ages of seventeen and fifty. Those in the army between eighteen and forty-five remained under their current organizations, while men of seventeen to eighteen and forty-five to fifty constituted a reserve corps to be used for military service within their home states. 

This law also altered the previous system of exemptions by abolishing all industrial exemptions, but it continued to exempt the physically unfit, ministers, editors, printers, pharmacists, physicians, hospital and asylum workers, railroad workers, mail carriers, government officials, and one overseer for each fifteen slaves.

The debate, chiefly a matter of semantics and interpretation of the Confederate Constitution, in peacetime might merely have been an intellectual exercise, but not so

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now, for in February and March of 1864, Union armies in the Trans-Mississippi began their spring offensives, the most serious of which was General Banks's Red River Campaign, seemingly aimed at east Texas. Murrah, in the face of pressure by Magruder to release the militia completely to his control, offered only to turn them over by brigades under Murrah's six hand-picked brigadier generals of state troops, rather than by companies as prescribed by the Confederate Army. Magruder declined the offer as contrary to Confederate regulations.10

By the first week in April Magruder was nearly frantic in his effort to solidify the defenses of Texas with the state militia to take the place of those troops forwarded to Louisiana. He daily expected to hear of the fall of Shreveport, Kirby Smith's headquarters, and the occupation of most of northeast Texas by federal troops advancing through Louisiana and Arkansas.11 On 5 April Magruder made a last urgent appeal to Murrah to organize the state troops in the face of such an emergency that federal forces under General Steele in Arkansas were only sixty miles from Texas, while General Banks and his army were less than that

10The correspondence between Murrah and Magruder concerning this matter in February and March, 1864, is found in Official Records, Ser. I, Vol. 34, Pt. 2:1087-1095.

distance away at Pleasant Hill, Louisiana. Under such conditions Governor Murrah's objections gave way:

As you have declined receiving the State troops as State troops, I shall be forced, in view of the dangers surrounding the State and country, to co-operate with you in organizing them under the recent law of Congress. I shall take upon myself the responsibility, which I feel to be a very heavy one, of calling upon the State troops to look no longer to an organization under the State laws.

Magruder felt no ill will toward Murrah for his stand in the conflict, but attributed his actions to patriotic motives, and the belief that Murrah felt himself "trammelled by a law of the Legislature in relation to the conscripts." By the following month the Texas

12Magruder to Murrah, April 5, 1864, ibid., Ser. I, Vol. 34, Pt. 3:735. There was also a small federal force in south Texas, the remnants of Banks's invasion at Brazos Santiago the previous November.

13Murrah to Magruder, April 7, 1864, ibid., Ser. I, Vol. 34, Pt. 3:747. The best secondary account of the militia controversy is found in Robert L. Kerby, Kirby Smith's Confederacy: The Trans-Mississippi South, 1863-1865 (New York, 1972), pp. 276-279, but brief and accurate discussions of the controversy above are also found in Moore, Conscription and Conflict in the Confederacy, pp. 247-248; and, Allan Coleman Ashcraft, "Texas: 1860-1866, The Lone Star State in the Civil War," unpublished doctoral dissertation, Department of Political Science, Columbia University, New York, 1960, pp. 200-202. Ashcraft points out that it was well that the Confederate Army took control of raising the troops, because the state conscription law and militia organization had been a failure.

14Magruder to Colonel H. B. Andrews, August 16, 1864, Texas State Military Board Records, TSL-A. Magruder expressed almost identical sentiments in an earlier letter to General Smith, when he mentioned that Murrah's actions, "trammelled as he was by the State law, were prompted by the
Legislature worked to conform the state's militia laws with Confederate conscription laws, and by July transferred nearly seventy-five under strength companies to Confederate service.\footnote{Gammel, \textit{Laws of Texas}, 5:773-775; Kerby, Kirby \textit{Smith’s Confederacy}, p. 279.}

The issue over conscription in Texas was not resolved by Murrah's April decision, for the governor did not admit at the time that Confederate conscription laws were in force in the frontier districts. It was here that the enrollment of men for frontier service held priority, based on the legislative act passed the previous December, a point almost neglected by Smith and Magruder at the time and by historians ever since. In January and February of 1864, as the frontier district commanders enrolled the men of their districts for service, they attempted to enroll only men who could strictly prove their citizenship in the frontier county in question and who were not then in active Confederate service.\footnote{Erath to Culberson, January 18, 1864, Adjutant General's Records, TSL-A; Erath to Culberson, February 22, 1864, ibid.; Quayle to Culberson, February 4, 1864, Quayle Papers, UAL.} Even so, Major Quayle reported that the men were in "a continual state of excitement" that Confederate enrolling officers were about to enter the loftiest patriotism." Magruder to Smith, April 23, 1864, \textit{Official Records}, Ser. I, Vol. 34, Pt. 3:788.
districts to take away those of conscript age not exempted by the Confederate law of 17 February.\textsuperscript{17}

Confusion over the conscript status of the men of the frontier districts mounted when General Elkanah Greer, head of the Bureau of Conscription, Trans-Mississippi Department, issued Special Orders Number 40. These orders declared that men in the frontier districts could form "temporary organizations" for the defense of the Texas frontier, but that Confederate enrolling officers would also organize them into Confederate companies detailed for frontier protection "whilst their presence is necessary."\textsuperscript{18}

This arrangement was not exactly what the legislature had in mind. State and Confederate authorities differed not only between each other, but among themselves, in interpreting how to proceed in the matter of enrollment in the frontier counties. General McCulloch gave specific

\textsuperscript{17}Quayle to Culberson, February 25, 1864, Quayle Papers, UAL.

\textsuperscript{18}Special Orders Number 40, March 12, 1864, Quayle Papers, UAL. A copy is also found in the Official Records, Ser. I, Vol. 48, Pt. 1:1376. The thirty-eight-year-old Greer fought in the Mexican War under Jefferson Davis, then moved to Marshall, Texas in 1848. This native Mississippian was an ardent secessionist and entered the Confederate Army in 1861 as colonel of the Third Texas Cavalry. He returned home, in a sense, when General Smith moved the Bureau of Conscription to Marshall. Walter Prescott Webb, ed., The Handbook of Texas, 2 volumes (Austin, 1952), 1:730; General Orders Number 33, May 30, 1864, General Orders, Headquarters, Trans-Mississippi, from 6 March 1863 to 1 January 1865 (Houston, 1865), p. 25.
conditions that applied to those parts of the First and Second Frontier Districts within his Northern Sub-District. He stated that all men enrolled as conscripts before the legislature passed the frontier protection bill should be sent to camps of instruction and enrolled for Confederate service. Some of the more energetic Confederate enrolling officers, however, attempted to enroll all men on the frontier not exempted by Confederate law. Major Quayle would have nothing of it:

I hereby notify you that I claim the conscripts in this Frontier Dist. they having been mustered into this service under the instructions of the Adjutant General of the State and I cannot give them up except by an order from the Governor of the State.

Quayle believed that to give up his district to Confederate conscription would be to remove from it all good men who could be counted upon to arrest deserters and fight Indians. Their removal would leave behind "a class of persons" that would make the frontier "a resort of Disloyalty and Treason." Likewise, in the Third Frontier District:

19McCulloch to Quayle, March 16, 1864, Quayle Papers, UAL.

20Quayle to John W. Hale, Enrolling Officer, Wise County, April 24, 1864, Quayle Papers, UAL. Hale, a former sheriff of Wise County, earlier in the war enrolled militia for local defense, then later served as a Confederate enrolling officer. Cliff Donahue Cates, Pioneer History of Wise County: From Red Men to Railroads, Twenty Years of Intrepid History (Decatur, Texas, 1907), p. 118.

21Quayle to Greer, April 24, 1864, Quayle Papers, UAL.
District, Confederate enrolling officers planned to enroll men of the district into companies and to sever conscripts from the Frontier Organization.22

In the midst of this state-rights clash over the Frontier Organization, President Jefferson Davis replied to a request by Governor Murrah that the frontier counties be relieved from the operation of the Confederate Act of Conscription. Davis could give no such relief, but he offered Murrah the next best thing, a move anticipated by General Greer's earlier order. The president said that for the time being he would direct General Smith to enroll the men of the frontier counties, then have them detailed and left for the defense of the frontier.23 If not a victory for Murrah and the legislature, this at least sounded like a more permanent arrangement than found in the wording of Greer's Special Orders Number 40. During the special session of the legislature in May 1864 Murrah vowed that the officers of the frontier districts would continue to exclude from their muster rolls all deserters and men who left other parts of the south to avoid military service,

22W. H. Holland, Enrolling Officer, Burnet County, to James M. Hunter, May 13, 1864, Adjutant General's Records, TSL-A.

and would embrace only those who were there in good faith before the passage of the frontier protection bill. To promote that end, Murrah proclaimed that further immigration into the frontier counties of Texas was now forbidden, and all men found there between the ages of eighteen and forty-five who were not residents of their district prior to July 1863 were to be turned over to Confederate military authorities.

Over two months after the legislature met, Major Quayle reported that rumors were still afloat in his district that the Frontier Organization was to be disbanded, rumors fed largely by General Greer's pronouncement months earlier that led some frontier citizens to flee the frontier to avoid Confederate conscription officers. Murrah assured him that the districts would not be interfered with—he had General Smith's word on that. In addition Quayle should feel encouraged because the governor had always taken a special interest in the Frontier Organization. He then offered to Quayle advice on how to

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26 Quayle to Murrah, August 22, 1864, Quayle Papers, UAL.
best keep the organization together, as well as a tip on public relations:

See that the Laws are observed and obeyed. Make the Frontier Organization so far as depends on you what it was intended to be by the State Law. Purge it of all the elements that does not properly belong to it, and in the faithful discharge of its duties it will do still greater good to the country. You should be published from time to time, the good your organization is doing - their services - the satisfaction with it by the people - the protection it offers, etc. It will have a good effect. See to it.²⁷

Good press or not, the Frontier Organization found itself assailed once more in the fall and winter of 1864-1865, this time by Trans-Mississippi army authorities who sought to break up the organization in order to call upon the manpower on the frontier they believed to be unnecessary for its defense. If Governor Murrah thought that General Smith's relative silence on the subject meant acquiescence, he soon discovered otherwise. Kirby Smith's assistant adjutant-general, Charles S. West, opened the offensive in October. He attacked the Frontier Organization as a structure that precluded conscription, thereby producing an interminable conflict between Texas and Confederate authorities. There should be no reason for exemption from conscription, he said, for anyone because of geographic location; he then stated that the Frontier

²⁷Murrah to Quayle, September 1, 1864, Quayle Papers, UAL.
Organization did just that for over 3,000 men, men who should be turned over at once to the Confederate Army. West then pointed out the standard argument against the organization, that it encouraged deserters and others anxious to evade their duty to congregate in the frontier counties of Texas, so that by adding such men to the total, West estimated that approximately 4,000 men resided on the Texas frontier who should then be in Confederate service. He then repeated something quite familiar to Texans: "It is the duty of the Confederate Govt. & not of the State of Texas to protect the Indian frontier." West directed that the men of the frontier districts should be turned over to the Confederacy, whereupon General Smith would immediately order the Frontier Regiment to the Texas frontier, supported by local militia, a process according to West that would adequately protect the Texas frontier and release not less than 3,000 men to fill the depleted ranks of the army.

Murrah received West's letter while the Texas Legislature met in a special session with the status of the

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28C. S. West to Murrah, October 19, 1864, Governor Pendleton Murrah Records, TSL-A. This letter, with only an occasional change of wording, and without paragraph indentation, is found in West to Murrah, October 19, 1864, Official Records, Ser. I, Vol. 48, Pt. 1:1376-1377.

29West to Murrah, October 19, 1864, Governor Pendleton Murrah Records, TSL-A.
Frontier Organization at stake. It was at this time that General Slaughter of the Western Sub-District began his attempt to gain control over the Third Frontier District in south Texas, as described in chapter six. Governor Murrah then placed General Smith's views before the legislature, but its members refused to change the law. Even when faced with a recently received letter from President Davis which stated that he could not continue to exempt men from the conscription law, the lawmakers provided necessary funds to continue the frontier districts, and firmly maintained that the Frontier Organization should not be interfered with by Confederate authorities. Murrah wrote that Smith's plan to order the Frontier Regiment back to the frontier would not strengthen the frontier defenses of Texas, but would only be an exchange of forces, an inequitable exchange for Texas. Such a move, coupled with ordering local militia to support McCord's regiment, would give barely 2,000 men to guard a frontier over 500 miles in length and some 125 miles in

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30 Slaughter received word that at least 500 men subject to military duty resided in the district, as well as over 200 deserters from other commands. Charles Lovenskold to Slaughter, November 23, 1864, Governor Pendleton Murrah Records, TSL-A.

breadth. Such an attempt to break up the Frontier Organization without substituting an adequate alternative plan could not be tolerated, Murrah said. With the firmness of conviction, Murrah defended the latest evolution of frontier defense in Texas:

The testimony, as I am informed, is almost unanimous from the frontier counties, that the present Organization affords better protection to that exposed portion of the State, than any mode of defense ever before adopted. By its exertions and influence, disloyal combinations have been broken up, deserters arrested and sent to their post of duty, and quiet order and satisfaction restored to those counties. The Frontier Regiment did not afford to the Frontier that sense of security afforded by the present force.32

If "quiet order" in the frontier counties was more than a small exaggeration, Murrah at least had the backing of the legislature and many of those who lived on the frontier that the Frontier Organization should be maintained. Throckmorton urged him to "maintain it at all hazards & to the last extremity," and stated unequivocally that should the Frontier Organization be broken up, that not only would Indians and Jayhawkers continue to do serious damage in his district, but that the entire frontier would be overrun by deserters, draft dodgers, and traitors, and the frontier line would be thrown back upon a

32Murrah to Smith, November 29, 1864, Governor Pendleton Murrah Records, TSL-A.
new line of counties.  

33 After he arrived in Decatur to command his district, Throckmorton modified his views so that he was at least willing to compromise the structure of the Organization. He and General McCulloch agreed that the "young" men of the districts should be put into constant service, while the older men would remain at home, still organized and ready for emergencies, with the frontier districts to then be maintained and supported by the Confederacy.  

34 As far as is known, Murrah never viewed this alternative as a viable solution. As for General Smith, he worked no further to break up the Organization, but submitted his arguments to President Davis in February 1865 and awaited his decision. Davis, caught up in the maelstrom of events that soon led to the fall of Richmond, never replied, and the Frontier Organization continued in existence until the war's end.  

33Throckmorton to Murrah, December 9, 1864, Governor Pendleton Murrah Records, TSL-A.  

34Throckmorton and Murrah, January 13, 1865, Governor Pendleton Murrah Records, TSL-A.  

In order to comprehend the enormity of the problem on the frontier caused by deserters, those avoiding conscription, those disloyal to the Confederacy, and an apathy toward the war often interpreted as a pervasive Unionist sentiment, a detailed examination of the military and social pressures brought to bear in the frontier districts presents an unaccustomed view of frontier defense. The constant problems of internal security that stemmed from these conflicting forces unfortunately overshadowed the frontier problem of Indian incursions, particularly in the Second and Third Frontier Districts.

It will be recalled that in January 1864 the Brush Battalion, once looked upon as a way to reinforce frontier defense in northwest Texas, was now considered too unreliable to commit to Indian scouting duties. Instead, they were used in January and February to meet the other objective of the Frontier Organization, to arrest all deserters in the districts and to work in securing others...

and the Southwest, 15 (No. 4, 1979): 29-30, allots one paragraph to a discussion of the militia debate in the spring of 1864, and includes two sentences on the debate over the fate of the Frontier Organization, which he bases on the Official Records, Ser. I, Vol. 48, Pt. 1:1373-1377. James Farber, Texas, C.S.A. (New York, 1947), pp. 180-184, deals with the militia debate in the spring of 1864, but makes only one observation on the issue of the Frontier Organization and conscription: "[Murrah] shortsightedly failed to see that by nullifying the Confederate draft laws by exempting all border residents from service in the Confederate Army, he was hamstringing victory."
found hiding in the brush. This work soon proved to be beyond the capacity of the Brush Battalion. Even the influence of a good officer as their commander, Major John R. Diamond, failed to keep them from "deserting constantly and going back to the Brush or to the Federals." The unit managed to break up a gang of bushwhackers in Jack County, but their presence in the First Frontier District and adjoining counties of the Northern Sub-District worked more harm than benefit.

In late January Colonel Bourland sent a detachment of men from Captain Patton's Company of the Border Regiment to Elm Creek, approximately seven miles southeast of Denton, to break up a suspected hideout of men in the brush. In fact, over forty men known to be part of the Brush Battalion were seen going into the thicket just four days earlier, and groups of Brush Battalion men were known to have been in contact with the Elm Creek group for some time. Bourland's detachment scouted the region, then

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37 Kerby, Kirby Smith's Confederacy, p. 218. Kerby concludes that the Brush Battalion, which he calls a "regiment of bushmen," relieved steadier troops for active duty in the field. This may have been the intent, but the converse came to be true in 1864. Additional troops were needed just to control the Brush Battalion as it began breaking up.
planned to move in at daybreak on Monday, 25 January.\textsuperscript{38} McCulloch sent reinforcements, but the brush men received word of the assault in time and most managed to escape. Over one hundred men were known to be in the group, but only fourteen were caught. By this time McCulloch reported that the Brush Battalion was down to a strength of only 209 men; with over three hundred deserters and more slipping off each week, McCulloch cursed a land which could harbor such men: "I have never been in a country where the people were so perfectly worthless and cowardly as here."\textsuperscript{39}

As McCulloch bemoaned the fate that led him to command a district where disloyalty seemed to be so widespread, he confessed that the Brush Battalion was a major problem as was a company of returned deserters accumulated at his headquarters. In the face of repeated encouragement by Magruder to shoot down the men in the brush without hesitation or mercy, McCulloch knew that he simply did not have the manpower to hunt down the numerous strong bands of


\textsuperscript{39}McCulloch to Magruder, February 3, 1864, ibid., Ser. I, Vol. 34, Pt. 2:942; quotation found in, McCulloch to Magruder, January 23, 1864, ibid., Ser. I, Vol. 34, Pt. 2:909. Abstract of Bourland's Texas Cavalry, Typed MSS, Confederate Research Center, Hillsboro, Texas, lists Bourland's men as having participated in an engagement on 21 January 1864 in Denton County. Only the scouting was done on that day; the attack did not take place until four days later.
deserters gathering once more in the brush. He was under orders to send returned deserters to Houston, but he often had difficulty finding an escort strong enough to get them through his sub-district, as bands of brush men threatened to ambush any small patrol and set free the prisoners.\textsuperscript{40}

McCulloch's principal military units to arrest and escort such brush men were L. M. Martin's Cavalry Regiment, detached from General Samuel Bell Maxey's department in Indian Territory, and companies of Bourland's Border Regiment that had to be removed from Indian patrol duties for such tasks. So many men of Maxey's command deserted and made their way to the Northern Sub-District that Maxey constantly had a network of spies working there to infiltrate the groups, and frequently sent additional military support to McCulloch to break up such brush gangs. In early February, when McCulloch learned that approximately 100 men led by a Dr. Penwell were about to cross the Red River and make their way north to federal-held territory, McCulloch urgently wrote to Maxey to be on guard, as he had no cavalry force available that could stop them before they reached Indian Territory.\textsuperscript{41} Maxey's men

\textsuperscript{40}Magruder to McCulloch, January 29, 1864, ibid., Ser. I, vol. 34, Pt. 2:925-926; McCulloch to Kirby Smith, February 5, 1864, ibid., Ser. I, Vol'. 34, Pt. 2:945.

\textsuperscript{41}McCulloch to Bourland, February 3, 1864, Bourland Papers, Library of Congress; Maxey to McCulloch, February 4, 1864, Maxey Papers, TSL-A.
quickly picked up their trail, captured Penwell and eight others, and killed seven. Four of the men turned out to be deserters from Maxey's jurisdiction; Maxey scheduled them to be executed by firing squad on 18 February.42

With every new problem it seemed that men from the Brush Battalion were implicated; then, when Major Diamond learned that Henry Boren planned to lead a force of approximately 300 brush men out of Texas to reinforce the federals, McCulloch moved quickly to put an end to the Brush Battalion experiment once and for all.43 On Monday, 21 March, McCulloch moved to break up the Brush Battalion, thus ending the short history of a unit that should have served as an example for others to come out of the brush.44


43 D. J. [Dr. Jefferson Mears] to McCulloch, n.d., Maxey Papers, Gilcrease Institute Museum. Dr. Mears was a spy who infiltrated brush gangs throughout north Texas. "DJ" was his code for correspondence to McCulloch and Maxey. Maxey to McCulloch, January 20, 1864, ibid. A quotation from this letter is all that Maxey's biographer uses to show the cooperation between Maxey and McCulloch on the problem of deserters. Louise Horton, Samuel Bell Maxey (Austin, 1974) p. 39. There are over a dozen letters, however, located in the Maxey Papers of the Gilcrease Institute Museum and in the Archives-Texas State Library that pertain to the topic. More than once Maxey referred to north Texas as the granary of the Trans-Mississippi Department, and to the absolute necessity of defending it from Union invasion.

44 Unfortunately, the details of the breakup are not known. Maxey earlier recommended that the Brush Battalion be disbanded, and it is in one of Maxey's letters that we
On the day before McCulloch moved against the battalion he described the conditions of his sub-district to Governor Murrah:

I can assure you that there is a large disloyal element here constantly at work in the army to get men out and keep them out of service, and there is another set of people who were once our friends, now badly whipped and ready like a cur to tuck tail and run under any house for protection. There are untrue men in every command made up of men from this section of country and many of them no doubt sought that service to avoid the conscript law and keep from meeting the Federal army. No man can know and understand the condition of this country unless he was in it to see for himself . . . and I will save the country or go down with it.45

McCulloch soon dispersed the remnants of the Brush Battalion. Under orders from General's Smith's headquarters, the men who wished to return to their old commands were to be escorted to Marshall, Texas for enrollment, while all others, which included those not to be trusted, were sent to General Magruder in Houston.46 Its commander, Major Diamond, at least was rewarded for his trials with the

learn when McCulloch planned to move against the unit. Maxey to McCulloch, March 18, 1864, Maxey Papers, TSL-A; Maxey to McCulloch, March 21, 1864, ibid.

45McCulloch to Murrah, March 20, 1864, Governor Pendleton Murrah Records, TSL-A.

46Lieutenant E. Cunningham to McCulloch, March 25, 1864, Letters Sent, Trans-Mississippi Department, Confederate Record Group 109, National Archives.
Fig. 5--Command organization, January-September, 1864
brush men; he received a promotion to lieutenant colonel of Bourland's Border Regiment less than two months later.47

In the midst of such unwelcome work as rounding up deserters and hunting down those who avoided conscription, McCulloch once more became involved with William Clarke Quantrill's band of men, who once again gave immeasurably more difficulty than aid. During the winter Quantrill's men made a general nuisance of themselves by occasionally shooting up the town of Sherman and providing little assistance to efforts to round up deserters.48 Stories of plunder and robberies by Quantrill's men filtered into Bonham for some time, but when murder became commonly attributed to them, McCulloch determined to act. He reported to General Magruder that he planned to arrest Quantrill and his men and send them to either Houston or Shreveport:

They regard the life of a man less than you would that of a sheep-killing dog. I regard them but one shade better than highwaymen, and the

47Personal Service File, John R. Diamond, Confederate Record Group 109, National Archives. In contrast to the Brush Battalion stood "Deserter Co. B" organized in February 1864 by Major H. Washington under orders from General Magruder. This unit, made up mostly of men who avoided conscription, spent the spring peacefully making flat boats for the army at Magnolia, Texas, on the Trinity River in Anderson County. Regimental Returns, Captain B. F. Lilley's Company of "Pardoned Deserters," Confederate Record Group 109, National Archives.

community believe that they have committed all
the robberies that have been committed about here
for some time.49

McCulloch planned to use men from Bourland's to make the
arrests, but just in case more force was necessary, he
prevailed upon General Maxey for use of Colonel Stand
Watie's regiment located just north of the Red River.50
McCulloch, however, failed to muster a force large or
capable enough to take on Quantrill's band, so the general
tried another tack. Having received word that Quantrill's
men were ordered to report to the Texas coast for duty,
McCulloch wrote to General Hamilton Prioleau Bee, commander
of the Western Sub-District, just six days after his letter
to Magruder that stated his intent to arrest Quantrill:

I . . . have advised Quantrill to ask for service
west of Corpus Christi, where I think he will do
us great good. There is no doubt about their
being true Southern men, and, no odds what
happens, will fight only on our side. They have
been bad behaved in some instances, but have not
been guilty of a fourth of what has been charged
against them. They are in a country filled with
the very worst character of men, . . . and there
are plenty of enemies to the country who would
have been glad to get up a conflict by telling
bad tales upon them besides those that were true.

49McCulloch to Magruder, February 3, 1864, Official

50Extract of McCulloch's 25 January 1864 letter found
in Maxey to General D. H. Cooper, January 28, 1864, Maxey
Papers, TSL-A; McCulloch to Kirby Smith, February 5, 1864,
and I really think the people are to a great extent unnecessarily uneasy about them.51

Now Henry McCulloch, although toughened by a life on the frontier, was a gentleman of the old school, honest and true to his word throughout a long life of public service. The lone exception seen here in the letter to General Bee indicates just how desperate he was to rid the Northern Sub-District of Quantrill's influence.

Quantrill refused to report to Magruder on the coast; meanwhile, in March Quantrill and other leaders of his unit had a falling out, principally between him and "Bloody" Bill Anderson. When Anderson reported to General McCulloch that he was willing to testify as to Quantrill's guilt in recent crimes, McCulloch requested that Quantrill report to Bonham. On Monday morning, 28 March, McCulloch dispatched 200 from James Webb Throckmorton's State Troops and approximately 100 from Colonel Martin's regiment to arrest Quantrill and his men. Not long after they got under way Quantrill and about two dozen of his men rode into Bonham for the meeting with McCulloch. When Quantrill entered McCulloch's office the general immediately informed him that he was under arrest. Quantrill, visibly agitated, said nothing and quietly placed his guns on a nearby table as McCulloch informed him that certain charges had to be

investigated. When McCulloch left for dinner he invited Quantrill along, which he declined, preferring to stay in the office on his honor. Not long after McCulloch was out of sight Quantrill grabbed his pistols, raced out the door and called out to his men to break for safety or everyone would be arrested. Quantrill and his gang then dashed out of town and headed for their camp near Sherman.\textsuperscript{52} The troops sent after Quantrill outnumbered the guerrilla leader's force by three to one, but they were unsuccessful in pursuit, perhaps more out of reluctance to press the issue with men of Quantrill's reputation than an inability to overtake them. As McCulloch put it shortly afterward: "I have not had troops that had the moral and physical courage to arrest and disarm them."\textsuperscript{53} Quantrill and his

\textsuperscript{52}Throckmorton to Murrah, March 28, 1864, Governor Pendleton Murrah Records, TSL-A; A. Cameron Petree to Ellen Galbraith, March 30, 1864, Galbraith Family Papers, in possession of Charles Eversole, Jr., Grapevine, Texas. The headquarters scene above differs in detail from the two best secondary accounts, Castel, William Clarke Quantrill: His Life and Times, pp. 165-166, and Lary C. Rampp, "William C. Quantrill's Civil War Activities in Texas, 1861-1863," Texas Military History, 8 (No. 4, 1970): 225-231, two works that rely heavily on William Elsey Connelley, Quantrill and the Border Wars, reprint (New York, 1956), pp. 443-445. Castel and Rampp, however, did not have access to the two eyewitness accounts cited above, accounts that substantially agree with each other and spare the melodramatic actions of Quantrill attributed by Connelley. The exact date of the confrontation has never been confirmed until now; Connelley's only statement was that it was in late March.

men soon crossed the Red River, thus ending a stay in north Texas during which they terrorized the region near Sherman and caused McCulloch to pull troops off frontier duty for service that Quantrill's force should have done.\textsuperscript{54} With the Brush Battalion broken up and Quantrill forced out of the territory, all in the last ten days of March, McCulloch may have thought his sub-district and the First Frontier District within it would be somewhat calmer now. Instead, activities in the month of April caused the break up of a disloyal combination that rivaled that of the "Peace Conspiracy" of 1862.

On Sunday evening, 10 April, William Quayle was at his headquarters in Decatur when one of his captains, James M. Luckey, rode into town and wished to have a private talk with him. In the course of conversation Luckey casually asked Quayle if he still held anti-secession sentiments as he did before the war began. The major cautiously replied in the affirmative, whereupon Luckey asked him to put official capacity aside and speak with him as one citizen to another. Suspecting that something was afoot, Quayle gave his approval, then Luckey suddenly inquired if he

\textsuperscript{54}One historian may not have exaggerated when he concluded that: "Quantrill did not alter the course of the Civil War in the Confederate Trans-Mississippi West, but he did affect its outcome in the Texas Sub-District of Brigadier General McCulloch." Rampp, "William C. Quantrill's Civil War Activities in Texas, 1861-1863," p. 231.
could talk a little treason with him. Quayle took the plunge and told Captain Luckey to say what he had on his mind.

Quayle was stunned by the story that Luckey unfolded before him. Luckey, it seems, only pretended to be an ardent secessionist; actually, since the beginning of the war he had worked for the overthrow of the Confederacy. He was suspected of disloyalty, however, by a Sons of the South vigilance committee in Weatherford, Parker County, a group he learned that planned to seize him the following Saturday. Luckey, thinking he found a sympathetic ear in Quayle, wished his company to be immediately assigned to patrol duty further west, where he would proceed to organize all resistance in the First Frontier District. He said he could already count on the support of two companies of Barry’s Frontier Regiment troops, two hundred men of the Frontier Organization under Captains M. W. Johnson, Carmack, and Wiley Robin and himself, as well as numerous deserters known to be in the region. Luckey proposed to establish a base out west, initiate communications with the federals in Indian Territory, and prepare to aid a Union invasion of north Texas.55

55Bourland to McCulloch, April 13, 1864, Quayle Papers, UAL. This remarkable document was a copy of a statement related to Bourland by John W. Hale, enrolling officer for Wise County. Bourland quickly sent it off from Gainesville to McCulloch by express at 9:30 P.M., and
When McCulloch learned of the plot he prudently began making plans just in case the information was accurate, but in a manner so as not to cause alarm. No doubt reminded of Bourland's zeal in stamping out disloyalty in Cooke County in 1862, McCulloch did not want a repeat performance of that affair on his hands. He replied to Bourland to keep an eye on the men of his command, but not to precipitate action in the First Frontier District unless Quayle requested aid. McCulloch suggested that Quayle, if the story were true, take careful steps in gathering proof of guilt before the ringleaders and their men should be arrested. If the investigation showed substantial evidence McCulloch received it the next morning at Bonham. McCulloch could scarcely believe that such a plot was being hatched, and thought that perhaps Hale was a plant himself; maybe Quayle never sent him at all. He soon found the story to be accurate. McCulloch to Quayle, April 14, 1864, ibid. After he ascertained the nature of the situation, McCulloch sent a copy of Bourland's letter to General Kirby Smith's headquarters. The copy sent to General Smith may be found in Bourland to McCulloch, April 13, 1864, Letters and Telegrams Received and Sent, Trans-Mississippi Department, Confederate Record Group 109, National Archives, photocopy in possession of the author, and it appears in a slightly altered version with minor re-wording in, Bourland to McCulloch, April 13, 1864, Official Records, Ser. I, Vol. 34, Pt. 3:772-774.

56 McCulloch to Bourland, April 14, 1864, Bourland Papers, Library of Congress. McCulloch could tell that Bourland was anxious to be turned loose against the conspirators by the letter that accompanied Hale's statement. Bourland immediately suspected that perhaps James W. Throckmorton was somehow involved, a point which McCulloch firmly refuted. This letter by Bourland has not been found, but McCulloch's reply cited above leaves no doubt as to Bourland's suspicions.
of treason, McCulloch proclaimed, "pounce on them and kill or capture the whole of them and better kill than capture them."57

In one sense, at least, the conditions in which this Frontier Conspiracy of 1864 took place resembled the situation of 1862. Then, the "Peace Conspiracy" took place in the midst of rumors of a federal invasion, only now they were not rumors; Union forces were converging on Texas through Arkansas and Louisiana. They would be turned back; in fact, a Confederate Army threw back Banks's invasion force at the Battle of Mansfield two days before Luckey held his fateful dialogue with Quayle, but the news had not yet reached Bonham. The state and Confederate officials who set out to break up the conspiracy did so in the belief that the conspirators, if left unchecked, would soon be aiding Union troops in the region.58

57McCulloch to Quayle, April 14, 1864, Quayle Papers, UAL.

58Interestingly enough, officials in Indian Territory heard rumors of the conspiracy about the same time McCulloch did, but from their own sources. An officer from that department had spies among the brush men and they informed him that a band of traitors in north Texas were in contact with Union forces with plans to furnish aid to the proposed invasion of the Northern Sub-District. The spies indicated that Henry Boren was the leader; Luckey's name was not mentioned. B. D. Martin to Brigadier General Cooper, April 12, 1864, Maxey Papers, Gilcrease Institute Museum. Even after the events of April, General Maxey determined to help quell such future threats: "As an officer it is due to your government to break up the hellish designs of this miserable nest of traitors if possible. As a citizen of
Meanwhile, Colonel Bourland's blood was up; not willing to wait for Quayle to request aid, he quickly fired off suggestions to Decatur on how the major should handle the situation. Bourland indelicately told Quayle that he knew all along that a great number of the soldiers of Quayle's Frontier District were traitors; now was the time to bag the lot of them. Bourland proposed to send spies from his command pretending to be deserters to gather information. He then recommended that Quayle first inform the Sons of the South at Weatherford not to take action against Luckey, but rather stall Luckey as long as possible while pretending compliance. Quayle wasted no time himself. He immediately consulted with Judge J. W. Ferris, then holding district court in Parker County, about Luckey's story. Judge Ferris knew enough about Luckey and the men implicated to recommend the swift arrest of the

the disaffected section it is specially due to your own people. It is an important part of our duty to protect Northern Texas, not only as Texicans but as the source of our supplies. Let those men get the names and residences and proof of guilt of the leading conspirators. Furnish me at once the names and company of the men you want for your purposes."

S. B. Maxey to B. D. Martin, May 29, 1864, Letters and Telegrams Received, Trans-Mississippi Department, Confederate Record Group 109, National Archives.

Bourland to Quayle, April 14, 1864, Quayle Papers, UAL.
parties in question by the military, rather than by civil authorities.  

The arrest order came soon enough. On the following day, 15 April, McCulloch gave orders for Colonel Bourland to direct the arrests of the men in question and send them immediately to General Magruder in Houston. He instructed Bourland to take only his most reliable men for the work, with all arrests to take place simultaneously as designated by Major Quayle. McCulloch also called upon four companies of Colonel Tilghman Good's Confederate cavalry from the Paris, Texas vicinity for support, although he did not place much faith in them. For this action Bourland's and Quayle's most trusted men were the ones counted upon. On the 14th, McCulloch immediately dispatched a spy of his own from Bonham, a double agent of sorts, to find out what he could of the leaders and intent of the conspiracy. The man was L. L. Harris, a boot and shoe maker by trade, whom McCulloch often used as an agent to obtain information from

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60 J. W. Ferris to Governor Murrah, August 18, 1864, Governor Pendleton Murrah Records, TSL-A. Ferris said that Quayle told him of the conspirator claim that one-half of both the militia and the citizens were involved. Ferris also judged Major Quayle to be "a gentleman of honor and veracity."

61 Special Orders Number 99, April 15, 1864, Quayle Papers, UAL; McCulloch to Bourland, April 15, 1864, ibid.; McCulloch to Quayle, April 15, ibid.; McCulloch to E. P. Turner, April 16, 1864, Official Records, Ser. I, Vol. 34, Pt. 3:771-772.
behind Union lines as well as from men in the brush. Previously, Harris convinced Luckey that he was actually a clerk at McCulloch's headquarters and would keep Luckey informed of developments on that end. Now Harris headed west to allay suspicions and to help Quayle ferret out the leaders of the conspiracy.  

As the net was about to be drawn over the conspirators, Bourland, who did not accompany his force in the upcoming arrests, sent along advice on how to handle the operation. He sent three companies, approximately one hundred men, and suggested that Quayle send away his unreliable troops and retain only "true and loyal men," then secretly arrange the arrests simultaneously as McCulloch suggested. Only the officers should know the nature of the mission until the force arrived at the "different homes of those traitors." "Major, you must manage this affair in the same way we did in Cooke," was Bourland's parting remark. As Quayle prepared to move in, with the morning of Tuesday, 19 April targeted as the day to spring the trap, the security lapse that inevitably accompanies such missions enabled a large number of those


63 Bourland to Quayle, April 16, 1864, Quayle Papers, UAL.
implicated to escape, where they ultimately joined the federals or deserters in the brush.\textsuperscript{64} As the arrests began taking place on the nineteenth, principally in the counties of Parker, Wise, and Jack, many of the populace envisioned a repeat of the hangings of 1862. A "stampede" took place in Wise County when the rumor went out that Confederate troops were arresting everyone who voted "the Union Ticket" and who opposed secession in 1861, and many of them fled to the interior and as far away as Mexico.\textsuperscript{65}

In Parker County the arrests came under the direction of Captain Joseph Ward, a trusted officer and citizen of Weatherford who commanded a company in the Frontier Organization. His lieutenant, Jackson F. Floyd, arrested three of the suspected ringleaders, James M. Luckey, A. F. Corning, and David O. Norton, then took down their statements as written testimony.\textsuperscript{66} The men were taken to

\textsuperscript{64}Quayle to Culberson, April 27, 1864, Quayle Papers, UAL.

\textsuperscript{65}Statements of J. Charles Adair and T. L. Stanfield to D. Howell, Chief Justice of Wise County, December 19, 1864, Governor Pendleton Murrah Records, TSL-A.

\textsuperscript{66}J. W. Ferris to Murrah, August 18, 1864, Governor Pendleton Murrah Records, TSL-A; H. Smythe, \textit{Historical Sketch of Parker County and Weatherford, Texas}, reprint (Waco, 1973), pp. 177-178. Smythe gives a detailed account of the aftermath of the arrests, noting that they occurred sometime in April, including the fate of those arrested. He provides no information, however, on the origins of the conspiracy or the preparations made by the military to break it up.
Decatur the next day where they soon joined others arrested at the same time; from there authorities sent them to Fort Worth where they could be placed under a more secure guard with little hope of being rescued. At Fort Worth Major Quayle arranged to send Luckey and seven others to Houston in irons "charged to commit treason and with disloyalty," while the few others taken with them were identified as deserters and sent to General McCulloch. The prisoners sent to Houston, particularly Luckey, expected to be executed for their activities. Surprisingly enough, authorities released the men that summer because of lack of evidence, whereupon Luckey joined his wife at her parents' home in Bell County.

The outraged people of Parker County, particularly those of a local vigilance committee headed by Captain Ward and Judge A. J. Hunter, had Luckey arrested in Bell County on a writ issued by Judge Hunter. On 1 August, when Luckey and his escort approached Weatherford, a group of men suddenly rode up, took Luckey away, and hanged him from a post oak limb about fifty yards from

67Bourland to Quayle, April 22, 1864, Quayle Papers, UAL; Smythe, Historical Sketch of Parker County and Weatherford, p. 178.

68Quayle to Culberson, April 27, 1864, Quayle Papers, UAL.

69Smythe, Historical Sketch of Parker County and Weatherford, pp. 179-180.
the roadside. Arrests continued to be made, about thirty in all, by the Parker County vigilance committee of the Sons of the South; all save one were acquitted before a tribunal in Decatur and the one was sent merely to serve in the Confederate Army.

With so many other similarities to the "Peace Conspiracy" of 1862 it is conspicuous that the mass executions of those days did not occur again in 1864. The old ardor of the war's early days faded now. The northwest frontier of Texas had suffered too many hardships, had seen too much misfortune and deaths; the mood of the populace to take action was no longer there as before, and the appeals of Bourland and other officers failed to change matters. No Union army had ravaged the land, but a war weariness lay upon this portion of the Northern Sub-District. Men would still react to protect lives and property from bushwhackers, or fight against Indians, and a few would still rally to hang a suspected traitor, but the call to fight intangible rumors of conspiracy no longer moved the people.

70 J. W. Ferris to Murrah, August 18, 1864, Governor Pendleton Murrah Records, TSL-A; Smythe, Historical Sketch of Parker County and Weatherford, pp. 181-183.

71 Sixteen men were taken into custody and charged with the murder of Luckey, or for acting as accessories, including Oliver Loving. All were acquitted, but after the war Luckey's widow filed a civil petition against these men in a $100,000 wrongful death suit. Judge R. W. Scott
If much of the populace seemingly were indifferent, the officers and their men on the frontier could not afford to be. During the next few months an unprecedented flurry of activity in the First Frontier District resulted in the pursuit and arrest of armed gangs of deserters. By the first of April Major Quayle reported that a number of armed gangs of deserters existed in the First Frontier District. Some of these groups were thirty strong or more, while one band had a known strength of at least 120. The break up of the Brush Battalion in March and the dispersal of the Frontier Conspiracy in April set into motion a general movement of those in the brush. A number of the renegades headed for the western limits of the Northern Sub-District, about midway across the breadth of the First Frontier District, where they reportedly planned to raid the settled areas. Some of the brushmen gathered their families in preparation to leave for California.

72Quayle to Culberson, March 31, 1864, Adjutant General's Records, TSL-A.

Reports from spies indicated that many deserters and those avoiding conscription were congregating along Hubbard Creek in Stephens County where, as General McCulloch put it, "the impression is all over the country that there is no war in California and if there they could live in peace." To add to the problem, men from Bourland's Border Regiment and James "Buck" Barry's Frontier Regiment battalion deserted during the spring at an alarming rate; in fact, the Border Regiment at this time had an effective strength of only 365 out of a total of 602 on the rolls. McCulloch by now believed Quayle to be an able an efficient officer, but because the men of the Frontier Organization depended largely upon their own means for forage and supplies, their scouts in search of deserters were of limited duration. McCulloch believed that the Border Regiment had to provide more efficient service, but because of the scattered nature of the command, and its other role to

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74 McCulloch to Quayle, March 28, 1864, Quayle Papers, UAL; Greer, ed., Texas Ranger and Frontiersman, p. 173; quotation from, McCulloch to Murrah, March 20, 1864, Governor Pendleton Murrah Records, TSL-A.

75 Bourland to McCulloch, April 25, 1864, Official Records, Ser. I, Vol. 34, Pt. 3:792; Abstract From Return of C. S. Troops, Northern Sub-District of Texas, for the Month of March, 1864, ibid., Ser. I, Vol. 34, Pt. 2:1107. On 18 April Bourland reported to Quayle: "About twenty of Captain Mains' men have deserted and Mains is of opinion that a good many more will desert in a few days. He also states that there is about seventy-five traitors and deserters in camp about twelve miles of Montague." Bourland to Quayle, April 18, 1864, Quayle Papers, UAL.
scout for Indian signs, its efficiency was less than desired. McCulloch wanted Bourland to recruit two more companies, with Quayle's and Governor Murrah's permission, from the First Frontier District. Also, owing to Colonel Bourland's age and feeble health, McCulloch desired for an younger officer to take his place. McCulloch failed to achieve either of these objectives; the work went on with the men and officers available.

During April and May the military quickly moved in on the numerous gatherings of deserters. Bourland reported that reliable sources informed him of deserter groups in Denton County between Elm Creek and Clear Creek north of Denton, in Shackelford County near the saltworks, in Indian Territory between the Red River and the Wichita Mountains, in Jones County near Fort Phantom Hill, and in west central Texas in the Concho River vicinity. The greatest threat, however, came from a group of renegades

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76 At this time four of Bourland's companies were on detached service outside the Northern Sub-District; he believed he could easily raise 100 men for the two proposed companies. Bourland to Quayle, April 26, 1864, Quayle Papers, UAL; McCulloch to E. P. Turner, April 26, 1864, Official Records, Ser. I, Vol. 34, Pt. 3:795.

77 Bourland to Quayle, April 29, 1864, Quayle Papers, UAL; Bourland to George Isbell, May 1, 1864, ibid. Isbell was Major Quayle's assistant adjutant general. The saltworks in Shackelford County was the chief source of salt, which was indispensable for the preservation of meats and other perishables for upper west Texas and Confederate Indian Territory. Kerby, Kirby Smith's Confederacy, pp. 68-69.
and deserters known to be at Victoria Peak in western Montague County. Approximately 300 men reportedly had congregated there with the intention of joining forces with a group just beyond the Red River for a move to Union lines in Kansas. Bourland proposed to use part of his own force and three of Quayle's companies to root this bunch out; no time to waste gathering supplies for a long expedition, he told Quayle, "We can live on Buffalo and Beef for a short time. Take a little salt; we must catch them and let us lose no time."79

The expedition started out on Monday, 9 May, with about 250 men of the First Frontier District under Captain Joseph Ward intending to rendezvous with two companies of the Border Regiment. They arrived too late and found only a deserted camp, but they should have known that surprise would have been close to impossible since the high elevation of Victoria Peak provided sentries a commanding view of any approaching forces. Bourland grasped this point at least; for the rest of the war he kept a company posted

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78 This large hill, with an elevation of 1,189 feet, located about four miles north of the town of Bowie, is today called Queen's Peak. It is not to be confused with the more famous Victoria Peak of Culberson County. As all the contemporary correspondence designated it as Victoria Peak, the author will refer to it as such. "Danvin Reminiscences," p. 132, Typed MSS, Lillian Gunter Papers, Morton Museum, Gainesville, Texas; Webb, ed., Handbook of Texas, 2:423, 841.

79 Bourland to Quayle, May 7, 1864, Quayle Papers, UAL.
there. 80 When the expedition first moved out word came from one of "Buck" Barry's spies that Captain H. J. Thompson of the Frontier District, who commanded a company at Buffalo Springs in southeastern Clay County less than twenty miles west of Victoria Peak, was actually a leader of the band of deserters. It was said that he planned to drive a large herd of cattle west to join deserters along the Big Wichita River, then drive the cattle to Kansas. 81 The military forces that converged at Victoria Peak used this information to begin their pursuit to cover the country west to the Big Wichita, then northward in the vicinity of the Wichita Mountains. With a combined force of approximately 450 men, in the largest expedition of its kind since the creation of the frontier districts, Captain James J. Diamond of the Border Regiment and Captain Ward of

80George Isbell to Quayle, May 11, 1864, Quayle Papers, UAL. Quayle at this time was on his way to attend the special session of the Tenth Legislature in Austin.

Regimental returns for the Border Regiment never listed a company located at Victoria Peak until the return for July, the first return available after the episode described above. Regimental Return, Bourland's Regiment Texas Cavalry, "Border Regiment," July 1864, Confederate Record Group 109, National Archives.

81Captain J. P. Rowland to Bourland, May 9, 1864, Quayle Papers, UAL; A muster roll for Thompson's company notes that for the months February to June, 1864, the company suffered fourteen desertions, one-fourth of its strength, including the desertion of its captain. The men then elected First Lieutenant T. F. Roberts to command the company. Muster Roll, Captain H. J. Thompson's Company, 1st Frontier District, February 1 - June 1, 1864, Adjutant General's Records, TSL-A.
the Frontier District led one column of men to scout out the south side of the Big Wichita, while Captain Roff of the Border Regiment covered the north side.\textsuperscript{82} They shortly received additional reinforcements from the Frontier Regiment, a small force under Captain Rowland which left Red River Station about eight days after the others headed west. By the time Rowland's men reached the Big Wichita the combined force of the Border Regiment and state troops were already north of the Red River scouting the area between Cache Creek and the Wichita Mountains, so Rowland kept his men to the south.\textsuperscript{83}

For all its efforts this extensive operation never came upon the main body of deserters and renegades they sought, but they did fall upon some of its stragglers. Bourland's men allegedly killed one man who surrendered, while twenty-two men of Captain S. F. Mains's Company sent word that they would voluntarily return if they could be reunited with their old company. Bourland replied to them that if they turned themselves in he would send them to General McCulloch's headquarter, per instructions, and:

\begin{quote}
I also gave notice, that if they failed to come, I would take and kill the last one of them. I have no doubt we can clear them all up that is
\end{quote}

\textsuperscript{82}Bourland to Captain J. Ward, May 11, 1864, Quayle Papers, UAL.

\textsuperscript{83}Rowland to Barry, May 28, 1864, Barry Papers, Barker Texas History Center, University of Texas.
within our reach though a number of bad men are in the militia camp, and a few in the Confederate companies. I have a few prisoners on hand and will forward them soon.\textsuperscript{84} 

Most of the deserters at this time were taken in this fashion, not through capture, but by voluntarily turning themselves in. In May and June Major Quayle reported that his Frontier forces captured thirty deserters from Confederate service while eighty turned themselves in, a ratio that seemed to hold true for the rest of 1864.\textsuperscript{85}

Whenever Quayle's men procured any deserters they were required to send them directly to Colonel Bourland's headquarters in Gainesville, whereupon the colonel would then forward them to General McCulloch in Bonham. McCulloch usually routed them under guard to Magruder's headquarters in Houston, and on occasion to the Bureau of Conscription in Marshall. The road from Gainesville to Bonham, however,

\textsuperscript{84}Quotation from, Bourland to McCulloch, June 2, 1864, Quayle Papers, UAL. The charge that Bourland's men murdered one of three men they captured near the Big Wichita River is from, Rowland to Barry, May 28, 1864, Barry Papers, Barker Texas History Center, University of Texas. In this letter Rowland acknowledged that Bourland was certainly being more cooperative. "Bourland has done a great deal against our Regiment and especially against this Company and in fact enough to make us have very hard feelings towards him. But he now seems anxious to act jointly and gives us any information he comes in possession of." This portion of the letter is quoted, in part, in James K. Greer, ed., Buck Barry, Texas Ranger and Frontierman, reprint (Lincoln, Nebraska, 1971), p. 171.

\textsuperscript{85}Quayle to Culberson, June 23, 1864, Quayle Papers, UAL.
turned out to be a rough one, in more ways than one. Since early in the year charges abounded that Bourland's men not infrequently murdered some of their prisoners, not in the act of capturing them, but after they were taken and under guard. A muster roll for a First Frontier District company tersely records: "Ransom Graves, age 27, taken by Col. Bourland's men and killed, April 25."\(^8^6\) When Captain Rowland of the Frontier Regiment mentioned in May about Bourland's men murdering a deserter they caught, Rowland commented about the colonel: "I believe he is doing very good service towards capturing deserters. And they find or meet but few favors from him which makes them dread to fall into his hands."\(^8^7\) So many reports began filtering in to McCulloch's office that when word came of a series of murders in May and June McCulloch sent a strong reprimand to Bourland informing him of complaints about the cold blooded murder of prisoners:

My orders are sufficiently barbarous for any Christian land viz to 'attack all deserters and robbers banded together in the brush to resist the legal authorities and not to cease shooting as long as any resist or try to escape' but I do not desire men shot after they throw down their arms and hold up their hands nor after they are captured unless they undertake to make their

\(^8^6\)Muster Roll of Lt. Thomas Smith's Company, First Frontier District, February 1 - June 1, 1864, Adjutant General's Records, TSL-A.

\(^8^7\)Rowland to Barry, May 28, 1864, Barry Papers, Barker Texas History Center, University of Texas.
escape, and then there should be no doubt on the subject. There is no one in the land more anxious than I am to rid the country of such men as by their actions deserve death, but I cannot in any manner agree to make myself Judge Jury and Court Martial to decide their cases and execute them without trial and if such things have been done let them occur no more. 88

In fact, McCulloch sent one of Bourland's letters to Governor Murrah, a letter in which Bourland implied that perhaps the shooting of a few more men of Quayle's Frontier District would help curb desertion. Quayle bristled when he learned of Bourland's statement. The colonel wrote that he only meant such a fate for the "bad" men of Quayle's command, then indignantly added:

I think that 27 years in Texas, and a part of the time was helping hang and whip rascals out of the country, surely ought to give me some ideas of Mankind. 89

Eventually, Bourland's own men attempted to put a stop to such a practice. In October of 1864 charges and specifications were prepared to be used against Bourland in court martial proceedings. Four charges of incompetency were minor points; it was in the charges on conduct unbecoming an officer and a gentleman that lay at the heart of the matter. Here it stated that Bourland "ordered, permitted, or connived" in the murder of prisoners, then

88 McCulloch to Bourland, July 14, 1864, Quayle Papers, UAL.

89 Bourland to Quayle, July 19, 1864, Quayle Papers, UAL.
proceeded to list details. It told of the deaths of two men in January and February, then detailed the murders in May and June that attracted McCulloch's attention. While passing through Sherman on their way to Bonham with nine prisoners in leg irons, men of Bourland's "special guard" borrowed shovels for a burial detail, even though no one was yet dead, then that night they shot two prisoners and buried them. A short time later, concerning a Mr. Pitman being taken to Bonham, Bourland instructed his guards that if the man happened to be killed before they reached Whitesboro, fourteen miles away, Pitman's horse was to be returned and given to Bourland's assistant quartermaster. It was so done. The charges relate not only stories of such deaths on the road to Bonham, but of men taken out of custody by the colonel's "special guard," marched outside of Gainesville, and hanged. Twenty-eight men of the Border Regiment signed the document as witnesses, including five of his captains. No evidence exists that such a court martial was ever held, but it is known that Bourland remained in command of the regiment for the duration of the war, save for a leave of absence in early 1865 when Lieutenant Colonel John R. Diamond took his place. It is quite

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90 Eight pages of the "Charges and Specifications prepared against James Bourland, Col. Comdg. Border Reg." are located in the Quayle Papers, UAL. Copies of the charges are not found in the Bourland Papers, Library of Congress.
possible that the leverage offered by such charges, combined with McCulloch's strict accounting for future deaths of prisoners, ended the practice. After the late summer of 1864 Bourland's correspondence contains none of his familiar previous rhetoric about shooting those found in the brush, nor can any instance be found again of prisoners killed while in his charge. It hardly requires a leap of imagination to discern a declining morale in the First Frontier District in the face of such behavior by Bourland's command, or to wonder why so many deserters tried to return directly to their old commands rather than to be forwarded to Bonham by Bourland.

General McCulloch's impatience with Bourland also stemmed from the actions of Bourland's men across the heart of Quayle's district, action that included the arrest, without proof, of men assumed to be deserters if found alone, and outrages against citizens of the district. Bourland defended his methods by stating to Quayle:

I differ in opinion as to making these arrests without sufficient evidence - doing good for I am satisfied that where we know a man to be disloyal and can't get such evidence as we can get at him with, we can at least trouble him enough to make him keep his sentiments confined to himself and probably drive him from our midst.

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91 This absence includes the Official Records as well as available manuscript collections.

92 Bourland to Quayle, September 12, 1864, Quayle Papers, UAL.
McCulloch had heard enough by this time to ease Bourland out of the business of bringing in deserters. As of September the only forces specifically charged with actively searching out deserters were those of the Frontier Organization. As McCulloch informed Bourland:

> It seems that it is very difficult if impossible for your troops to get along without committing acts of rashness . . . and if our men can not be induced to do their duty without committing acts of outrage you must leave the entire work within the settlements to Maj. Quayle and turn the entire attention of your command to the defense of the Frontier against the Indians and I expect it will be best to pursue that course and only act in the settlements when Maj. Quayle may call on you for assistance.93

As winter approached General McCulloch had to pull what few patrols he had out of the First Frontier District to guard against a greater threat to the eastern portion of his sub-district. The danger was not from federal invasion. In October and November deserters once more began to come into northeastern Texas in large numbers, as well as irregular bands of bushwhackers who wished to refit and winter in North Texas. "Deserters, absentees, and skulkers must be kept out of the country, or it will be ruined this winter," McCulloch wrote to Bourland, as he felt compelled to modify his previous instructions to the

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93McCulloch to Bourland, September 12, 1864, Quayle Papers, UAL. It will be recalled that Barry's men were on duty near the coast at this time and would not return to the Fort Belknap vicinity until November.
colonel and once more turn him loose in Quayle's district to hunt down deserters, with a strong caution to arrest only men liable for military service, not those suspected of disloyalty or of harboring deserters. Kirby Smith was aware of the situation, one that he blamed on the counties of the Frontier Organization being exempt from the Confederate conscription laws: "The frontier counties . . . are . . . a grand city of refuge where thousands of able-bodied men have flocked to escape service in the Confederate Army." McCulloch meant to shut off that refuge. He received aid in the process through Governor Murrah who, after receiving petitions from citizens in northeast Texas, requested General Smith to send reinforcements to the counties along the Red River. As one petitioner described the situation to Murrah:

Gen. Price's Army is in Fannin, Lamar and Red River counties, whipped, broke down and demoralized, hundreds of them, floating over the country, attached to no command and subject to no order, reckless and dispirited . . . and the people are alarmed at the consequences which are to follow.

94McCulloch to Bourland, October 8, 1864, Quayle Papers, UAL.


96Murrah to Kirby Smith, November 27, 1864, Governor Pendleton Murrah Records, TSL-A; C. B. Breedlove to Murrah, November 19, 1864, ibid.; quotation from, H. R. Latimer to Murrah, November 24, 1864, ibid. For Confederate strategy in the summer and fall that resulted in Sterling Price's
A reorganization of the Army of the Trans-Mississippi left McCulloch's Northern Sub-District force styled as the Eighth Texas Cavalry Brigade, Third Texas Cavalry Division. By late fall McCulloch received the troops he needed to stem the problem of additional renegades, deserters, and those men just weary of the war from moving westward to the Frontier Districts. General Maxey, as always, provided prompt support by trying to keep men from drifting across Indian Territory to north Texas. He published McCulloch's General Orders Number 33 which stated that "should any party be found in the brush . . . they will be fired upon at once and shot as long as they resist or try to escape." Maxey reinforced this goal by issuing his own orders to keep north Texas free of such men. Such efforts


97Organization of the Army of the Trans-Mississippi, September 30, 1864, Official Records, Ser. I, Vol. 41, Pt. 3:969. McCulloch's force by December consisted of five cavalry companies and two infantry companies, representing nearly 1,100 men in the eastern portion of his district. His force within Quayle's, now Throckmorton's Frontier District, totaled approximately 600 men under Bourland and Barry. Abstract From Return of the Third Cavalry Division, Brig. Gen. Thomas F. Drayton commanding, for the Month of December, 1864, ibid., Ser. I, Vol. 41, Pt. 4:1138.

98General Orders Number 33, December 29, 1864, Maxey Papers, TSL-A; a copy is also found in Official Records, Ser. I, Vol. 48, Pt. 1:1310-1311. Maxey referred to these orders, as well as his own additions, in General Orders Number 1, January 1, 1865, ibid., Ser. I, Vol. 48, Pt.
partially explain why so few stragglers and deserters made their way to the First Frontier District during the winter of 1864-1865. An additional reason lay in the increased presence of Indian raids during the late fall and winter. The great raid on Young County in October made the bloody raid into Cooke County a year before pale by comparison. Such activity by Kiowas and Comanches not only served to restrict the movement of deserters and conscripts in the First Frontier District until spring, but also limited the problems caused by such people along the entire line of Throckmorton's Frontier District. That is not to say that the number of deserters in the First Frontier decreased, but most of those at this time came from Confederate or state units already on the frontier, not from Confederate soldiers coming into the region across the Red River.

The job of tracking down men in the brush came almost to a standstill in the First Frontier District as northerners rolled in bringing on a harsh winter. Indian incursions once again predominated, but the officers prepared to renew their efforts with the advent of better spring weather.  

1:1310.

99A fifteen-inch snow experienced by one of Barry's scouts in late January is indicative of the bitter winter conditions that left the western portion of the Northern Sub-District extremely scarce of necessary forage for animals. Bourland's assistant quartermaster had to send as far east as McKinney and south to the Brazos River for corn, and reported that grass was quite scarce. Barry to
By late March, however, bands of deserters were again rumored to be on the move westward, and the men of the Border Regiment and Throckmorton's Frontier District were soon on the trail. The last great action of the war against armed deserters on the northwestern frontier took place in the last days of March and early April of 1865. Throckmorton sent word to thirty-two-year-old Captain George Bible Pickett at Decatur that approximately 100 deserters from Confederate service in east Texas were then in movement across the district on their way to New Mexico Territory, men known to be congregating for some time along Denton Creek in Wise County. When Pickett and thirty of his men left Decatur on 1 April headed northwest, he learned that Lieutenant Colonel Diamond of Bourland's Regiment was already in pursuit. En route, companies

Bourland, January 31, 1865, Bourland Papers, Library of Congress; Captain William C. Twitty to Major William G. King, Chief Quarter-Master, Northern Sub-District, February 2, 1865. ibid.

100 Cates, Pioneer History of Wise County, p. 139. The account of this little known episode by Cates is the only firsthand published narrative that provides details of the expedition. Cates's twenty-nine-year-old brother, Bob, played an integral role in the affair. It differs in only a few small details from the official report of the expedition by Throckmorton's adjutant. John P. Hill to W. C. Walsh, Acting Adjutant and Inspector General, April 5, 1865, Adjutant General's Records, TSL-A.

101 Cates is slightly incorrect in his dates. He refers to 2 April as Saturday and 3 April as Sunday; in reality, 2 April was a Sunday.
from Jack, Wise, and Montague counties under the command of captains J. B. Earhart, W. H. Shoemaker, and S. Shannon joined Pickett's men. They picked up the trail in Wise County and followed it with little difficulty to the Little Wichita River in western Clay County not far from the present day city of Wichita Falls. At dawn on 3 April scouts found the camp of deserters just over a ridge, near the river's edge.

The combined state and Confederate force on the field was 134 strong, 79 men from three companies of the Border Regiment and 55 state troops from parts of four companies. The deserters appeared to be approximately 100 in number, with superior mounts and plenty of supplies. Diamond, of the Border Regiment, by agreement in overall command, advised against an immediate assault; he preferred to wait for a night attack. Pickett, nevertheless, recommended an immediate surprise attack. This joint effort was a cooperative one between state and Confederate troops, and as Diamond did not object, Pickett asked for volunteers for the mission. Two entire companies of the Frontier Organization and a handful of Confederate troops stepped forward to volunteer. About thirty of these men

102 Captain F. M. Totty to Colonel James Bourland, April 20, 1865, Adjutant General's Records, TSL-A. This document is the official Confederate report of the episode on the Little Wichita River.
moved to the right (north) flank under Captain Shannon, while Pickett took the same number to the left. These two forces charged simultaneously, not to attack the deserters directly, but to drive off their horses before the deserters could react. With the alarm, as the deserters rushed about to see what was happening, Diamond and the rest of the force appeared at the top of the ridge as if prepared to charge. No attack was necessary. With no horses they were helpless; the deserters soon put up a white flag.\textsuperscript{103}

The 98 men and 150 horses captured were then taken back to Buffalo Springs in Clay County to await forwarding to Houston.\textsuperscript{104} It is also of interest to observe what

\textsuperscript{103}Cates, Pioneer History of Wise County, pp. 140-141; Hill to Walsh, April 5, 1865, Adjutant General's Records, TSL-A. Captain Earhart's company split off earlier and was approximately ten miles away when the affair took place. Hill enthusiastically called the incident "a most brilliant achievement of the State Troops of this Mil. Dist." The official Confederate report by Captain Totty minimizes the work of the state troops. For example, he disagrees with the account of Cates and Hill about the number of volunteers who made the attack, stating that there were thirty Confederate and about twenty militia volunteers. In fact, in his report, Totty plays the dominant role of the day; he puts particular emphasis on the brief period when the deserters tricked Lieutenant Colonel Diamond, captured him, and demanded that their horses be returned. When Totty refused they released Diamond and surrendered. Totty thus concludes his report: "I like Col. Diamond as a man but regard him as entirely incompetent & unfit to command in any respect."

\textsuperscript{104}Ibid., p. 142; William Charles Taylor, A History of Clay County (Austin, 1972), p. 51, states that the deserters were taken to Buffalo Springs to await trial, but this
happened to the property belonging to the prisoners. Just a week after Throckmorton assumed command in Quayle's place, he suggested that his troops be allowed to confiscate the property of those they captured, in lieu of pay from the state. This, he said, "will be a great stimulus to exertion." The policy was adopted in 1865, but a dispute arose in April between Throckmorton's and Bourland's men over who deserved the spoils taken on the Little Wichita. McCulloch had to solve the disagreement. Divide the private property equally, he said, taking care to set aside stolen Confederate horses or arms, and officers of each force could then jointly divide the remaining horses, saddles, bridles, blankets, and arms, with his recommendation that the most valuable portion should go "to those who acted most gallantly in the capture." In the final act of this last drama of the First Frontier District the deserters recently captured were still within the district.

went against standard procedure used in the disposition of deserters. Normally all deserters went first to Bonham, but in this instance General McCulloch ordered them delivered under guard directly to Houston. McCulloch also indicated that Diamond reported 103 men taken prisoner; the five extra were possibly taken at another location. McCulloch to Bourland, April 5, 1865, Bourland Papers, Library of Congress.

105 Throckmorton to Murrah, December 20, 1864, Governor Pendleton Murrah Records, TSL-A.

106 McCulloch to Bourland, April 10, 1865, Adjutant General's Records, TSL-A.
when word came of Robert E. Lee's surrender to U. S. Grant. Such news did not mean the war was over for the Trans-Mississippi Confederacy, but to many it signaled that an end to conflict was in sight. The prisoners taken on the Little Wichita were released.\textsuperscript{107}

The three pages of Major George B. Erath's memoirs devoted to his command of the Second Frontier District mention the problem of Indians and nothing of deserters, but the latter presented difficulties for his central Texas district from its inception. In fact, in his first report to the Adjutant General's office in Austin, Erath related that great dissatisfaction existed in his area primarily from members of the Frontier Regiment, many of whom threatened to desert if the regiment was ordered away from the frontier.\textsuperscript{108} By February Erath reported gangs of deserters resisting arrest in his district. In Erath County an all day battle between Captain Silas Totten's company and deserters trapped in a fortified house led to the capture of eight men, while seven more in the vicinity gave up the next day.\textsuperscript{109}

\textsuperscript{107}Cates, \textit{Pioneer History of Wise County}, p. 142.

\textsuperscript{108}Erath to Culberson, January 18, 1864, Adjutant General's Records, TSL-A.

\textsuperscript{109}Erath to Culberson, February 22, 1864, Adjutant General's Records, TSL-A.
By the first of April Erath's men accounted for the arrests of twenty-nine men, mostly taken from the eastern counties of the district. The problem that plagued Erath's district lay chiefly with the large number of men along the western fringes of his district, far from the usual company patrols. Because of the lesser threat of Indian attacks in the Second Frontier District during the spring and summer of 1864 than in Quayle's district to the north, such men, often with their families, congregated in the region between the Concho and Colorado rivers. As early as March reports came in that deserters were gathering in the region, but here Erath had the benefit of cooperation with troops of the Frontier Regiment stationed at Camp Colorado, located in Coleman County in the west central portion of Erath's district. Genuine aid from the Frontier Regiment in this sector, however, had to wait a month or so because the regiment's transfer to the Confederacy exacerbated the problem of deserters in Erath's district. Not only did a large number of Captain Loyd's men desert the Frontier Regiment at this time, but

110 Monthly Report of the State Troops of the 2nd Frontier District, April 1, 1864, Adjutant General's Records, TSL-A. Of these twenty-nine, twenty-seven were taken to Confederate enrolling officers, one escaped, and one remained in jail.

111 McCord to Barry, March 14, 1864, Barry Papers, Barker Texas History Center, University of Texas.
one report asserted that "Capt. Whiteside's company have all deserted save himself and one man." 112 With the reorganization completed, two small companies created in the process remained at Camp Colorado under captains Henry Fossett and G. B. Cooke. 113

Major Erath, in an attempt to keep a closer watch on this western section of his district, established a regular post on the Concho River that consisted of approximately twenty men under a lieutenant's command. 114 But a party of this size was no match for the growing numbers gathering in the region. In late May the outpost reported that approximately 200 disloyal men and deserters threatened to overrun them, then left the area headed for El Paso, it was said, then to California. A large patrol from Camp Colorado went after them along the upper Concho but arrived too late to come upon them. Captain Fossett estimated that 500 were in the party headed west with a number of


114 Major Erath to Culberson, June 30, 1864, Adjutant General's Records, TSL-A.
families, forty loaded wagons, a herd of cattle, and an estimated thirty deserters from the Frontier Regiment.115

Meanwhile, activity increased in the eastern counties. In an inspection tour of the eastern sector of his district, Erath learned of the citizens' low morale and heard much criticism of the government. Discouraged, Erath dispatched a confidant to the capitol for the purpose, as he quaintly put it, "of explaining to his excellency the Governor . . . the condition of affairs and present facts which Southern men would not like to commit to paper."116

To Lampasas County, in the southeastern part of his district, Erath ordered the trusted Captain Totten and fifty of his Bosque County men to root out some sixty to seventy deserters who were causing problems in the area. Sympathizers helped keep their positions a secret and Totten's force turned back. He soon returned, this time

115 Fossett to Barry, June 1, 1864, Barry Papers, Barker Texas History Center, University of Texas; Erath to Culberson, June 30, 1864, Adjutant General's Records, TSL-A. It was at this time that Colonel James Bourland learned that a large herd of cattle was about to leave Denton County with some deserters going along as drovers. Bourland to Captain J. Ward, May 21, 1864, Quayle Papers, UAL. In order to stop such a movement west by deserters or by people liable to conscription, Governor Murrah proclaimed the cessation of all further immigration to the unorganized counties of the state. Proclamation by the Governor, May 26, 1864, Governor Pendleton Murrah Records, TSL-A.

116 Erath to Culberson, April 28, 1864, Adjutant General's Records, TSL-A.
reinforced by parts of three additional companies with orders to stay until the job was done. The 120 troops remained in the county for three weeks and made a number of arrests, with a total of 103 taken into custody since January. As for Lampasas County, "the Jayhawkers disappeared."117

In the northeastern part of the district a number of deserters from Confederate units in the Northern Sub-District made their way in considerable numbers to Erath County. Although Erath County lay outside Henry McCulloch's sub-district as well as beyond Major Quayle's Frontier District, McCulloch called upon Quayle to send a force there to arrest the renegades, forward them to Colonel Bourland, and then transship them on to Bonham.118 Erath's district also seemed to feel the effects of any major enterprise that occurred in Quayle's district, a case in point being the Frontier Conspiracy broken up in April in Parker, Wise, and Jack counties. Numerous bands fled Quayle's district and made their way across Erath's. Rumors seemed to confirm that as many as 300 "Jayhawksers" were soon to rendezvous along the San Saba River, and a well-armed gang of nearly fifty seen in San Saba County

117 Erath to Culberson, June 30, 1864, Adjutant General's Records, TSL-A.

118 McCulloch to Quayle, March 21, 1864, Quayle Papers, UAL; McCulloch to Quayle, April 11, 1864, ibid.
seemed to confirm the story. A small detachment that included Erath's son, Walter, pursued the renegades but soon turned back in the face of superior numbers, thus allowing this group of deserters to continue their journey unimpeded.119

There never seemed to be a conflict between Erath, McCulloch, or the commanders of the First Frontier District. While McCulloch's Northern Sub-District included only a small slice of Erath's district for much of 1864, all of that changed in September. It was then that a reorganization of the state's military sub-districts took place. The Northern Sub-District more than doubled in size; it now constituted an area as large as the combined states of Virginia and Maryland.120 It now also included the northern half of the Second Frontier District and all of the First Frontier District. Still, McCulloch had no authority to issue orders to the officers of the Frontier Organization, but he often called upon them for cooperation, and always received it. With the added size of his district McCulloch sent a special admonition to Quayle and Bourland to cooperate fully with Erath to control the

119 Erath to George E. Burney, May 6, 1864, Quayle Papers, UAL; Erath to Burney, May 7, 1864, ibid.

120 General Orders Number 6, Headquarters District of Texas, September 24, 1864, Adjutant General's Records, TSL-A.
Jayhawkers and deserters, then indicated to Bourland that his men were free to operate in cooperation with the Frontier Organization against known deserters anywhere in the Northern Sub-District west of a line from Bonham to Waco. McCulloch, in fact, had a much higher respect for the commanders of the Frontier Districts than for the men they commanded:

General McCulloch has every confidence in Majors Quayle and Erath, and think that they will discharge their duties as far as it is practicable for them to do so, with the material they have to operate with, but that a considerable number, both of officers & men, are entirely unreliable and would rather shield disloyal men and deserters than bring them to their just punishment.

McCulloch indicated as much to General Magruder's chief of staff when he stated that the men of the Frontier Organization had to be unreliable since many of them served with that force just to avoid Confederate service, and that only strict enforcement of the conscript laws could bring the region under control. He made this statement before the expansion of his sub-district's boundaries, then concluded with this view of the First Frontier District: "If that country and the Frontier Regiment had been put under my

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121McCulloch to Quayle, October 8, 1864, Quayle Papers, UAL; McCulloch to Bourland, October 8, 1864, ibid.

122J. H. Earle to Culberson, June 4, 1864, Adjutant General's Records, TSL-A.
command last fall I could have had it in much better
c Condition now."  

Even before McCulloch sent word in October for
Bourland and Quayle to cooperate with Erath, operations
began that considerably overlapped the two Frontier
Districts. On Friday morning of 26 August Company H of the
Border Regiment, a force of about ninety men commanded by
Captain James Moore, left Gainesville to garrison an
outpost on Hubbard Creek near the Shackelford and Stephens
county boundary, site of a rumored haven for deserters and
renegades. The military authorities needed such a far-
flung outpost of the Border Regiment to help cover that
part of the line upon the removal of Barry's battalion of
the Frontier Regiment in August. Anxious to get to the
business of rounding up deserters Moore and his men sur-
rounded a house on their way to Denton where a known
deserter allegedly was hiding. The troops opened fire,

123 McCulloch to J. E. Slaughter, May 28, 1864,

124 Bourland to Quayle, August 26, 1864, Quayle Papers,
UAL. Moore's orders emphasized that arresting or killing
deserters was to be a priority. As Bourland phrased it in
his letter to Quayle: "He has been engaged in arresting
and bringing to justice a great many traitors and has been
very successful. We must get the rascals out of our
country. you will find him a reliable gentleman, and ever
willing to give you assistance in hunting out those
traitors."
filled the house with lead, and got their man. They also killed an elderly couple named Hancock who resided there.  

After this inauspicious start the company continued without delay by way of Fort Belknap on to Hubbard Creek. While posted there the company made a number of reconnaissance patrols into the neighboring Second Frontier District. They once reached as far south as Camp Colorado, over fifty miles away. As the patrol passed through uninhabited land and neared the fort, now abandoned by the Frontier Regiment, "men streamed forth ... and ran away like rats from a burning barn." The men of Company H had found their deserters, over fifty mounted and in

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125 Howell, "Along the Texas Frontier During the Civil War," pp. 85-86. This article represents the memoirs of a man in Moore's company who made the trek to Hubbard Creek and back. In Moore's version of the affair, he told Bourland that someone in the house opened fire first and wounded one of his men, corroborated in part by Howell's account. To an outraged Quayle it sounded like murder; his protests to Bourland and McCulloch led to the court martial of those who fired on the house. All were acquitted. Bourland to Quayle, September 8, 1864, Quayle Papers, UAL; Bourland to Quayle, September 12, 1864, ibid.; McCulloch to Bourland, September 12, 1864, ibid.; Bourland to Quayle, September 20, 1864, ibid.

126 Howell, "Along the Texas Frontier During the Civil War," p. 86. Regimental Returns, Bourland's Regiment Texas Cavalry, "Border Regiment," August 1864, Confederate Record Group 109, National Archives. These returns confirm that Hubbard Creek became a station of the Border Regiment for the first time in August.

127 Howell, "Along the Texas Frontier During the Civil War," pp. 86-87.
Fig. 6—Command organization, September, 1864-May, 1865
flight, but with provisions low and the horses tired, they
decided against pursuit. The unit made similar scouts to
the abandoned posts of Camp Cooper and Fort Phantom Hill,
but spotted no deserters or Indians. After aiding the
Second Frontier District very little in clearing the area
of deserters, the company made its way back to Clay County
in November to the outpost at Buffalo Station.\textsuperscript{128}

Shortly after Captain Moore's men left the Camp
Colorado vicinity, Major Erath ordered a force of
approximately 100 men, commanded by the reliable Captain
Totten, to patrol the region between the San Saba River and
the Concho to search for deserters and Indians. General
John D. McAdoo gave the alarm that up to sixty deserters
were heading for that region with a herd of approximately
1,000 cattle.\textsuperscript{129} Totten's scout of the region discovered
nothing, nor did he find any sign of them when his unit
swung northward up the Colorado then back to the settle-
ments by way of the Clear Fork of the Brazos.\textsuperscript{130} After

\textsuperscript{128}Regimental Returns, Bourland's Regiment Texas
Cavalry, "Border Regiment," November 1864, Confederate
Record Group 109, National Archives. The return to Buffalo
Station in November coincides with Howell, "Along the Texas
Frontier During the Civil War," pp. 86, 89-90.

\textsuperscript{129}Erath to Culberson, September 21, 1864, Adjutant
General's Records, TSL-A; Erath to Culberson, October 4,
1864, ibid.

\textsuperscript{130}Erath Memoirs," Typed MSS, p. 107, Barker Texas
History Center, University of Texas. Totten's Bosque
County company was the first to organize in Erath's
Totten concluded this scout, little need existed to keep patrols so far west on the fringes of the Second Frontier District as the weather and Indians served to control the deserters until spring. For the next several months Indian activity dominated the attention of Erath and General John D. McAdoo. The problem of lawlessness from renegades and deserters remained a secondary one from the onset of winter until the breakup of the Confederacy in late spring.

The major problems that accompanied Major James Hunter's six-month tenure in command of the Third Frontier District were chronicled in chapter six. Their origin lay to a large extent, although not exclusively, with the opposition to the Confederate conscription laws by a sizeable part of the German population of the district. Political disaffection by a number of those of German heritage manifested itself quite visibly in 1862 and 1863, from the killing of some fifty Germans at the Nueces River in August 1862, to military occupation and martial law in certain areas of south Texas in 1862-1863 to the break up of organizations hostile to the Confederacy.131

Since that time, even with over twenty captains available for service, Erath came more and more to rely upon Totten to move to the scene of any major trouble in the district. He continued to do so until the disastrous Battle of Dove Creek in January 1865.

131Excellent general accounts of German opposition to the war are found in Rudolph L. Biesele, The History of the German Settlements in Texas (Austin, 1930); Ella Lonn,
Confederate military authorities responded quickly and firmly to suppress what they perceived as resistance to the Confederacy, but after January of 1863 this overt hostility to the Confederacy faded away, to be replaced by a passive resistance by many Texas Germans. Within this atmosphere, Major Hunter, a friend to many of the German population in the Fredericksburg area, sent out his first patrols to enforce conscription and arrest deserters.

By late January of 1864 bands of deserters and outlaws terrorized much of the northeastern section of Hunter's district, particularly along the roads that led to the more populous areas to the east. Twelve men were killed in January, including two soldiers, six settlers, and four of

Foreigners in the Confederacy (Chapel Hill, North Carolina, 1940); Elliott, "Union Sentiment in Texas, 1861-1865," pp. 456-466; and, Robert W. Shook, "German Unionism in Texas During the Civil War and Reconstruction," unpublished master's thesis, Department of History, North Texas State University, Denton, Texas, 1957.

An account of the Battle of the Nueces and its brutal aftermath may be found in Billy Dwayne Haynes, "Unionism in Texas: 1860-1867," unpublished master's thesis, North Texas State University, Denton, Texas, 1954, pp. 75-81; and in, Don H. Biggers, German Pioneers in Texas (Fredericksburg, Texas, 1925), pp. 53-60; but the best treatment of the episode is, Robert W. Shook, "The Battle of the Nueces, August 10, 1862," Southwestern Historical Quarterly, 66 (July, 1962): 31-42.


the bushwhackers. A patrol by Captain Christian Dorbandt's company of Burnet County men attempted without success to flush some of them out of the Pedernales River country, and actually found a cave with signs of recent occupancy. The scout did not turn back with nothing to show for their efforts. They attempted to arrest two known deserters from the Frontier Regiment, were fired upon first, then proceeded to kill them after a sharp fight. There was still much work ahead, as Dorbandt put it:

Truly Blanco [County] seems to be in a pitiable condition. I could not order my whole company back to their aid for many of the horses are broken down for want of forage, but a few of my men have volunteered to go back and afford all the assistance possible.

This part of the country also lost one of its best protectors in January when Albert Walthersdorff left his Blanco County command to join Colonel "Rip" Ford on the lower Rio Grande as instructor of tactics. Walthersdorff, an imposing figure of immense size and strength, led a militia battalion in protecting the region from late 1863 until his departure in January 1864.

133 John Hunter to Kirby Smith, January 28, 1864, Edmund Kirby Smith Papers, Ramsdell Microfilm Collection, Barker Texas History Center, University of Texas.

134 C. Dorbandt to Culberson, January 23, 1864, Adjutant General's Records, TSL-A.

It took Major Hunter longer to organize completely his district than it did Erath or Quayle, and the settlers of his region felt the delay. In fact, a petition signed by thirty-two citizens of Gillespie, Kerr, and Kimble counties indicated that they deplored the removal of Company A of the Frontier Regiment from Gillespie County, as they had no confidence in the ability of the men of the Frontier Organization to protect their property or families. These men then forted up in Camp Davis and at a location on Spring Creek, and demanded protection:

on account of the depredations of Jayhawkers and disloyal men who infest our frontier, burning houses and murdering the good citizens of the frontier, rendering the collection of our stocks of cattle too hazardous [sic] for one, even 5 or 6 men to undertake.136

At least in February and March Hunter received help from another quarter. In December 1863 General Magruder called upon "Rip" Ford to undertake a campaign in the lower Rio Grande Valley to drive out the federals and restore Confederate trade through Brownsville.137 Ford called upon those exempt from conscription to fill up his ranks, a process that accordingly took several months. As he


gathered his force, men of the Frontier Organization guarded the supply base he established on Lagarto Creek in Live Oak County. While Ford's expeditionary force consisted mostly of boys and old men, the presence and strength of its 1,300 men helped keep renegade activity in the San Antonio region at a minimum at least until it left for the Rio Grande at the end of March.\textsuperscript{138}

Not only did Hunter have to contend with lawlessness in the upper counties of his district, but he faced a threat from a source over which he had little control. Just as McCulloch, Quayle, and Throckmorton often worried about Jayhawkers who descended upon their districts from Indian Territory, Hunter faced a similar problem in his western and southern counties from gangs of renegades who raided from their strongholds in Mexico. Spies from the Frontier Organization estimated that as many as 400

\textsuperscript{138} Report of N. Gussett, Live Oak County, March 1, 1864, Adjutant General's Records, TSL-A; Oates, ed., Rip Ford's Texas, p. 352. Gussett's report is one of sixteen detailed accounts filed by Hunter's office in two separate parts: Consolidated Report of Scouts Against Indians & Deserters, 3rd Frontier District, May 14, 1864, Adjutant General's Records, TSL-A; and, Supplementary Report of Scouts After Indians and Deserters, 3rd Frontier District, May 23, 1864, ibid. No comparable documents exist for the First or Second Frontier Districts. These two documents, written in an excellent hand, contain the best sources available for day-to-day patrol operations in the Frontier Organization from the perspective of the company commanders. They are both signed by Major Hunter, but his staff officers probably prepared them. All future citations to these documents will refer to the individual company reports contained within them.
deserters had escaped just across the Rio Grande at Laredo and Eagle Pass; not even the offer of a pardon by General Magruder could induce them to rejoin their commands.\textsuperscript{139} So many armed gangs raided into Hunter's district from that part of Mexico opposite Eagle Pass that captains in the region felt compelled to keep in the field more than the standard total of one-fourth their numbers. They soon discovered that small patrols were no match against the heavily armed gangs and parties of Indians they ran up against and began to consolidate companies to form a more effective deterrent. One captain urgently recommended that a strong permanent force be posted west of the Leona River on the Eagle Pass to San Antonio Road "or the Frontier will be in the hands of renegades and deserters."\textsuperscript{140} As if pressure from this quarter was not enough, Hunter also saw to it that large patrols, from sixty to seventy-five in strength, combed the upper Llano River country for reported


\textsuperscript{140}Report of Captain Theopilus Watkins, Uvalde County, April 30, 1864, Adjutant General's Records, TSL-A; Quotation from, Report of Captain R. H. Williams, Frio County, April 23, 1864, ibid.
bands of deserters rumored to be heading for a rendezvous with those gathering along the Concho.141

The outrages committed in and around Gillespie County from March to May, discussed in chapter 6, brought about Hunter's downfall. The fact that in the midst of the commotion some twenty-two captured deserters managed to break away and escape, along with their arms and horses, did not help his case.142 When McAdoo arrived to take charge of the district, one resident of Fredericksburg may have exaggerated when he said: 'Since the Gen. has been here there has been several deserters arrested and sent off and such a thing as that was never heard of in this Co. before,' but when a large number of the influential citizens lost faith in Hunter, Murrah made the change.143

When McAdoo arrived to take command he first called a conference of all his company commanders at his headquarters in Fredericksburg, where he spent two days reviewing with them the status and needs of his district, along with plans to make the defenses of the district more efficient. After a satisfactory conference McAdoo set out


142 Hunter to Culberson, May 13, 1864, Adjutant General's Records, TSL-A.

143 T. C. Doss to Governor Murrah, July 25, 1864, Governor Pendleton Murrah Records, TSL-A.
on his inspection of the district, where he made essentially the same speech at the various communities he visited:

I addressed every argument within my grasp to them in behalf of patriotism to the whole country, unwavering devotion to the laws of the land, and the strictest preservation of social order; and against all disloyalty to the great cause of Southern Independence, whether secret or avowed, whether withholding service or material aid on the one hand, or counseling deserters and renegades, and harboring them, on the other, and against all violence and social disorder, destructive alike in their tendencies, to the peace and security of all, the good and bad, the innocent and the guilty.144

The morale of the Third Frontier District visibly improved, partly from the confidence bolstered by McAdoo's arrival, but more so by the efficient work done by the troops under his command. By autumn the companies of his district, by extraordinary effort, captured or drove to cover so many of the gangs that previously terrorized the countryside that such activity remained a scarce occurrence.145 With this major problem now minimized, McAdoo set out to re-organize his companies, chiefly to make them conform to the directive that no one legitimately liable for Confederate service be continued on the rolls. When this process met

144 McAdoo to Culberson, September 15, 1864, Adjutant General's Records, TSL-A. This quotation is an extract from McAdoo's complete summary of his speeches.

145 McAdoo to Culberson, September 15, 1864, Adjutant General's Records, TSL-A.
its goal, McAdoo reported a strength of approximately 1,400 men enrolled in his district, every one of whom would be necessary for the winter and Indians to come. Satisfied at the accomplishments of his administration thus far, in the midst of rumors that the Tenth legislature might give in to Confederate pressure to break up the Frontier Organization or reduce its forces, McAdoo defended it with the most logical and practical argument possible:

The people of the Frontier, under the existing Organization, are satisfied. The system is better adapted to the purpose for which it is framed than any previously adopted on our extensive and exposed Frontier. At all times, and on all parts of the border, scouts are regularly on duty; and the Indians seen scarcely into the settlements anywhere without being immediately discovered and pursued. These scouts operate in their own vicinity, over a country well known to themselves.146

As in the Second Frontier District, the problem of desertion and disaffected elements of the population faded as Indian activity increased during the winter. With the coming of spring McAdoo knew that once more men would try to slip away to head west, as Erath's district so experienced. In the spring of 1865, McAdoo attempted to coordinate the defenses of both the Second and Third Frontier Districts through Erath and John Henry Brown. While local companies remained in readiness along the

146McAdoo to Culberson, October 20, 1864, Adjutant General's Records, TSL-A.
eastern counties, McAdoo issued orders on 10 March for
Major Brown to organize a major military campaign to leave
from Camp Verde one month later. Brown left Fredericks-
burg on Friday, 7 April and arrived at Camp Verde three
days later, where he met his captains and their assembled
troops. General McAdoo originally proposed the use of one-
fourth the effective manpower of the Third Frontier
District, a force 400 strong, but the companies that
reported totaled less than half that number. Parts of
twenty-two companies eventually took part in the operation,
with some woefully represented. A company from Frio County
sent but one man, a company from Kerr dispatched two men,
and only three men showed up from a Kendall County company,
"one of them a half-witted boy as a substitute." Camp
Verde now had a total strength of 183 men and 243 horses
and pack animals. Brown divided this assorted group of
"Americans, English, Irish, French, Poles, Germans and
Mexicans" into four columns commanded by John Files Tom, C.
Herring, John Lacey, and James M. Tomlinson. Contrary to
previous orders, some men reported without a pack animal
and with only a few days rations. Brown concluded some did

147J. H. Brown to J. D. McAdoo, May 10, 1865, John
Henry Brown Papers, Barker Texas History Center, University
of Texas. The following account, taken from Brown's
narrative, represents the last such campaign ever under-
taken by the Frontier Organization.
Fig. 7—Outposts of the Border Regiment, 1864–1865
so purposefully hoping to be sent home. He did not oblige them.

The mission proposed to sweep the region between the upper San Saba River and the Concho River in an attempt to locate and bring to battle a large party of renegades and "disbanded Federal soldiers" reported to be on the verge of attacking the frontier settlements. Brown's unimpressive looking battalion moved out on the eleventh preceded by two scouting parties of ten men each commanded by Captain C. R. Perry and Lieutenant Henry Smith. The entire force went northward through Kerrville, then westward along Johnson's Fork of the Guadalupe, and north to the Llano River valley. Through rough chaparral country which Brown deemed too difficult to proceed to old Fort Terret as planned, and with scouts out in front and on the western flank, the party made its way instead directly to Fort McKavett on the San Saba River in western Menard County. They arrived here on 21 April, although with some twenty-two men fewer than when they started out because of desertion and some being dispatched as couriers. Two days later Brown's men took up the march again, this time to the headwaters of Kickapoo Creek, a tributary of the Concho, at the west central fringe of the Second Frontier District.

It was here that the men finally saw some action. Lieutenant Smith's scouts surprised a group of fifteen or
so "Jayhawkers" on a brushy hill, charged, and put them to flight in the direction of the South Concho. Brown quickly dispatched Captain Tom and some sixty men to make a night march to overtake them before they got away. They caught them the next day all right, but their twenty-three captives turned out to be deserters from the Frontier Regiment, not the gang spotted the day before. To trap this group, Brown had his men move off to the north so that spies would think they were moving on while in reality he planned to double back at night on a forced march and hopefully catch the gang hiding out at Fort McKavett. It was a long shot and took nearly three days of hard traveling, but Brown's men managed to pull it off only to find but five men at the fort; three they let go and two they identified as known horse thieves. They came upon three more soldiers that day, one from the Frontier Regiment and two from Confederate commands; Brown paroled them back to their units.

Brown ordered his men to scout the next few days, the last three days of April, along the upper Guadalupe and the Llano. While there, Lieutenant Lacey and his detachment came upon a party of "bushwhackers" amidst the thick undergrowth of a creek bottom. A fight ensued, with Lacey's men reinforced throughout the day by the rest of Brown's command. It is uncertain how many opposed them,
but Brown's men arrested seven, killed two, and unwittingly allowed two to escape. Major Brown then gave the word to head for home. The command journeyed back to Fort Mason, then reached Fredericksburg on 4 May after three and one-half weeks of hard campaigning. Even though not as successful as he hoped, Brown expressed his satisfaction at the way the men kept up their spirits and responded to adversity.

They readily yielded to all my wishes and orders and showed a zealous desire to do good service for the country. I should rejoice to have such men on every campaign. Discipline and concert of action will render this frontier organization most effective for good.  

If discipline was ever needed, it was now. The men returned to hear about the fall of Richmond, General Lee's surrender, and President Davis in flight. The Trans-Mississippi Confederacy stood alone.

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148 Brown to McAdoo, May 10, 1865, John Henry Brown Papers, Barker Texas History Center, University of Texas.
CHAPTER VIII

THE INDIAN FRONTIER: 1864-1865

In January and February of 1864, just as the Frontier Districts were organizing, Indians raids hit along the frontier once more. These raids continued throughout the spring chiefly in the First and Third districts, and while they consisted of small parties on stealing raids, several settlers lost their lives and many more their property. These are the raids that Major William Quayle mentioned, as described in Chapter VI, as having delayed the couriers bringing in muster rolls of his command to Decatur. Throughout the spring and summer these two districts felt the presence of Indian incursions. The small size of the raiding parties, however, paled in contrast to the complication of the growing problem with deserters and white renegades, and thereby restrained the district commanders from a more comprehensive system of defense.

In the First Frontier District, it will be recalled, the great Cooke County raid the previous December forced General Henry McCulloch to order Colonel James Bourland to draw in his companies on a tighter patrol line nearer the settlements. When the four Frontier Regiment companies of the northern division under Lieutenant Colonel James "Buck"
Barry received orders in early spring to report to the interior, adjustments quickly had to be made to cover the gap that would be left by their removal. Of course, as pointed out earlier, Barry revoked this order and remained until August when his troops pulled out. He did not return until November. Nevertheless, much of the planning done in April to cover the removal of Barry and his companies reveals the strategic situation on the northwestern Indian frontier at this time, a condition that existed several months later when Barry actually left.

In April Barry understood that his battalion was to be concentrated at Fort Belknap prior to a move toward the coast. He believed that such a move would open up to Indian invasion all of Clay and Montague counties as well as parts of Cooke, Wise, and Jack, and at the same time would expose approximately 150,000 head of cattle in this part of the First Frontier District to the hostiles. As it was, Captain Rowland's Frontier Regiment company at Red River Station was some fifty miles west of Bourland's nearest outpost on the river, and to withdraw Rowland would be to open a floodgate of enemy activity against the northwest settlements. In his estimate, Barry already covered a line of over 250 miles in length with just the four companies of his command; he did not see how Bourland
could possibly extend his forces to plug the gap.\(^1\) General McCulloch prepared for just such an eventuality in May when he ordered Bourland to initiate the process to extend his companies to cover the region between Fort Belknap and the Red River upon the removal of Barry’s companies.\(^2\)

Bourland proceeded to make such plans that would actually take effect in August. Throughout the latter months of 1863 Bourland frequently moved the site of his headquarters in North Texas but tended to favor locations along the Red River or even farther north near Fort Arbuckle. In 1864, however, he directed operations from his office on the west side of the courthouse square in Gainesville, located approximately five miles south of Red River in Cooke County.\(^3\) Throughout the spring and summer of 1864 Bourland’s companies constantly shifted to new locations in attempts to offer the best protection against Indians while at the same time maintaining the internal security of the region. Throughout the spring months Bourland handled these duties with only five companies at hand; four of them were detached for service on the coast.

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\(^1\) Barry to McCord, April 1, 1864, Personal Service File, James E. McCord, Confederate Record Group 109, National Archives.

\(^2\) McCulloch to Bourland, May 14, 1864, Bourland Papers, Library of Congress.

\(^3\) Gainesville Daily Register, August 30, 1948, Cooke County Centennial Edition, Cooke County College Library.
for some time, and one, Company A, maintained a permanent post near Fort Arbuckle in Indian Territory. With the absence of the Frontier Regiment companies in August, Bourland once more had nine companies to work with and proceeded to station them to protect the northwestern frontier.

By mid-summer Bourland's companies and commanders were located at the following stations: Company A, Captain C. L. Roff, Camp Simons (southwest of Fort Arbuckle); Company B, Captain James J. Diamond, Fort Arbuckle; Company C, Captain A. J. Nicholson, Fort Arbuckle; Company D, Captain A. B. White, Fort Belknap; Company E, Captain F. M. Totty, Victoria Peak (west central Montague County); Company F, Captain S. F. Mains, Fort Belknap; Company G, Captain S. P. C. Patton, Gainesville; Company H, Captain James Moore, Hubbard Creek (eastern Shackelford County); Company I, Captain J. B. Anderson, Buffalo Station (Buffalo Springs).

4Bourland to Quayle, April 26, 1864, Quayle Papers, UAL.

5It is not clear whether the four companies returned from the coast, or whether Bourland created new ones to take their places. The latter course probably took place, based on correspondence in which Bourland indicated that he already had volunteers to form two companies, and General McCulloch authorized him to recruit two more companies, of about fifty men each, from the First Frontier District, with Major Quayle's permission. One of the proposed captains mentioned by Bourland later headed one of his companies. Bourland to Quayle, April 26, 1864, Quayle Papers, UAL.
southeast Clay County); and, Company K, Captain William C. McKaney, Camp Twitty (near Spanish Fort, just east of Red River Station). Captain Roff soon became major of the regiment, in charge of the small battalion at Fort Belknap, while Lieutenant Colonel John R. Diamond commanded the battalion that operated out of the Fort Arbuckle vicinity. Regimental quartermaster was Captain William C. Twitty.6

On a straight line Bourland's patrols covered over 200 miles from the scouts west of Fort Arbuckle to the patrols out of Hubbard Creek that extended as far south as Camp Colorado. Of course, in any discussion of Civil War military operations it is superfluous to speak of any line as the crow flies. No roads connected many of the posts held by Bourland's companies, but eventually a regular courier service developed between Confederate commanders at Fort Belknap, Gainesville, and Bonham. Regular communications between First Frontier District commanders at Decatur and Bourland's headquarters led, in the absence of a telegraph, to as efficient a communication system as

6Regimental Return, Bourland's Texas Cavalry, "Border Regiment," August 1864, Confederate Record Group 109, National Archives; Morning Report, Captain W. C. McKaney, Company K, Border Regiment, August 1864, Bourland Papers, Library of Congress; ; Personal Service File, John R. Diamond, Confederate Record Group 109, National Archives. Diamond served in Indian Territory until December 1864.
Bourland to Quayle, August 17, 1864, Quayle Papers, UAL, is the letter that establishes Major Roff as commander of the two companies at Fort Belknap.
possible by post, and more rapid than the postal service of today over the same area.7

Colonel Bourland, as always, chafed under orders to keep his companies near the settlements on patrol duty. He constantly wanted to take the initiative to scout out Comanche and Kiowa encampments in Indian Territory and strike them first. In April his scouts west of Fort Arbuckle sent along information that a large force of hostile Indians recently passed near Fort Cobb and were headed in the direction of the Wichita Mountains. Bourland immediately called upon Major Quayle to provide a force to cooperate in a preemptive strike against them.8 The Frontier Conspiracy uncovered by Quayle just a few days afterward canceled such plans. Again in July Bourland prepared to concentrate his companies for a move north of

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7Dispatches sent by Gainesville at night were regularly received by McCulloch in Bonham the next morning. Although officers of the Border Regiment and the First Frontier District already had an informal network of couriers at work throughout 1864, General McCulloch formalized this system in early 1865 when he ordered that a regular line of couriers would leave Bonham each Tuesday, Friday, and Sunday mornings at 9:00, and would return on every Wednesday, Saturday, and Monday, while Colonel Bourland was to establish such a regular procedure from Gainesville to Fort Belknap. Special Orders Number 39, February 21, 1865, Bourland Papers, Library of Congress. A proposal for a regular courier between Decatur and Gainesville, three times a week, is found in Throckmorton to Quayle, April 4, 1864, Quayle Papers, UAL.

8Bourland to Quayle, April 10, 1864, Quayle Papers, UAL.
the Red River, but once again he canceled in order to extend his companies to cover the line vacated by Barry's companies in August.\(^9\)

In the midst of these plans and operations by Bourland's men, the effort of the Frontier Organization to protect the Indian frontier should not be ignored. While state troops of the Frontier Districts came to act primarily as the police organization of the frontier counties with specific orders to roundup deserters and enforce conscription laws, they were charged as well with protecting the frontier against Indian encroachment. No closer cooperation between Confederate and state forces in guarding the Indian frontier existed than in the First Frontier District. When in July 1864 Bourland began to extend his forces over a wider area than ever before, he depended upon the cooperation of Major Quayle's companies to supplement his own to help fill the gaps between the companies of the Border Regiment. He asked Quayle to send regular detachments to patrol the Red River crossings, from the well-known ford at Sivell's Bend in Montague County, with its rocky bottom, westward to various points along the

\(^9\)Bourland to Quayle, July 21, 1864, Quayle Papers, UAL.
river as far as Clay County. When Quayle organized the First Frontier District he set forth the procedure by which Indian patrols would be carried out. Men of each company were divided into four squads for service of ten days at a time along the boundaries of the counties where they organized to search for Indian signs. In actual practice the companies rarely confined their activities to only their counties of organization. Commanders of the Second and Third Frontier Districts often called upon more reliable companies as fire brigades to rush to points of crisis and used such units to concentrate their patrol to critical areas in strength.

In the Third Frontier District the companies were likewise divided into four squads of about fifteen men each. These men soon met the test of handling quick hitting forays because the late winter and early spring months brought a sharp increase of Indian raids into the Third District. No major attacks occurred, however, since most raiding parties consisted of only a handful up to two

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10Bourland to Quayle, July 11, 1864, Quayle Papers, UAL; "Danvin Reminiscences," Typed MSS, p. 131, Lillian Gunter Papers, Morton Museum, Gainesville, Texas.

11General Orders Number 1, 1st Frontier District, March 9, 1864, Adjutant General's Records, TSL-A.

dozen, and mostly on horse stealing raids, but the threat of large murder raids remained. One such attack struck the family of George Todd, former paymaster at Fort Mason. Todd's fourteen-year-old daughter, Alice, was riding on the saddle behind him, while a young black girl was astride another horse with Todd's wife. Mrs. Todd and the black girl tried to ride away when the Indians came upon them, but the attackers quickly killed them with arrows. Young Alice fell off the horse and before her father could turn to rescue her the Indians swooped down to carry her away. George Todd survived but he never again saw his daughter.

A typical example of how the men of Major Hunter's district responded to such raids is seen in another episode. On the night of 15 April a party of twenty-three Indians on a horse stealing raid struck along the Hondo River in Medina County, approximately thirty miles west of San Antonio. Approximately ten settlers and state troops soon engaged them with light casualties on both sides. The Indians, probably Lipan Apaches, broke off the fight to continue their mission, while the Texans sent riders for help. As Indians in the area always retreated west by

13 Two years later three Comanche Indians told agents at Fort Leavenworth that Alice Todd was killed the day after she was captured. Barbara A. Neal Ledbetter, Fort Belknap, Frontier Saga: Indians, Negroes And Anglo-Americans On the Texas Frontier (Burnet, Texas, 1982), pp. 145-146, 158-159.
northwest, Captain George Robbins of Medina County quickly sent word to the company in Bandera County to the north to be on the lookout, while Captain John F. Tom ordered detachments to move as soon as possible to block the passes and river crossings west of Medina County. Tom's men took up the pursuit, relieved later by others with fresher horses. While the troops could never bring the Indians to decisive battle nor recover any of the stolen horses, they at least killed the chief, wounded five other warriors, and lost but one killed themselves.\textsuperscript{14} Such affairs as this made up the great majority of conflicts with Indians in 1864-1865, the notable exceptions being the Elm Creek Raid in October 1864 and the Battle of Dove Creek in January 1865.

Of course, in the spring of 1864, as discussed earlier, Major Hunter's problems with Indians took a back seat to internal problems of lawlessness within his district. Citizens who lived along the western portion of his district, however, perceived the lack of adequate attention to the Indian problem as symptomatic of not only

Hunter's inability to provide leadership for the district, but what some believed to be the inferior quality of the protection offered by the men of the Frontier Organization. Several citizens of the region petitioned Major A. G. Dickinson, Confederate commander of the post at San Antonio, for the return of the Frontier Regiment company recently removed from Camp Verde. As one of them described the situation:

I have the honor to call your attention to the defenseless condition of that portion of the frontier between Camp Verde and the Rio Grande, which is being daily run over by bands of Indians and lawless white men with impunity. If these loyal citizens are not relieved from their present embarrassed condition by at least one well-organized company, to be stationed at some prominent point in said locality, they will be forced to move to the interior for protection.

Another petition, signed by citizens from the counties of Mason, Menard, McCulloch, San Saba, Llano, Kimble, and Gillispie, likewise pleaded for the return of the Frontier Regiment detachment to Camp San Saba as "the country seems


to be literally swarming with Indians at present and has been so for ten or fifteen days."

On this point, at least, the settlers seemed to have overstated the case for the Frontier Regiment. A firmer hand at the top, which General McAdoo provided in the summer, alleviated many of the problems the Third Frontier District faced under Major Hunter. By the time McAdoo assumed command, so much chaos existed from white thieves, renegades, armed deserters, and talk of disloyalty, that "the Indians seemed to be . . . the least dreaded of all the evils that threatened and afflicted the Frontier." Nevertheless, McAdoo knew by experience that winter would likely bring increased Indian activity. He therefore set out in the Second and Third Frontier Districts to standardize regulations regarding company patrols that beforehand were met only at the option of the company commanders. He maintained the four squad/ten day patrol system with the requirement of prompt reporting to permanent camps for rendezvous at the start and completion of each scout. The patrols were no longer confined to county boundaries, but were assigned to areas known to be favorite haunts or

17Petition to Lieutenant Colonel Barry, March 10, 1864, Bourland Papers, Library of Congress. This document sent to Bourland may have been a copy rather than the original petition.

18McAdoo to Culberson, September 15, 1864, Adjutant General's Records, TSL-A.
routes used by Indians, renegades, or deserters, while a few men remained at camp at all times to act as couriers to spread the word to adjacent counties of fresh trails sighted or impending action. McAdoo issued an order so familiar to Ranger companies of decades past that should Indians penetrate the patrol line their escape routes would be sealed off immediately to ensure absolutely their death or severe punishment. As General Throckmorton soon initiated in the First Frontier District, McAdoo began the practice of combining several companies into common camps to cooperate in scouting activities with battalion strength and to call upon their full complement of men, rather than the one-fourth total mandated by law in time of emergency.  

In the First Frontier District General James Webb Throckmorton proposed a different type of reorganization for his forces. In correspondence in January 1865 with Governor Murrah and with Colonel John Burke, the new Adjutant and Inspector General of Texas, Throckmorton outlined his proposal. He believed that the best possible plan for the Frontier Organization would be to organize a permanent force for service in the field. In fact, he believed that he could organize between 500 and 600 men for

19General Orders Number 3, 2nd and 3rd Frontier Districts, December 15, 1864, Adjutant General's Records, TSL-A.
such service in his district at no added expense; the men in reserve and in the field would donate three-fourths of their pay from the state for provisions and transportation. The scarcity of provisions, adequate arms, and transportation led Throckmorton to suggest that the Confederacy be charged with providing such essentials in return for Confederate commanders to direct any extensive, joint operations against the enemy. Throckmorton never received orders for such a consolidation, but cooperation between his forces and McCulloch's Confederate troops allowed the plan to be put into operation during a joint punitive expedition in February 1865.

Throckmorton at least was able to initiate a plan that combined his companies into battalion strength, a measure accomplished only informally by McAdoo. Sometime after mid-February 1865 Throckmorton divided his command into four battalions of approximately six companies each. The battalion commanders were: Captain C. Potter, Cooke

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20Throckmorton to Murrah, January 13, 1865, Governor Pendleton Murrah Records, TSL-A; Throckmorton to Burke, January 29, 1865, Adjutant General's Records, TSL-A. Throckmorton's biographer, Claude Elliott provides the only secondary account to detail the changes proposed by Throckmorton. Elliott's excellent biography, however, is woefully lacking in describing the policy and process of the Frontier Organization that Throckmorton commanded. Elliott stressed the inefficiency of the Frontier Organization, never its positive contribution to frontier defense. Claude Elliott, Leathercoat: The Life History of a Texas Patriot (San Antonio, 1938), pp. 88-92.
County; Captain J. B. Earhart, Wise County; Captain Joseph Ward, Parker County; and, Captain J. J. Cureton, Stephens County. These men maintained regular scouts, greater in strength now than previously, from the Brazos River to the Red River, at intervals of twelve to eighteen miles. For support, permanent outposts of company strength were maintained in the counties of Palo Pinto, Stephens, Young, and Jack. 21 Basically, the men of the First Frontier District filled the center of the line of defense on the northwestern frontier, with Barry's men covering the region west of Fort Belknap southward to Camp Colorado, while the companies of Bourland's Border Regiment, on the right flank of Throckmorton's command, took up a general line from Buffalo Station in Clay County to Fort Arbuckle in Indian Territory. 22 This modification by Throckmorton represented

21 Throckmorton to Bourland, March 31, 1865, Bourland Papers, Library of Congress.

22 James K. Greer, ed., Buck Barry, Texas Ranger and Frontiersman, reprint (Lincoln, Nebraska, 1978), pp. 197-198. After October 1864 Bourland usually maintained company posts at Buffalo Station, Victoria Peak, Salt Creek Station, and occasionally at Spanish Port. Salt Creek Station, in Montague County just south of the Red River, basically replaced the site for Captain Rowland's Frontier Regiment company which had been stationed nearby for so long. Two companies were normally based at the station and in January 1865 it became temporary headquarters of the Border Regiment, under command of Lieutenant Colonel Diamond, while Bourland was on leave. Regimental Returns, Bourland's Regiment Texas Cavalry, "Border Regiment," Confederate Record Group 109, National Archives; John R. Diamond to Captain L. H. Randolph, January 25, 1865, Bourland Papers, Library of Congress.
the last organizational change of the war within the Frontier Organization. As such, it represents the last attempt of a persistent search to perfect frontier defense. During the short while officials used this system, the northwestern counties suffered none of the ravages of Indian attacks of times past. Although it must be confessed that Indian raids on this part of the frontier occurred infrequently at the time, the coordination of the minute companies of Rangers of the First Frontier District with elements of the Border Regiment and Frontier Regiment may have proved to have been the most effective combination of the war to withstand the Indian threat. The rapid collapse of morale in Texas that came with military disasters across the Confederacy in April and May cut short this last effort in the evolution of frontier defense.

In Major Erath's Second Frontier District any reorganization reflected the changes that took place in the Third District, as General McAdoo in autumn of 1864 assumed overall direction of the two districts. Indian incursions were the least of Erath's worries during the late spring and summer of 1864, even though his memoirs stress only dealings with Indians and not the other problems of his district. By the end of June he confidently reported that:

Although the organization was created principally for defense against Indians that part of duty has become in the greater part of the Dist. of minor importance since my last report; one Indian is
reported killed in Comanche County and several actions have taken place in various parts where horses stolen by them have been recaptured and generally in this Dist. a feeling of security against the savage enemy and contentment on that account is becoming more evident.23

Indian raids increased to some extent after Erath wrote the passage above, but rarely to take precedence over the wave of activity that surrounded the pursuit of deserters and lawless whites in the district.

The most notable conflict with Indians during the first eight months of Erath's command occurred in August 1864. Lieutenant Singleton Gilbert commanded an Eastland County company stationed at Nash Springs three miles northwest of present-day Gorman, Texas.24 On 8 August he sent out a squad of eight men, led by James L. Head; they left camp for a ten-day scout and the next morning came upon fresh Indian signs between present-day Cisco and Eastland. Moving southward, they followed a trail made by an estimated thirty to fifty Indians for over twenty miles before overtaking the party at a ranch several miles west of Gorman. Head quickly sent for reinforcements from the nearby company. Gilbert's arrival provided a force totaling twelve to sixteen troopers to face thirty to

23Erath to Culberson, June 30, 1864, Adjutant General's Records, TSL-A.

24Joseph Carroll McConnell, The West Texas Frontier, or a Descriptive History of Early Times in Western Texas, 2 volumes (Palo Pinto, 1933, 1939), 2:114.
thirty-five Indians. It should have been an even match as a number of the Indians were on foot carrying blankets and bridles to be used on the horses they planned to steal. Accounts vary concerning the brief struggle that ensued. One source states that Lieutenant Gilbert unwisely ordered a frontal assault against the Indians, then fell back before a withering fire that killed Gilbert and another man, wounded three more, and left no Indian casualties. This account records that as the soldiers left the field the Indians continued unimpeded and stole over fifty horses near Stephenville. McConnell, who years later interviewed a participant in the fight, gives three soldiers killed, three wounded, and one Indian wounded, but notes that the military unit pursued the Indians and recovered eighteen horses. Erath's comment that this Ellison Springs Fight was "a most desperate struggle in which all the bravery of frontier life was brought to bear," did

25 John A. Hart and others, Pioneer Days in the Southwest From 1850-1879 (Guthrie, Oklahoma, 1909), pp. 264-265; McConnell, The West Texas Frontier, 2:114-115. Hart states that twelve soldiers were present. McConnell lists the names of fourteen men, then adds that perhaps one or two others were also present. Major Erath's brief report of the affair states that it was twelve soldiers against thirty warriors. Erath to Colonel Hendricks, September 2, 1864, Adjutant General's Records, TSL-A.

26 Hart and others, Pioneer Days in the Southwest, pp. 265-266.

little to soften his observation that this was also the only unsuccessful Indian engagement of the summer for the men of his command.  

While the defeat of Frontier Organization forces above has been recounted in the three printed sources cited, the successful follow up to the battle has never been told. Several days after the men of Eastland County recaptured the eighteen horses and halted their pursuit, Sergeant A. D. Miller, in command of an eight man squad in Stephens County due north of Eastland, came upon a party of at least twenty Indians moving in a northwesterly direction. Miller followed the trail approximately fifteen miles, overtook the hostiles, and attacked. As Captain J. W. Curtis of Stephens County later described the battle to Major Quayle, the fight lasted about one hour. Miller's men had four rifles and six pistols between them, while their well-mounted opponents had one rifle and one pistol plus the usual bows and arrows. This time the soldiers prevailed. At no loss to themselves, Miller's men killed two Indians, wounded three, and captured seventy-three horses.

28 Erath to Colonel Hendricks, September 2, 1864, Adjutant General's Records, TSL-A. All three of the sources on the battle cited herein mention the poor quality of caps and powder as a contribution to the lack of success in the fight, as well as the brief paragraph describing the fight in Ed T. Cox, "Early Days in Eastland County," West Texas Historical Association Year Book, 17 (October 1941): 86.
saddles, and an assortment of bridles and blankets. Just a week or so later an even larger party of forty to fifty Indians struck quickly just west of Jacksboro and attacked a five-man patrol of the First Frontier District killing two Texans, wounding one, and permitting the others to escape. The sharp clash was such that a Border Regiment detachment that reached the site the following day reported five dead horses and pools of blood scattered over the ground where the fight occurred, while 117 arrows picked up by some of the curious marked the intensity of the brief conflict. Such fights as these amply demonstrate the variable quality that made up the men of the Frontier Organization.

29 Quayle to Culberson, August 19, 1864, Quayle Papers, UAL. These Indians probably represented the main body of the party attacked earlier by Gilbert’s men. The dozen or so others no doubt split off to seek more horses.

30 Quayle to Murrah, September 8, 1864, Governor Pendleton Murrah Records, TSL-A; Howell, "Along the Texas Frontier During the Civil War," p. 86.

31 These descriptions of Indian fights in the frontier districts, although they involved larger parties of Indians than was typical for the first nine months or so of 1864, represent the strategy and tactics used on the frontier at this time: the patrols that tried to detect and prevent incursions, or to punish the raiders on their return, and the charge and running fight that characterized most of the clashes between such forces. The author will make no attempt to describe any of the other two dozen or so accounts that exist of smaller raids during 1864-1865 that resulted in stolen livestock or the deaths of citizens. This observation is mentioned so the reader will not assume that the three major clashes to be described later in the chapter represent the extent of Indian activity during the
As ready as Texans were to fire upon any Indians found south of the Red River there remained one tribe welcome on the Texas frontier, the Tonkawas. This central Texas tribe, formed in the early nineteenth century by the merging of remnants of various Tonkawan bands, had long been an enemy of the Comanches who held sway over much of north central Texas for so long.\textsuperscript{32} In the early days of the Confederacy, even before Fort Sumter, Henry McCulloch requested that Tonkawas be allowed to serve with his force on the Texas frontier, and several such scouts accompanied the last eighteen months of the Civil War. For further reading of these smaller incidents see, McConnell, The West Texas Frontier, 2:105-149, for 1864 through the end of the war; and, J. W. Wilbarger, Indian Depredations in Texas (Austin, 1889), indexed by year, but not as detailed as McConnell's work for the 1864-1865 period. The best manuscript collection for details of Indian fights in the Frontier Districts, 1864-1865, is the Adjutant General's Records, TSL-A, particularly the dozens of files, separated by month and year, labeled "General Correspondence." This collection, however, reinforces the conclusion that, except for three major incidents from October 1864 to February 1865, the problems of deserters, conscription, disaffection, and lawlessness, dominated frontier defense for the last eighteen months of the war in the Frontier Districts of Texas.

\textsuperscript{32}W. W. Newcomb, Jr., The Indians of Texas From Prehistoric to Modern Times (Austin, 1961), p. 134. From the earliest conflicts between Texans and Comanches the Tonkawas were always ready to scout and fight alongside the Texans against their old foes, much as the United States Army later found Crows always willing to scout and fight the Sioux. T. R. Fehrenbach, Comanches: The Destruction of a People, reprint (New York, 1983), pp. 311, 342-343.
him into Indian Territory shortly afterward. Most of these Tonkawas were not located in Texas at the onset of Civil War; they, like the other tribes of the Brazos Indian agencies, left the state in the forced exodus of 1859. A small remnant, however, remained in Texas under Castile while approximately 300, under Chief Placido, who did so much to aid the Ranger and Army campaigns against the Comanches in 1858, moved to the Anadarko Agency in Indian Territory near Fort Cobb. There on 25 October 1862 a force of pro-Union Shawnees, accompanied by Comanches, Kiowas, and Caddoes, attacked the Tonkawas and massacred nearly half, including Chief Placido.

The survivors of the massacre made their way to Fort Arbuckle, then with the help of James "Buck" Barry to subsist them, journeyed back to Texas in 1863. They


34 Wilbur S. Nye, Carbine and Lance: The Story of Old Fort Sill (Norman, Oklahoma, 1937), pp. 29-31; Walter Prescott Webb, ed., The Handbook of Texas, 2 volumes (Austin, 1952), 2:789; Thomas F. Schilz to the author, June 15, 1987. Dr. Schilz, Coordinator of the American Indian Studies Program at Mankato State University, clarified several key points on the background of the Tonkawas. The author is grateful to Dr. Schilz for sharing the expertise of his research on the Tonkawas found in his manuscript to be published at a future date by the University of Nebraska Press.
located in two groups, one near Fort Belknap and the other near Camp Colorado, whereupon a Tonkawa tribal council agreed to accept the leadership of Castile. Colonel McCord authorized Barry to provide supplies for the Tonkawas and suggested to state officials that they be used as spies and scouts for the Frontier Regiment. Soldiers and citizens of northwest Texas welcomed the Tonkawas because of their past help against the Comanches. Even John R. Baylor, who is probably identified more than any Texan of the period with a hatred of Indians, requested the use of several Tonkawas to spy for his company. After much debate over the responsibility of providing for the Tonkawas, the legislature in December 1863, after an impassioned plea by Governor Murrah, appropriated $20,000 to provide them with supplies until such time as the Confederate Government could assume the task. The same bill also directed that the Tonkawa warriors could be

35 Haley, Charles Goodnight, p. 95; The most detailed printed source available for the Tonkawas in the service of the Frontier Regiment and the Frontier Organization, 1863-1865, is Greer, ed., Texas Ranger and Frontiersman, pp. 157-165, based on the Barry Papers, Barker Texas History Center, University of Texas.

36 Greer, ed., Texas Ranger and Frontiersman, pp. 159-160.

37 Baylor to Barry, November 20, 1863, Barry Papers, Barker Texas History Center, University of Texas.
employed by the Frontier Organization at the same rate of pay as anyone else in its service.38

In February 1864 Major Quayle indicated to General McCulloch that the small group of Tonkawas near Fort Belknap would serve as excellent scouts and spies for the First Frontier District forces, while Major Erath indicated as much concerning the Tonkawas at Camp Colorado.39 Throughout the next several months discussions continued among Texas authorities on how to best use the abilities of the Tonkawas, where to maintain their camp, and how to provide for them. In May Castile paid a visit to Governor Murrah in an attempt to resolve some of the problems. Barry tried to help by sending along a written introduction to Murrah:

Allow me to introduce to you the Tonkaway [sic] Chief, Castile, who visits you for the purpose of securing a home in Texas. They suffered a massacre rather than act traitorous to us; they say they are now weak and not able to contend with more powerful tribes north of Red River is why they ask a home in Texas, that they have been on the frontier of Texas some thirty years

38H. P. N. Gammel, compiler, Laws of Texas, 1822-1897, 10 volumes (Austin, 1898), 5:738-739. Murrah's two page address on the status of the Tonkawas is found in, James M. Day, ed., House Journal of the Tenth Legislature, Regular Session, November 3, 1863-December 16, 1863 (Austin, 1964), pp. 268-269. Murrah concluded with forceful logic: "They are in our midst; they are friendly; they are willing to fight for us; they are desolate and without a home."

39Erath to Culberson, February 8, 1864, Adjutant General's Records, TSL-A; Quayle to McCulloch, February 20, 1864, Quayle Papers, UAL.
fighting its enemies until the once powerful tribe is now dwindled down to about 180 souls, but that they are yet willing to do all they can for Texas.\(^{40}\)

By late summer Castile and forty-four of his warriors enrolled as one of the Young County companies of the First Frontier District; the company first appears on a muster roll of August 1864 with Castile listed as captain of the company, with a complement of three officers and forty-two privates collectively armed with but four rifles and "bows and arrows" for the rest.\(^{41}\) Major Quayle sent word to Governor Murrah of their organization as a company and their lack of proper weapons, but the official reply hardly lived up to expectations.\(^{42}\) The Inspector General wrote that Governor Murrah thought it best that the Tonkawas be used exclusively as spies and scouts for the military, rather than as a separate company. As he stated the problem that could exist: "The propriety of arming so large a body of Indians, and allowing them to roam over the Country, appears doubtful and may be productive of bad

\(^{40}\)Barry to Murrah, May 13, 1864, Governor Pendleton Murrah Records, TSL-A.

\(^{41}\)Muster roll, District Return of the 1st Frontier District for the Month of August 1864, Adjutant General's Records, TSL-A.

\(^{42}\)Quayle to Murrah, September 8, 1864, Governor Pendleton Murrah Records, TSL-A.
results." Quayle agreed, and since Colonel Culberson stated that guns could be provided to the Indians if they remained attached to white companies as scouts, Quayle requested that at least twenty rifles be sent as soon as possible to arm them. When General Throckmorton left Austin in November after the special session of the legislature, he brought along with him the twenty guns requested by Quayle for the Tonkawas, along with a keg of powder, ammunition, percussion caps, and cooking utensils, along with a promise, later fulfilled, to obtain cloth for the Tonkawas made at the state penitentiary in Huntsville.

The officer directly in charge of providing for the Tonkawas was Captain Y. H. Isbell, Acting State Agent for the Tonkawa Indians, detailed for such service in June 1864. The convoluted story of just who had authority to manage the affairs of the Tonkawas, particularly in regard to supplying them, involved General Samuel Bell Maxey in

43 Culberson to Quayle, September 26, 1864, Quayle Papers, UAL.
44 Quayle to Culberson, October 7, 1864, Quayle Papers, 1864.
45 Throckmorton to Quayle, November 28, 1864, Quayle Papers, UAL.
46 S. G. Thompson to Quayle, Barry Papers, Barker Texas History Center, University of Texas; Greer, ed., Texas Ranger and Frontiersman, pp. 162-163.
Indian Territory, Lieutenant Colonel "Buck" Barry, Colonel James Bourland, General Henry McCulloch, and the commanders of the First Frontier District. Finally, Throckmorton had charge of providing for them until January 1865, when he reported to the State Inspector General that he was finally successful in an effort "to get the Tonkaway Indians off our hands," by transferring the responsibility permanently to Confederate command. The Tonkawas, although few in number, provided able service by their

47 It was General Maxey's responsibility to supply the Tonkawas in Indian Territory, but he naturally refused to do so once they reached Texas, when Barry and the Frontier Regiment took charge. During Barry's absence from the northwest frontier from August to November, 1864, McCulloch ordered Bourland, who at one time attempted to move the Tonkawas to a site near the Red River northwest of Gainesville, to take charge of them temporarily, even though the Frontier Organization was the responsible party. Anyone wishing to trace this tortuous logistical trail that led from state to Confederate authority should consult, in addition to the sources cited above, McCulloch to Bourland, January 7, 1864, Bourland Papers, Library of Congress; Maxey to McCulloch, January 19, 1864, Maxey Papers, TSL-A; B. E. Benton to Barry, August 1, 1864, Barry Papers, Barker Texas History Center, University of Texas; Quayle to Culberson, July 21, 1864, Quayle Papers, UAL; Bourland to Quayle, August 17, 1864, ibid; Quayle to Murrah, August 22, 1864, ibid; Murrah to Quayle, September 1, 1864, ibid; and, Throckmorton to Captain Y. H. Isbell, January 7, 1865, Adjutant General's Records, TSL-A.

48 Throckmorton to Colonel John Burke, January 29, 1865, Adjutant General's Records, TSL-A.
The First Frontier District needed all the help it could muster in the fall of 1864, for on 13 October the most destructive Indian raid of the war took place, one of the largest ever seen on the west Texas frontier. The celebrated Elm Creek Raid in October, like the Cooke County raid in the previous December, took place at a most inauspicious moment for the settlers of Young County. It occurred during the three-month interval when Barry's Frontier Regiment companies served on assignment near the coast, when Bourland's Border Regiment attempted to take place against heavy odds over a 200-mile line, and before General James W. Throckmorton devised the more effective battalion system for frontier duty. The raid also took place after Governor Murrah designated Throckmorton as Major Quayle's successor, but before the general's arrival. Too, the raid took place in General McCulloch's Northern Sub-District just after McCulloch left Bonham for a

49After the Civil War was over the Tonkawas resettled at Fort Griffin in 1867. Castile and his warriors continued to serve as scouts for the United States Army in campaigns against the Comanches and Kiowas in 1871-1874, then resisted Army attempts to remove them from Texas to Indian Territory in 1875. Robert M. Utley, Frontier Regulars: The United States Army and the Indian, 1866-1890 (New York, 1973), pp. 225-226, 234; Thomas W. Dunlay, Wolves for the Blue Soldiers (Lincoln, Nebraska, 1982), p. 72; Thomas F. Schilz to the author, June 15, 1987.
two-month leave of absence while Colonel George Sweet temporarily replaced him.50

The Elm Creek raid had its origins in the disturbances that rocked the Plains to the northwest earlier in the spring of 1864. A renewal of conflict on the South Central Plains initially involved Cheyenne and Arapahoe tribesmen, joined later by various bands of Comanches and Kiowas, in warfare against Union forces along the Kansas-Colorado frontier. The destructive raids by various parties of these tribes "virtually halted travel along the Santa Fe Trail and sent a wave of terror across the Kansas frontier. Throughout the summer, bands of Comanches and Kiowas accumulated stores for the coming winter at their camps along the Canadian River in the Texas Panhandle. As Union commanders prepared plans to reclaim the military routes across the west cut by the raids, they devised a strategy to pressure the Kiowas and Comanches to the south.51 The 500-700 warriors of these two tribes who took part in the Elm Creek raid, led by the Comanche warrior Little Buffalo, probably saw it as a way to secure needed horses and cattle for the

50 McCulloch passed through Dallas on Wednesday, 12 October on his way home to Seguin and returned during the first week of December. Dallas Herald, October 15, 1864; Throckmorton to Murrah, December 9, 1864, Governor Pendleton Murrah Records, TSL-A.

upcoming winter warfare.\textsuperscript{52} The Comanches, many bands of whom had no part in the treaties signed in 1861 with Confederate commissioner Albert Pike, surely needed little incentive to strike once more the hated "Tejanos" south of the Red River.

This mounted force crossed the Red River near present-day Burkburnett and moved to the area northwest of Young County under the full moon of 12 October, ready to strike the next morning.\textsuperscript{53} Their objective was the small area of settlements near Fort Belknap. The settlement of Belknap, located about one-half mile south of the fort, boasted in 1858 a population of approximately 150, with a number of stores, shops, and even a hotel. Settlers had under cultivation more than 2,500 acres in the county where the Cross Timbers merged with the state's North Central Plains to the northwest. Now in 1864 a dozen or so families, fifty to

\textsuperscript{52}Estimates of the size of the attacking force range from 300 up to 1,000 warriors and some accounts mention the presence of a few Apaches as well. None of the Texans present viewed the entire Indian force at once. Those with the best view were soldiers on the roof of Fort Murrah who used a telescope to count their number. Long after the battle Indians who participated claimed that anywhere from 600 to 1,000 were in the invading party. McConnell, \textit{The West Texas Frontier}, 2:119; Kenneth Neighbours, "Elm Creek Raid in Young County, 1864," West Texas Historical Association Year Book, 40 (October 1964): 89; T. R. Fehrenbach, \textit{Lone Star: A History of Texas and Texans} (New York, 1968), p. 524; Mayhall, \textit{The Kiowas}, pp. 197-198.

\textsuperscript{53}Mildred P. Mayhall, \textit{Indian Wars of Texas} (Waco, 1965), p. 125.
sixty settlers in all, clung to the area just northwest of the fort along either side of the Brazos River about twelve miles northwest of Fort Belknap. These stubborn families who remained on the bare face of the frontier spent part of the previous year strengthening homes in the area with logs placed picket fashion in the ground surrounding the home for added protection. The two strongest of these fortified homes were small stockades: Fort Bragg, a home on the Bragg ranch along Elm Creek just south of the Brazos; and the stronger of the two, Fort Murrah, thrown together in February 1864 and named after Governor Murrah.

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55 "Notes of Francis M. Peveler," Typed MSS, p. 1, Barker Texas History Center, University of Texas. F. M. Peveler was a participant in the battle, one of those who found safety at Fort Murrah. The copy of his memoirs used by the present author are included in a bound volume together with the "Diary of William R. Peveler," a soldier killed in September 1864 in Young County by a party of about fifty Indians, possibly an advance scouting party for the great raid a month later. W. R. Peveler's death is described in, Barbara Neal Ledbetter, Civil War Days in Young County, Texas, 1861-1865 (Newcastle, Texas, 1965), p. 15.

Both Fort Murrah and Bragg were located on Marcy's Trail and the California Road, respectively, two of the principal routes west on this part of the frontier. Excellent maps of the battle sites and communication network of the region are found in Neighbours, "Elm Creek Raid in Young County, 1864," following p. 86, and J. W. Williams, "Military Roads of the 1850's in Central West Texas," West Texas Historical Association Year Book, 18 (October, 1942): 81.
The warriors reached the area about noon on the thirteenth, split into several groups, then fell on the surprised community with a ferocity that so characterized conflicts between Comanches, Kiowas, and Texans. Most of the hardest fighting and deaths occurred along Elm Creek as swarms of Indians swept over the farms and ranches of the area, killing, scalping, stealing, and making off with women and children captives.  

The smoke of burning  

56 Several excellent accounts exist that give the grim details of most of the deaths of Texans that took place. These are believed to be fairly reliable, corroborated in most instances by more than one eyewitness, either a settler who witnessed the event and escaped death at the time, or by one of captives later ransomed and freed. To give an idea of what transpired during such raids, the following account of one of the first homes attacked on the afternoon of 13 October is offered: At the Fitzpatrick ranch, in a two-story house once known as the Carter Trading Post, a small band of women and children tried to hold off their attackers. Mrs. Milly Durkin, age twenty-one, fired away with her shotgun as Indians broke down the door and rushed in. She was thrown to the ground and spears were held against her mother and others as they were forced to watch while one warrior split Milly's head open with a tomahawk and scalped her; her clothes were then stripped off and the body mutilated. A seven-year-old boy was shot down when he ran out the door, and an infant boy found hidden in a box under a bed was murdered, smashed against the wall. Two women, one of whom was a mulatto named Mary Johnson whose husband Britt was away on business, along with five children were tied to horses and led away into captivity. When the Indians started back with them that night they rode for nearly two days in the direction of the Pease River before making camp. When a warrior saw that one of the five-year-old captives was too ill to sit up and travel, he tied the boy to a brush heap, set fire to it, and forced his mother, Mrs. Elizabeth Fitzpatrick, to watch him die. Ledbetter, Fort Belknap, Frontier Saga, pp. 117-118; Fehrenbach, Comanches, p. 454; McConnell, The West Texas Frontier, 2:119-120. Ledbetter's narrative is a richly researched account based upon the
buildings quickly alerted settlers on both banks of the Brazos and as many as possible tried to make it to either Fort Murrah or the Bragg stockade. Lieutenant N. Carson, in command of a detachment of Company D of the Border Regiment, had twenty men posted about thirteen miles west of Fort Belknap when the attack began. When he received word of the attack he immediately left with fourteen of them and headed toward Elm Creek. They rode until they reached a point just north of the Bragg Ranch, scene of the heaviest fighting of the day, where they quickly confronted approximately 300 warriors who broke off from the main party and headed for them. The soldiers fell back to the north and headed for the McCoy Ranch in a running fight of about two miles. The Indians killed five of Carson's men during the pursuit and wounded the horses of five others. Just ahead of the Indians, Carson's men rescued two women

testimony of witnesses, including those captives who returned and members of their family who passed along reminiscences of their captive relatives. The focus of her book is the remarkable life of the Mrs. Fitzpatrick mentioned above. McConnell's account is based largely upon his interviews of F. M. Peveler, a veteran of the battle, as well as Henry Williams and Mann Johnson, who were eight years old at the time of the battle and hid with their parents in a thicket during the action. Henry Williams is the author of "The Indian Raid in Young County, Texas," Typed MSS, Barker Texas History Center, University of Texas.
at the McCoy ranch and scrambled across the Brazos to the safety of Fort Murrah.  

Meanwhile, Comanche and Kiowa braves surrounded the Bragg stockade for some six hours where the Bragg family and a host of their neighbors crowded in fear and successfully withstood all efforts by the Indians to drive them out. In the process a rifle shot killed Little Buffalo and the attack broke off shortly afterward. As the Indians moved northward the soldiers and settlers that huddled together in Fort Murrah spied two large parties, each 200-300 strong, ride by to the east and west of the stockade with their captured livestock in tow.  

The thirty-two able-bodied men at Fort Murrah expected a dawn attack, but most of the soldiers understandably refused to make a night ride through the host of Indians twelve miles to Fort Murrah. Finally, Francis Peveler and one of Carson's men agreed to try. They made it through and arrived to find that a few settlers arrived before them with the news of

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57 Report of Lieutenant N. Carson, Border Regiment Texas Cavalry, October 16, 1864, Official Records, Ser. I, Vol. 41, Pt. 1:885-886. McConnell, The West Texas Frontier, 2:121-122, reprinted Carson's entire report from the original report located in the National Archives and stated that it had never before been published. Of course it had been, in the Official Records in 1893, over forty years before. It is Carson's report that gives "Murray" for the spelling of Fort Murrah, an error repeated in a number of modern accounts of the raid.

58 Neighbours, "Elm Creek Raid in Young County, 1864," pp. 85-86.
the attack. Approximately twenty-five soldiers remained to

guard the fort since the rest had been ordered away on a

scout sometime before the Indians attacked. Riders quickly

left and headed east for reinforcements to bring relief to

the beleaguered frontiersmen. Major Quayle received the

fateful news in Decatur at dawn the next day.59

Quayle saddled up the post guard, gathered up company
detachments and volunteers as he rode out, and soon had

over 200 men riding for Fort Murrah, some eighty miles

away.60 Colonel Bourland did not receive the news at his

headquarters in Gainesville until the morning of the

fifteenth. He sent word to Quayle that three of his

companies, under Captains Anderson, White, and Moore would

soon converge on the area. This force represented three of

his four companies that he had concentrated near the Red

River to strike a blow at Indians coming south of the Red

River. Intelligence reports just in from General Douglas

Cooper in Indian Territory indicated that officials

expected three large columns of Plains warriors to appear

at any time along the northwest Texas frontier.

59"Notes of Francis M. Peveler," p. 5-7; McConnell,
The West Texas Frontier, 2:123-124.

60"Notes of Francis M. Peveler," p. 7.
Supposedly, the Elm Creek raid was only the first. That a raid took place after a moonlit night in October came as no surprise; in fact, just six days before the attack Quayle wrote to Austin that he anticipated Indian movement bearing in from the northwest. The expectation of a major raid caused Quayle to cancel all plans to attend the upcoming special session of the legislature. What so surprised the Texans was the number of Indians that actually arrived, a massive party that moved so rapidly and carefully that the scattered patrols of Bourland's or Quayle's men never detected it until the blow fell along the Brazos.

When Quayle's men were still approximately twenty miles east of Fort Belknap a rider met them with the news that the Indians had cleared out; there was no dawn attack as feared. Quayle pushed his men on and arrived at Fort Belknap at sundown. There he learned that a force of about sixty men, mostly from Captain White's Company D along with volunteers, pursued the Indians toward the northwest. The Texans broke off the chase after approximately one hundred

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61 Bourland to Quayle, October 15, 1864, Quayle Papers, UAL. For reasons unknown, Bourland did not send word of the Elm Creek Raid to Colonel Sweet in Bonham until 20 October. Reports of Colonel James Bourland, Border Regiment Texas Cavalry, October 20, 1864, Official Records, Ser. I, Vol. 41, Pt. 1:884-885.

62 Quayle to Culberson, October 7, 1864, Quayle Papers, UAL.
miles; the Indians simply had too much of a head start, even laden with booty and livestock.63

The Texans suffered heavy casualties, but not as severe as they might have had there not been the heavily fortified stockades of Bragg and Murrah so near for safety. Five soldiers and seven settlers were killed and mutilated, and seven women and children were carried off as captives. The Indians, as usual, carried off their dead, although Carson believed that his men killed seven or eight in the running fight. Most of the Indian casualties came during the lengthy attack on the Bragg home; in all it is believed that some twenty Indians died in the raid, an extraordinary number of losses explained by the attack pressed in uncharacteristic manner upon a fortified position. The Indians burned eleven homes on the thirteenth after looting them of everything of value; all horses that could be found were taken and the cattle not driven off were killed.64

63"Notes of Francis M. Peveler," pp. 7-8; Mayhall, Indian Wars of Texas, pp. 142-143; Fehrenbach, Comanches, p. 456.

64Accounts of the Texan dead range from ten to eighteen, but eleven is accepted by most historians of the raid. Indians themselves admitted years later to twenty dead in the action on the thirteenth, an admission the author believes may have been what the Indians thought their white listeners wanted to hear. The figure of twenty dead seems to be a high estimate. McConnell, The West Texas Frontier, 2:124-125; Neighbours, "Elm Creek Raid in Young County, 1864," p. 89; Ledbetter, Fort Belknap, Frontier Saga, pp. 113-121; Report of Lieutenant N. Carson, Border Regiment Texas Cavalry, Official Records, Ser. I,
None of the other attacks anticipated by Bourland took place, but damage enough was done; such a destructive raid never again took place on the northwestern frontier of the state until after the war was over, but the citizens of Young County and other counties nearby prepared as if it might. The practice of forting up, that is, settlers drawing in to live near heavily fortified stockades or ranch houses, became common procedure. Some left for the interior, but many who stuck it out on the frontier this long refused to be driven out.65 They soon had help.

Barry's command returned from the interior shortly after

Vol. 41, Pt. 1:886.

Marilynne Howsley, "Forting Up on the Texas Frontier during the Civil War," West Texas Historical Association Year Book, 17 (October, 1941): 71-76; Greer, ed., Texas Ranger and Frontiersman, p. 180. A Texan who as a boy lived through the Elm Creek Raid relates his experiences of "forting up" in J. R. Webb, editor, "Chapters From the Frontier Life of Phin W. Reynolds," West Texas Historical Association Year Book, 21 (October, 1945): 115-117. When Throckmorton arrived in Decatur in December to take command of the First Frontier District, the first order he issued stated that: "The attention of the settlers is called to the necessity that exists for their getting together & building blockhouses and stockades to live in. Four, five or more families might get together in this way & thus insure the safety of the women & children. Convenient localities might be selected, where the old men & boys could cultivate land & other work, while the scouts could protect them. In this manner many lives might be saved, and the frontier much more securely guarded." General Orders Number 1, First Frontier District, December 13, 1864, Governor Pendleton Murrah Records, TSL-A.
the attack and reported to Colonel Bourland for duty, a welcome reinforcement for the First Frontier District. 66

The Elm Creek Raid gave impetus to a once-proposed but unused plan that called for an offensive expedition north of the Red River to take the war to the enemy in a preemp-tive strike upon concentrations of Comanches and Kiowas believed to be in the northwestern section of Indian Ter-ritory. In May 1863, as described in chapter three, officials canceled an ambitious three-month campaign north of the Red River proposed by Colonel McCord of the Frontier Regiment, but revived the plan in 1864. Tentative prepa-rations began in July when Major Quayle requested the approval of Governor Murrah for a ten-week scout of at least two hundred men that contemplated sweeping through Indian Territory as far north as the Kansas border. 67 A month later he still hoped to receive permission for such an expedition, but by now planned to send a force of over 300 men. 68 He received no reply, but none was necessary in the face of the impending departure of Barry's four

66 Two days after the raid Colonel Bourland wrote Quayle that Barry's men had been ordered back to Fort Belknap and were expected shortly. Bourland to Quayle, October 15, 1864, Quayle Papers, UAL; Greer, ed., Texas Ranger and Frontiersman, p. 180.

67 Quayle to Culberson, July 21, 1864, Quayle Papers, UAL.

68 Quayle to Culberson, August 19, 1864, Quayle Papers, UAL.
companies from the northwest frontier; every man would now be needed along the line of settlements.

Major Quayle never had a chance to organize such an expedition, but his successor did. When Throckmorton took command in December he expressed concern about renegades, Jayhawkers, and Indians and their theft of Texas cattle. Convinced that "the federal army at Forts Gibson & Smith have been largely supplied with Confederate beef," Throckmorton again proposed a sweep through western Indian Territory to Kansas. This time the plan would go into effect. By the end of the year the frontier protection units of the First Frontier District forces numbered as follows: Frontier Organization--1,436, of whom one-fourth were always on duty; The Border Regiment--an effective strength of 498, but this includes the four companies on the northwestern frontier as well as the three companies in Indian Territory; and Barry's Battalion of

69Throckmorton to Murrah, December 9, 1864, Governor Pendleton Murrah Records, TSL-A.

70Throckmorton to Murrah, December 20, 1864, Governor Pendleton Murrah Records, TSL-A.

71The Texas Almanac, 1861-1865 (Galveston and Austin, 1865), p. 43.

72Abstract from Return of the Northern Sub-District of Texas for the Month of December, 1864, Official Records, Ser. I, Vol. 41, Pt. 4:1140; Regimental Return, Bourland's Texas Cavalry, "Border Regiment," November 1864, Confederate Record Group 109, National Archives.
the Frontier Regiment—an effective strength of 273, part of which confined its activities to the northern portion of the Second Frontier District. Not long after New Year’s Day a meeting took place in Decatur between the military hierarchy within the Northern Sub-District, namely, General Throckmorton, General McCulloch, Colonel Bourland, and Lieutenant Colonel Barry. In their discussion of how more effectively to protect the frontier, all agreed to organize a winter campaign into Indian Territory in the vicinity of the Wichita Mountains. It was to be a major campaign of 400-500 men, of which 200 were to be contributed by the Frontier Organization, with Major Roff of the Border Regiment in overall command.74

The expedition got underway on schedule on 1 February 1865 as companies from the various commands made their rendezvous at the mouth of the confluence of the Big Wichita and the Red River in northern Clay County. Major Roff commanded the expedition as planned while Captain

73Abstract from Return of the Northern Sub-District for the Month of December, 1864, Official Records, Ser. I, Vol. 41, Pt. 4:1140. It might be noted here that the returns of December 1864 list over 600 men marked as "absent" from Bourland’s and Barry’s commands.

74Throckmorton to Murrah, January 13, 1865, Governor Pendleton Murrah Records, TSL-A. Throckmorton’s biographer devoted a brief paragraph to the plans for the campaign and mentions the meeting of the officers at Decatur, but he fails to cite the appropriate source. Elliott, Leathercoat, pp. 90-91.
Earhart directly coordinated Throckmorton's state troops. The men started out in good spirits, and even when the hardship of severe weather hit and cut short the campaign their morale never seemed to sag. On the second day out some of the younger members of the Frontier Organization decided to have some fun with a few older men, some of "scarry [sic] fellows" on the trip who may have had little desire to tangle with Comanches. A few of the boys made their way at dawn of the second day to where their victims slept, then banged away on their saddle bags and shouted "Indians!" as loud as possible. The handful of "scarry fellows" made a dash of over 200 yards through thickets, briars, and thorns before they stopped running and returned to camp to gales of laughter. The pranksters could not

75 Throckmorton to Colonel John Burke, February 22, 1865, Adjutant General's Records, TSL-A.

76 James F. Horton, History of Jack County: Being Accounts of Pioneer Times, Excerpts from County Court Records, Indian Stories, Biographical Sketches, and Interesting Events, reprint (privately printed, 1975), p. 73. The entire expedition has been practically ignored by historians largely because of the shortage of primary sources, the only source prior to now being the previously cited letter from Throckmorton to Colonel John Burke, Adjutant and Inspector General of Texas. Horton's book, originally published in 1933, used the reminiscences of James Wimberly, a seventeen-year-old member of the state troops from Jack County, to give a two-page, first-hand account of the expedition. At first glance the account may be misleading because Wimberly gives the date of the scout as "1864 or 1865." His identification of Earhart in command and the description of the movements and actions of the force leave no doubt that he is describing Roff's expedition of February 1865.
resist pulling a more ambitious stunt about a week later. The talk one night was of the numerous Indian signs seen that day and the expectations of meeting up with Comanches before long. Soon after everyone bedded down for the night three or four men slipped off to one side of the camp, and after making sure that all but the objects of the joke were in on the stunt, fired their rifles in the air and raised a yell. A nearby shallow lake did nothing to slow down the jittery ones:

Away went the scary fellows, minus clothing but taking their rifles with them. Through the lake they went, lickety-split to the low ground and timber, some of them losing their guns in the water on the way. After discovering it was a hoax they came back very angry and very much on the prod.77

These pranks were the highlight of the entire expedition, for nothing else of consequence occurred. After a few days out on the trail the weather turned to an almost constant downpour of rain, sleet, and snow. Forage for the horses was in short supply, but the men ate well from buffalo and cattle killed along the way.78 Indian signs were in abundance in the vicinity of the Wichita Mountains as the soldiers came upon abandoned Indian camps, but not an Indian was seen. As the weather grew more severe, Major

77 Ibid., p. 74.

78 Throckmorton to Burke, February 22, 1865, Adjutant General's Records, TSL-A; Horton, History of Jack County, pp. 74-75.
Roff ordered "the great western scout" to return, after barely ten days in the field. Although barren of positive results, Throckmorton believed that the expedition was not in vain:

It will teach the Indians that even in mid winter, we intend to hunt them in their retreats. The expedition has prevented any raids of consequence during the present light moon.

The officers who met in Decatur in January originally intended for this winter campaign to precede a larger and more extensive expedition to be conducted in the latter part of spring. They never carried out such plans. In just one month, from December 1864 to January 1865, Throckmorton reported a drop of approximately 250 in the effective strength of his forces. A corresponding drop in the Confederate companies through desertion, coupled with an attempt by Confederate authorities to deal once more

79H. A. Whaley to Captain S. J. McKnight, February 12, 1865, Bourland Papers, Library of Congress. This letter, written from Salt Creek Station, states that the expedition was in the process of straggling in daily, many of the men walking in their worn-out horses. Whaley stated that Major Roff was still out with one last company unreported, then added, perhaps with a touch of sarcasm: "No one who came in is appraised as to the course or movement contemplated by him - I suppose it is some movement known only to himself and may result in great good to the Confederate cause."

80Throckmorton to Burke, February 22, 1865, Adjutant General's Records, TSL-A.

81Throckmorton to Murrah, January 13, 1865, Governor Pendleton Murrah Records, TSL-A.
with the Comanches and Kiowas by treaty, ended the prospect of any more extended campaigns north of the Red River before the end of the war.82

But if campaigning north of the Red River ceased, there was still one more great drama to be acted out between Indians and Texans on the frontier, the tragic affair fought on 8 January 1865 known ever after as the Battle of Dove Creek. The Indians in question were not the Plains raiders who so often plagued Texan settlements; these were over 600 men, women, and children of the Kickapoo tribe who fled hostile Indians in the Kansas-Indian Territory region by journeying across the Texas frontier to join others of their tribe who migrated to Mexico over fifteen years before.83 The first report of their presence in Texas came from a scout led by Captain N. W. Gillentine of the Second Frontier District. On 9 December 1864 he found the trail of what he believed to be about 500 Indians near the Clear Fork of the Brazos about thirty miles west of the abandoned Fort Phantom Hill.84

82Throckmorton to Burke, January 29, 1865, Adjutant General's Records, TSL-A.


84N. W. Gillintine to J. B. Barry, December 9, 1864, Barry Papers, Barker Texas History Center, University of Texas.
This was in a region far west of any Texan settlements, at least seventy miles west of Camp Colorado. He immediately informed Lieutenant Colonel Barry of the Indian presence, tribe as yet unidentified, then headed eastward to begin gathering companies from Major Erath's district.

With Erath in Austin on business at the time it fell to his senior captain, S. S. Totten, to organize the coming campaign. A force of approximately 300 men of the Second Frontier District soon fell in, including companies from the counties of Bosque, Johnson, Comanche, Coryell, and Erath. Before his men left to intercept the Indians, Totten learned that Captain John Fossett, commander of the Frontier Regiment detachment at Camp Colorado, wished his force to meet him at Fort Chadbourne so that a combined state and Confederate effort could be made. On 31 December Fossett reached Fort Chadbourne with approximately fifty men where sixty men sent from Barry's force joined them. In addition, a detachment led by Captain Cureton of Stephens County from Throckmorton's command and a Brown

85"Erath Memoirs," Typed MSS, p. 107, Barker Texas History Center, University of Texas.

County company of the Second Frontier District arrived to make a total strength of 161 men.87

Here the coordination so needed for such an extensive, sustained operation in the field began to break down. Totten decided not to meet Fossett at Fort Chadbourne as planned but to pick up the trail where Gillintine first spotted it near the Clear Fork of the Brazos and follow it to the main body of Indians.88 Meanwhile, impatient that Totten's men had not been heard from, Captain Fossett set out with his force from Fort Chadbourne on 3 January 1865, found the Indian trail, followed it southward to the North Concho River, and camped there on 7 January. When Fossett left Fort Chadbourne on the third, Totten's state troops, led by four Tonkawa scouts, also moved to the south following Indian signs until they made camp on the North Concho on 7 January approximately thirty miles from Fossett's men. On that same day Fossett's Confederate

87 Thomas Robert Havins, Camp Colorado: A Decade of Frontier Defense (Brownwood, Texas, 1964), p. 144; J. Marvin Hunter, "The Battle of Dove Creek," West Texas Historical Association Year Book, 10 (October, 1934): 75-77. Hunter's account is basically the printed reminiscences of I. D. Ferguson, a member of the Frontier Regiment who participated in the Dove Creek campaign.

88 Pool, "The Battle of Dove Creek," p. 371. After the campaign was over General McAdoo said that Major Brath ordered Captain Totten "to proceed, as soon as possible, with about [number missing in manuscript] men to reinforce Capt. Gillentine and follow the trail." McAdoo to Colonel John Burke, February 20, 1865, Adjutant General's Records, TSL-A.
scouts reported that they had located the main body of Indians thirty miles farther south along Dove Creek, just below Spring Creek, a tributary of the Middle Concho. Fossett then decided to move forward the next morning to attack, although the location of Totten's men and the identity of the Indians remained in doubt.89

On the march southward scouts from Totten's men came upon Fossett's force near the Middle Concho. In a field conference the leaders arranged for Totten's state troops to rendezvous with Fossett's men about a mile or so north of the Indian camp as soon as possible, with a dawn attack still in the plans. Captain Totten left a detachment with his supply wagons and moved quickly ahead with approximately 220 of his men. The Confederate force, with a shorter distance to travel, reached the rendezvous point two hours after midnight, but the state troops did not arrive until nine o'clock the morning of 8 January.90 The two forces with a combined strength of approximately 380 men rested in the cover of a ravine located northwest of a

89 Havins, Camp Colorado, p. 145; Greer, ed., Texas Ranger and Frontiersman, pp. 188-189. This latter source contains the daily log of Fossett's command as kept by a Bosque County trooper in the Frontier Regiment.

hill that blocked the view of the Indian camp. The exact number of Indians remains uncertain, but the Texans estimated their opposing force to be approximately one thousand warriors.\textsuperscript{91}

The Indian camp was ably situated for defensive purposes. Located on the south side of Dove Creek within a dense thicket of brush and live oak astride two dry creek beds, it was backed by a high bluff to the rear. The Texan plan was for Totten's command to move eastward to Dove Creek and ascend that stream in order to attack the camp from the north, while Fossett's Confederate command would move to the southwest of the Indian camp, drive off their herd of horses, then attack from that quarter.\textsuperscript{92} Totten's Frontier Organization men initiated the attack just before ten o'clock. They waded through Dove Creek then rushed

\textsuperscript{91}Estimates of the Indian usually range from 600 to 1,000. Pool, "The Battle of Dove Creek," p. 376.

\textsuperscript{92}Hunter, "The Battle of Dove Creek," pp. 78-79; Pool, "The Battle of Dove Creek," p. 376. General McAdoo later criticized the pre-battle plans of Fossett and Totten: "Without any council of war, without any distribution of orders, without any formation of a line of battle, without any preparation, without any inspection of the camp, without any communication with the Indians or inquiry as to what tribe or party they belonged to, without any knowledge of their strength or position, the command 'forward' was given, and a pell-mell charge was made." Report of Brig. Gen. J. D. McAdoo, February 20, 1865, Official Records, Ser. I, Vol. 48, Pt. 1:27.
forward on the run into the thicket before them. It was no surprise attack. The Indians, already warned of the presence of nearby soldiers, waited in excellent cover, with many using the ravines as rifle pits, and opened fire. These were not just bows and arrows being used against the Texans; a number of the Indians had Enfield rifles and used them with telling effect against the oncoming Texans. The result was a literal ambush of the state troops in a one-sided fight that lasted just under an hour until Totten's men fell or staggered some 400 yards to the north to recover.

When the ill-fated attack began the Confederate force to the west initially had more of a success; Fossett quickly ran off the Indian horse herd, then sent some seventy-five men to the south of the camp to cut off the

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93 Captains of the Frontier Organization who led their troops against the Indians that day included, in addition to Totten: Sam Burns, Bosque County; James Cunningham, Comanche County; Nick Gillentine, Erath County; J. J. Cureton, Stephens County; and, Captain Culver, Erath County. McConnell, The West Texas Frontier, 2:736. McConnell's research included interviews with four men who fought in the battle.

94 McAdoo's report later indicated that the Indians were surprised in their camp but quickly recovered. Conflicting testimony, however, seems to bear out the fact that the Indians were prepared and waiting for the attack. Report of Brig. Gen. J. D. McAdoo, February 26, 1865, Official Records, Ser. 1, Vol. 48, Pt. 1, 27; Hunter, "The Battle of Dove Creek," p. 79; Pool, "The Battle of Dove Creek," p. 377; Greer, ed., Texas Ranger and Frontiersman, pp. 190-191.
Indians should the state troops drive them in that direction. Fossett's main attack on the camp began at just about the time the state troops were being hurled back in confusion. Fossett witnessed the disaster that befell the state troops from his vantage point on a nearby hill. When he then ordered his companies to the attack they met resistance just as stiff. Attacking from the west, Fossett's men fanned out along the banks of Dove Creek, with their right flank anchored to a small tributary of that stream. For nearly six hours his men kept up the fight until, roughly handled by the unrelenting fire from Indians concealed in timber and ravines on the east bank of Dove Creek, the Confederates began their retreat just before five o'clock that afternoon. Throughout this lengthy phase of the battle Totten's men stayed out of range of the fight, while most of the wounded and demoralized had fallen back by now some three miles north of the battlefield. As Fossett's men began to move northward to


96 No time was ever given for the withdrawal of Fossett's men except by an eyewitness statement that it occurred about a half hour before sunset. The battle was fought that day just above 30 degrees north latitude, which put sunset at approximately 5:20 P.M. As evening nautical twilight did not end for another fifty-five minutes there was still light to fight by until about 6:15 P.M. Hunter, "The Battle of Dove Creek," p. 82; Mark Mayo Boatner, The Civil War Dictionary (New York, 1959), p. 820.
disengage from the battle, always a delicate operation in the face of an aggressive enemy, they inexplicably made the mistake of crossing to the east bank of Dove Creek north of the Indian camp before continuing their northward retreat. A party of Indians crept up the Dove Creek channel and, as the Texans crossed, rose up and cut the Confederate column to pieces with a sudden and destructive fire. The soldiers could endure no more. A wild panic ensued, officers lost control of their men, and as the Texans retreated northward before the onslaught of bullets the Kickapoos rushed in and recaptured most of their horses.\textsuperscript{97}

The weary Confederates finally broke free to the north and reached the state troops, who had been inactive since the morning fight. The combined force camped along Spring Creek, nursed their wounds, and counted their dead. The final casualty count for the state and Confederate troops was twenty-six killed and twenty-three wounded, the heaviest losses suffered by Texans in any Indian conflict of the war. Fossett and Totten estimated that they killed perhaps as many as one hundred Indians, but when they reached Mexico the Kickapoos reported that they lost eleven

\textsuperscript{97}Hunter, "The Battle of Dove Creek," pp. 82-83; Greer, ed., \textit{Texas Ranger and Frontiersman}, pp. 191-192.
killed and seven wounded. By the morning of 10 January up to fourteen inches of snow covered the area as the Texans began a slow trek back home, and the Kickapooos continued on their way to the Rio Grande without further interruption.

Public criticism of how the military leaders conducted the battle swept across the state, directly even in some measure toward Lieutenant Colonel Barry and Major Erath. General McAdoo's report, made after an investigation of the affair in February, was especially critical of both Fossett's and Totten's handling of the battle. Rumors immediately began to circulate, perhaps with some foundation, that not only were the Indians friendly and should not have been attacked, but that they actually tried to make the Texans aware of that fact several times during the

98 J. D. McAdoo to Col. John Burke, February 28, 1865, Official Records, Ser. I, Vol. 48, Pt. 1:29; Pool, "The Battle of Dove Creek," p. 382-383 gives a list of the names of the Texan killed and wounded. Major Erath's adjutant, in his initial report of the battle to the state's Adjutant and Inspector General, stated that there were eighteen Texans killed and twenty-one wounded, but that they killed over one hundred Indians. George F. Adams to Col. John Burke, January 22, 1865, Adjutant General's Records, TSL-A.

99 The details of the agonizing journey home for the wounded Texans is best described in Haley, Fort Concho and the Texas Frontier, pp. 115-117, and Havins, Camp Colorado, pp. 151-154.
One elderly Indian man, taken prisoner when the Texans captured the horse herd during the battle, tried to explain that his people were peaceful but Captain Fossett had him executed on the spot. In exaggerated form, rumors abounded that an Indian under a white flag tried to convince the Texans not to attack. The story that General Throckmorton heard less than three weeks after the battle was that "the Indians made demonstration for peace, and were charged three times before they fought." It may not have been as blatant as that, but the fact remains that sufficient reconnaissance could have prevented a needless battle. Even the ease with which the Texans made off with their horses should have been proof enough that

102 Havins, Camp Colorado, p. 155.
103 Throckmorton to Bourland, January 27, 1865, Bourland Papers, Library of Congress. McConnell, The West Texas Frontier, 2:137, related this version according to what survivors of the battle told him years later: "The Kickapoos sent an Indian squaw as a peace messenger to avert the fight. But the Texans on so many occasions had been trapped by Indian intrigues, to them, an Indian was always an Indian, as much so as a rattlesnake was always a rattlesnake, and because of the many depredations, were hated about as badly along the west Texas frontier. So Capt. Totten, like Capt. Fossett, disregarded the commissioner and ordered her shot down. According to reports we have received, Isaac Young and Capt. Totten were the first men to fire."
these were certainly not Comanches, and probably not Kiowas. In fact, the seizure of their horses made the Indian presence practically untenable. Erath's adjutant was incredulous that experienced frontiersmen could have made such a mistake: "They ought to have known whether they were friendly or not."104

That statement is an indictment of the leadership displayed—they should have known. Some Texans were quick to point to this tragic failure of military prowess as indicative of the ineffectiveness of the "flop-eared militia," as men of the Frontier Organization were sometimes scornfully called.105 That Erath's best captain, Totten, had a major role in the affair, seemed to confirm such an description. Such a blanket condemnation of the Texans who fought in the battle belies the fact that the men traveled over 300 miles on the campaign in the dead of winter and endured hardships and heavy losses without

104 George F. Adams to J. D. McAdoo, January 22, 1865, Adjutant General's Records, TSL-A. Major Erath stated that a flag of truce should have been sent them to determine the circumstances of their presence on the frontier then added "I should have allowed them to pass had I been there." "Erath Memoirs," Typed MSS, p. 108, Barker Texas History Center, University of Texas.

105 A member of the Frontier Regiment at the battle described the arrival of Totten's men on the morning of the battle: "The 'flop-eared militia,' as we called them, were armed with all kinds of firearms, shot-guns, squirrel rifles, some muskets and pistols." Hunter, "The Battle of Dove Creek," p. 78.
complaint. The absence of effective tactical leadership on
the battlefield, not the caliber of the men who fought, brought disaster.\textsuperscript{106}

Before its fortunes collapsed in the late spring of 1865, the Confederacy made one last attempt to bring peace to the Indian frontier, this time by negotiation with Plains tribes with whom Texans had fought for so many years. Earlier that year Confederate officials learned of a desire for friendly relations from a number of the hostile bands north of the Red River. Perhaps this entreaty for peace stemmed from the renewed pressure being exerted upon them by federal military forces.\textsuperscript{107} In March of 1865 General Kirby Smith, on the advice of General D. H. Cooper in Indian Territory, appointed General Throckmorton as Confederate commissioner on the part of Texas to treat with the various bands of Comanches in an effort to come to

\textsuperscript{106}One final note is added for those who wish to study the Dove Creek Campaign. The most respected authority for the Trans-Mississippi Confederacy is Robert L. Kerby, Kirby Smith's Confederacy: The Trans-Mississippi, 1863-1865 (New York, 1972), but his account of the battle on pp. 364-365 concludes: "The Texans ignored the peaceful overtures made by the Kickapoos, charged their camp, opened fire, and murdered twenty-three unarmed men and women. The rest of the terrified Kickapoos fled for their lives, abandoning their casualties and their camp equipment. The Texas troopers scalped their victims, pillaged the encampment, and, with their horses loaded with booty, turned back toward civilization." It is difficult to imagine that a more erroneous version of the affair could ever be written.

\textsuperscript{107}Elliott, Leathercoat, p. 92; Utley, Frontiersmen in Blue, pp. 310-312.
terms with them. Throckmorton's first inclination was to turn down General Smith's commission, but the urgency of Smith's letter that the Confederacy needed his services persuaded him. He went into the job, however, with the attitude that "We know the Indian character too well to trust to their promises." Upon further reflection General Smith in April modified Throckmorton's status; he was now to be one of two commissioners to meet with the tribes in May, the veteran Indian negotiator Albert Pike being the other. Smith diplomatically phrased the reason for the addition of Pike:

Owing to the many years of incessant hostility and predatory warfare that had existed between the Wild Prairie Comanches and the frontier settlers of Texas, that a deep distrust and bitter hatred of Texas had been infused into the breasts of these savages . . . it would not be well to give to Texas as a state too great a prominence in the negotiations.

Smith wished the treaties to be made along the lines of those of 1861, but this time he wanted a tripartite arrangement to be worked out that bound together all Plains Indians hostile to the United States government, the Five Civilized Tribes of Indian Territory, and the Confederate

108Elliott, Throckmorton, p. 93.

109Throckmorton to Bourland, March 31, 1865, Bourland Papers, Library of Congress.

110Kirby Smith to Governor P. Murrah, April 13, 1865, Letters Sent, Trans-Mississippi Department, Confederate Record Group 109, National Archives.
government. Especially important was the agreement between the Plains Indians and the Civilized Tribes so that they could cooperate in a general attack on the Kansas frontier.111 Just before the negotiations began General Cooper informed Throckmorton not to bring up the subject of the Indian move against Kansas until the Trans-Mississippi governors approved the plan, as rumors had it that Confederate authorities might soon be negotiating the surrender of the Trans-Mississippi Confederacy.112

Governor Murrah appointed John W. Lane as major of cavalry to command the First Frontier District in his absence, and Throckmorton left Decatur about the first of May to travel to Indian Territory for the council.113 With General McCulloch in charge of providing supplies and wagons for the trip, Throckmorton journeyed to the Washita River near Elm Springs for the scheduled meeting with the various tribes on 15 May.114 Throckmorton and Colonel W. P. Reagan, who replaced Albert Pike, met with the leaders


113 Elliott, Leathercoat, p. 94.

114 Kirby Smith to McCulloch, May 1, 1865, Letters Sent, Trans-Mississippi Department, Confederate Record Group 109, National Archives.
of numerous bands of Indians that represented over a dozen major tribes. The commissioners proposed that the Plains Indians agree never to enter Texas south of the Red River, a proposal that met with almost unanimous dissent; the Indians insisted that they be allowed to follow the buffalo into Texas as they had always done.\textsuperscript{115} On a more positive note, Throckmorton was able to meet with the chiefs of all the Kiowa bands and every Comanche band but one. By trade and negotiations he recovered nine white captives from them and laid the groundwork for further negotiations that in the Camp Napoleon Compact of 26 May and the Drying Grass Moon negotiations of 15 August would see the release of nine white Texans from Indian captivity, including some of those taken during the Elm Creek raid the previous October. Having done all he could, Throckmorton returned to Texas the second week in June to find that the Trans-Mississippi Confederacy surrendered to the United States government just two weeks before.\textsuperscript{116}

The Frontier Districts could hardly escape the disintegration that generally accompanied the last weeks of the war in Texas. Desertions from the Frontier Regiment and

\textsuperscript{115}Kerby, Kirby Smith’s Confederacy, pp. 426-427; Elliott, Leathercoat, p. 96.

\textsuperscript{116}Rupert Norval Richardson, The Comanche Barrier to South Plains Settlement (Glendale, California, 1933), p. 274; Ledbetter, Fort Belknap, Frontier Saga, pp. 135-136, 156; Elliott, Leathercoat, p. 96.
the Frontier Organization increased during the last months of the war, especially in the Second Frontier District after the Dove Creek disaster.\(^{117}\) When word reached the Frontier Districts of the 26 May surrender of the Trans-Mississippi Confederacy there was no laying down of arms and going home as occurred in other parts of the Confederacy. These men were already home; they knew that some type of organization had to be maintained to protect not only against Indian incursions, but against the lawlessness that seemed pervasive. In the Second and Third Frontier Districts Major Brown and Major Brath saw to it that volunteers of their commands would continue to provide at least temporary protection for the frontier, then they headed for Mexico along with a number of other high-ranking officials, including Governor Pendleton Murrah. In the First Frontier District the settlers knew they had no option; no Indian raids had taken place for some months, but volunteers maintained patrols in case Throckmorton's efforts to obtain peace by treaty went for naught. The commander of the Northern Sub-District, Henry McCulloch, instructed the men of the Frontier Organization and volunteer militia groups to maintain patrols against Indian raids until relieved by the United States Cavalry. Then, accompanied by twenty-seven men as an armed escort to

\(^{117}\) Havins, *Camp Colorado*, pp. 156-158.
protect him from retaliation by deserters who vowed to kill him, McCulloch left Bonham on 28 May to go home to Seguin. The war against the Union was over; the war against the Plains Indians would be renewed in all its fury by summer's end.

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CHAPTER IX

FRONTIER DEFENSE IN RETROSPECT

Texans went to war in 1861 against two foes, the armed forces of the United States and the Plains Indian raiders. Some Texans naively expected the conflict with the former to be short and successful, while those on the frontier expected to have their hands full with the Plains Indians. Before the war approximately one-fourth of the strength of the United States Army was stationed in Texas, with additional protection being provided by Ranger companies on patrol. The combination severely punished the Comanches and Kiowas of the late 1850s, but not even this commitment could stop the almost constant Indian raids. In 1861 it was natural for the state to look to the Confederate government for protection of its Indian frontier, but recalling the difficulties of the United States Army in the same task, Texans quickly saw little to convince them that Confederate responsibility could solve the problem. Part of the problem, indeed, lay in the belief by most non-Texan Confederate authorities that the Indian menace simply did not require the military might or expenditure that Texans demanded. Secretary of War Leroy P. Walker in 1861 echoed United States authorities of the 1850s when he called the
Indian threat "merely predatory" and believed that one regiment of cavalry should suffice on the frontier.¹ This same attitude existed on the part of the Confederate government throughout the war. In one sense they were correct; if damage done to life and property was the sole standard upon which to base the degree of military force required, then one regiment should have been sufficient. One estimate gives a total of approximately 800 Texans killed by Indians from the summer of 1862 to 1868, which would result in approximately 500-600 Texans killed, wounded, and made captive for the four years of the Civil War.² These losses scarcely compare with the total of Confederate casualties suffered in even a single medium-sized battle of the war, but what those back east failed to appreciate was the nature of the warfare waged on the Texas frontier. The Texans who witnessed the results of countless Indian raids throughout the 1850s and 1860s could scarcely imagine more savage and inhumane conduct than that practiced by their old adversaries, a war in which so often the victims were old men, women, and children. Especially infuriating was the brutal manner in which the Plains Indians ravaged, killed, and mutilated women and children;


²Carl Coke Rister, "Fort Griffin," West Texas Historical Association Year Book, 1 (June, 1925): 16.
actions made even more galling when one considers that most of those kidnapped had almost no chance of safe return. It is the image of this type of warfare, one that even citizens of southeastern Texas hundreds of miles from the frontier could scarcely comprehend, that drove Texans to persist in their efforts to guard the Indian frontier and exterminate hostile Indians found in their midst. No quarter was asked and none was given.3

Of a white population of over 400,000, Texas placed approximately 60,000 men into service during the war.4 Of this total McCulloch's First Regiment Texas Mounted Rifles maintained a strength of 800-1,000 men while on frontier duty. When the Mounted Rifles left the field the Frontier Regiment managed to keep its effective strength at around 1,000 until the last months before its transfer to Confederate service in the spring of 1864. Bourland's Border Regiment added another 500 or so men for its

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3It is difficult to find a better narrative on the clash of culture between Comanches and Texans, and the nature of their warfare than, T. R. Fehrenbach, Comanches: The Destruction of a People, reprint (New York, 1983).

companies located on the northwest frontier and in Indian Territory. Not until the coming of the Frontier Organization was the strength of numbers found that might give protection, some 4,000, but by state law only one-fourth of this total was available at any one time. Texas thus had, for most of the war, the equivalent of about one and one-half regiments of mounted cavalry for frontier service, at a time when at least three mounted regiments were required. Edmund Kirby Smith, in the first month of the war, predicted that five regiments would be required to hold the frontier and the Rio Grande line, a figure he later backed down on when he was commander of the Trans-Mississippi Confederacy. The numbers were simply not there for the frontier commanders to duplicate the large punitive expeditions of 1858 by Ranger and United States Army forces, but the attempt was still made on a smaller scale, as we have seen, even in the war's closing months.

A corresponding discussion that accompanies any attempt to evaluate the effectiveness of frontier defense during the Civil War brings forth a natural comparison with frontier defense in the years immediately preceding and following the war years. This comparison with the pre-war years has hopefully been illuminated within these pages, but the present work has not treated the post-war years. Such an in-depth treatment is outside the scope of this
work, but several inferences may readily be made. A few historians have pointed out that the Texas frontier suffered as never before in the years immediately following the Civil War, particularly from late 1865 to 1869. For the first two years of this four-year period incomplete frontier county records show over 160 Texans killed by Indians, two dozen wounded, and over forty carried away into captivity. Added to these statistics were over 30,000 cattle and 3,600 horses stolen or killed. Historians of the Texas frontier have noted the severity of these devastating raids directly following the Civil War and how unprepared so many of the new settlers were to meet them. Part of the explanation of inadequate frontier security undoubtedly stemmed from the delay shown in sending United States Army troops to the Texas frontier when the federal government chose instead to provide armed protection in the more populated areas of the state to prevent the persecution and mistreatment of Union men and freed slaves.

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6 Carl Coke Rister, The Southwestern Frontier – 1865 – 1881 (Cleveland, 1928), pp. 98-100; Ramsdell, Reconstruction in Texas, pp. 66-70. For an excellent account of the
The conclusion here is one that concurs with one of the most perceptive historians of the Texas frontier, William Curry Holden, that the Texas frontier held its own during the Civil War. The impression has sometimes been given that during the last year of the war the frontier crumbled as the settlement line receded approximately 100 to 200 miles, but a careful reading reveals that such an estimate always includes the years immediately following the war. During the war there certainly was a depopulation of some areas because of problems from Indians or white renegades, or from men who left to serve in the army and who had their families moved to the interior, but the settlements were quickly re-occupied. An examination of the frontier fort line of 1860 and the 1860 census returns may also give a mistaken impression of what happened along the frontier during the war. It would be a mistake to believe that the settled portion of Texas in 1860 extended as far west as the outer chain of United States Army posts.

political climate in Texas that led to an emphasis by the federal government on the populated areas of the state rather than on the frontier see, Robert W. Shook, "Federal Occupation and Administration of Texas, 1865-1870," unpublished doctoral dissertation, Department of History, North Texas State University, Denton, Texas, 1970.


8Rister, "Fort Griffin," pp. 16-17; Fehrenbach, Comanches, p. 452.
on a line from Camp Cooper to Forts Phantom Hill, Chad-bourne, McKavett, and Terrett. While only a small number of settlers lived near the posts in the 1850s, their presence would be insufficient to label the area as a frontier line in Texas if one used the definition of a frontier as a density of two to six persons to the square mile. Obviously, then, the frontier line in Texas remained considerably east of this chain of forts. The Mounted Rifles in 1861 maintained this general defensive line in 1861, but because the Frontier Regiment redefined the area to be protected by withdrawing eastward by fifty to seventy-five miles is not the same thing as saying that the frontier was hurled back. The most serious threat and severe devastation to the Texas frontier came in that four-year period following the Civil War. Within this context, comparison of the 1860 census returns with those of 1870 is also misleading, particularly in regard to the counties of the northwest Texas frontier. These exposed

9 This is the definition used by the United States Census Bureau as cited by Frederick Jackson Turner, The Frontier in American History, reprint (New York, 1950), p. 3.

counties suffered from Indian raids more than any others in the years immediately following the war. The population loss during the decade certainly cannot all be attributed to the Civil War years.\textsuperscript{11}

As established in the preceding chapters anyone who sees the issue of frontier defense in Texas, 1861-1865, solely in terms of the Indian threat would be misled in determining the nature of frontier protection for those years. By late 1863 the state of affairs in the frontier counties reached a complexity unforeseen in the early exuberant days of the war. As serious as was the constant Indian menace the problem of deserters, draft dodgers, bushwhackers, and Jayhawkers eventually overshadowed even the Indians along much of the frontier. The immense commitment of men, time, and expense to combat such problems could do nothing but detract from what in 1861 was perceived as the frontier's only difficulty—fighting Indians.

Leaders on the Texas frontier also wrestled with the problem faced by most nations at war before and since, how to deal with disaffection and how to distinguish between varying shades of dissent, patriotism, and growing war

\textsuperscript{11}Rupert Norval Richardson, The Frontier of Northwest Texas, 1846 to 1876: Advance and Defense by the Pioneer Settlers of the Cross Timbers and Prairies (Glendale, California, 1963), pp. 251-253.
weariness. These factors complicated the already fragile social fabric as settlers living on civilization's edge faced an unrelenting foe to their front and a growing threat from within, made manifest by the decline of civilian morale that continued unabated from the war's first months. In the face of such adversity it should come as no surprise that Texas leaders, particularly during the Murrah administration, clung to a state-rights concept that ensured protection for the frontier. It has been contended that the Confederate epitaph "Died of State Rights," simply does not apply to the Trans-Mississippi Confederacy. A more cooperative spirit shown by the Texas legislators and Governor Murrah would almost certainly have led to a reduction in military strength for frontier protection, a state of affairs that Texas leaders would not contemplate.

12 Kerby, Kirby Smith's Confederacy, pp. 432-434 offers the observation that the history of the Trans-Mississippi offers abundant evidence that the continuing demoralization dated from the earliest days of the war.

13 The phrase, made famous by Frank L. Owsley, later modified to "Died of Democracy" by David Donald, is disputed in regard to the Trans-Mississippi Confederacy by Kerby, Kirby Smith's Confederacy, p. 433. More recently the epitaph in regard to the entire Confederate effort has been challenged by Beringer, and others, Why the South Lost the Civil War (Athens, Georgia, 1986), pp. 203-235, 443-457. See also, David Donald, editor, Why the North Won the Civil War (Baton Rouge, 1960), pp. 77-90.
During the long four-year conflict it remained to Texans, with relatively little support from the Confederate government, to defend their own frontier. The leaders and men involved in this undertaking were no strangers to the situation. Most served in Ranger companies before the war, and nearly all lived near the section of frontier in which they served. Unfortunately, it has been popular to denigrate the efforts of militiamen on the Texas frontier, such as displayed by Texas writer T. R. Fehrenbach:

Toward the end of the war, it was an axiom on the frontier that the state troops employed there were composed almost entirely of men who chose border service to escape the considerably greater dangers of death or dismemberment with Hood, Bragg, or Lee.14

Even though some men of that description served in state units on the frontier, the blanket indictment should not apply to all. It is true that many of the best men in the state volunteered in 1861 for service in the eastern armies as the lure of adventure called them to distant battlefields. Many, however, whose wives and children lived along the frontier, remained to defend their homes as best they could.

For these men of the frontier, whether called Confederates, Rangers, state troops, minutemen, or militia,

14Fehrenbach, Lone Star, p. 523.
men who never went off to war with flags flying, drums beating, or bands playing, it could well be said:

Not for fame or reward, not for place or rank,
Not lured by ambition or goaded by necessity,
But in simple obedience to duty as they understood it,
These men suffered all, sacrificed all, endured all, and died.15

With a seemingly minimal amount of financial support, and a constant shortage of provisions and equipment, most of them gave their all to guard the frontier of Texas with "ancient renown and disciplined valour."16 Military and economic expediency served as the catylist for the evolution of the defense system from McCulloch's Mounted Rifles to the Frontier Organization. By such changes the defense of the Texas frontier during the Civil War exhibited a combination of organizational policies that characterized the previous thirty years of Texas military experience. The method and determination that held the frontier together against all odds during 1861-1865 was in marked contrast to the rapid collapse of this same frontier at the Confederacy's end.


16The quotation is taken from the well-known introduction in Edward Gibbon, The Decline and Fall of the Roman Empire, reprint, 2 vols. (Chicago, 1952), 1:1.
The documents produced here represent a detailed look at regulations that governed Texas Ranger conduct in two organizations that defended the Texas frontier during the period 1861-1865; namely, McCulloch's Texas Mounted Rifles and the Frontier Organization. For a third body, the Frontier Regiment, a list of regulations regarding camp discipline and procedure appears in James K. Greer, ed., Buck Barry, Texas Ranger and Frontiersman, reprint (Lincoln, Nebraska, 1978), pp. 184-185. The three previously unpublished documents below allow a closer look at daily operations of the organizations charged with defense of the frontier in both the early and last days of the war. The documents are produced as found, except for minor corrections of spelling errors and punctuation. Sources follow each document.
Hd. Qrs. 1st T. M. R.
In the field near Camp Cooper
June 18, 1861

Special Orders
Number 40

Company "C," commanded by Capt. James B. Barry, will continue at Camp Cooper. Capt. Barry will command that Post until further orders.

This company will cover the country from its Post to the Willow Springs, on the road to the Camp on Red River, and will keep a detachment of 20 men under a Lieut. on a branch at or near the road, two or three miles beyond the Brazos, to be relieved by similar detachments every two weeks, if practicable, and will keep up weekly scouts, in small parties, from the Post to that detachment, by starting the scouts on each Friday morning, directing them to meet the detachment certainly on the next day. The detachment will send a scout on to the Willow Springs on Sunday, so as to meet and spend each Sunday night at that place, with the scouts from the Red river command.

This company will also send out such larger scouts above (from North West to North East) this Post as its commander may think proper, in order to keep the Indians out of the country, and chastise any that may be found in it. It will also furnish escorts to all wagons or trains passing to or from the Station on Red River and Camp Colorado, as far as the first Camp or detachment on each side of them, directing the troops stationed at these points to send escorts on to the next camp, so that every wagon or train passing with supplies for troops may be properly guarded against Indians. This company will cooperate with the companies at Camp Colorado, Phantom Hill and Red River in pursuing Indians, under a call from the commanding officer of any one of these Posts, and when thrown with any other troops the senior officer will command.

The Acting Assistant Commanding at this post will be authorized to contract, subject to the approval of Major Macklin [W. T. Mechling], with any person to furnish the Company or Post with fresh beef, at a price not to exceed 8 cents per pound.

Commanding Officers of Posts being responsible for the condition of the Posts, the safe keeping of the property, and discipline of the troops at the same time, too much care cannot be taken in these matters, in order to promote the interest of the service, and sustain the reputation of
the command, and let it be understood that good order, good
conduct and gentlemanly deportment will be required of all
men in this command, and in order to secure it, the
officers are required to enforce the regulations of the
Army.

The Sutlers at these posts will not be permitted to
sell intoxicating liquors, nor should any of the Officers,
Non-Commissioned Officers or men, be permitted to purchase
it from others, except in case of necessity, and not then
without permission of the commanding Officer of the Post or
Station.

Horse racing and gambling of every description is
strictly forbidden, and if any gamblers come to the Posts,
or about them, to filch the troops of their earnings, you
will order them to stop their gambling or require them to
leave at once.

Daily guard and Monthly Post returns must be regularly
made.

The Commanding Officers cannot be too vigilant and
careful respecting guard duty, and they must use great care
and caution to prevent their horses and the Public mules
from being stampeded or stolen.

It is especially enjoined upon all Officers that in
following Indians, the pursuit must never be given up as
long as men and horses are able to pursue. They should be
cought at all hazards.

For further instructions, reference should be made to
the Regimental Orders heretofore issued, and the Regula-
tions of the Army.

By Order of Col. H. E. McCulloch
Wm. O. Yager
Adjutant

[Burleson Papers, Barker Texas History
Center, University of Texas]
General Orders Number 1

I. Commanders of Companies and Squads will see that their commands are divided in four Squads each and have them numbered. They will take charge of one themselves and each Lieut. one and the 1st Sergeant one. They will give orders to the Chief of each Squad to prevent the waste of ammunition when on Scout and notify their men that all ammunition wasted will be charged to them and all Officers will report every man who gets out of ammunition.

II. Officers of Squads or Scouts will call the roll of their Squads at Two O'Clock on the 1st day of each Scout and at Sunrise & Sundown on the remaining days except the last day when they will call at noon. They will report every man who fails or refuses to answer roll call and the reason of such failure. They will see that their men do not leave at night or at any other time during their term of duty. They will report to their Captains.

III. All Officers and men will use their best endeavors to arrest all persons who do not belong in the District who are of military age who are without leave of absence from a proper authority also all deserters from the Army. No certificates of disability of soldiers in the Confederate service will be respected except those given by doctors in the Confederate service.

IV. Scouts will take up their position in such parts of the counties as may be designated. They will report all fresh Indian signs to the nearest scouts and if numerous to these Head Quarters.

V. Captains will not permit men to move their families out of their counties without leave from these Hd. Quarters. They will not allow of any substitutes on Scout duty except of men who are regularly mustered into this service and sworn.

VI. Commanders of Companies & separate Squads will report monthly the number of men on each Scout, the number of days served by each, what men excused, what men failed or refused duty, and certify the same on honor. They will have Scouts serve ten days each until further orders. They will report to these Head Quarters by men detailed from their Companies who will be credited for the time on service rolls. In granting furloughs they will make them subject to approval by the District Commander if given for a term longer than five days, and will not give more than five from their Companies at a time. They will cause these
orders to be read to their Companies by Officers of each Scout.

By Order of Wm. Quayle
Major Comdg. 1st Frontier District State Troops

[Adjutant General's Records, Archives Division-Texas State Library]
Head Quarters 2nd & 3d Frontier Districts
Texas State Troops
Fredericksburg, Dec. 15, 1864

General Orders Number 3

For the purpose of rendering the service of the Frontier Organization uniform throughout the different counties of this command; to increase the efficiency of the service, and to facilitate concentrated and combined movements of the troops when necessary, it is ordered by the Brig. Genl. Commanding:

I. That within each county or company district, there shall be established a permanent camp or rendezvous; and that the different companies be divided into four squads of as nearly equal strength as possible, which said squads shall succeed each other in the scouting service regularly every ten days; that each squad be required to report promptly at the said company camp on the day the preceding scout is to be relieved.

II. When said camps are located the company commanders will forthwith notify the commander of the district of its location, and also the company commander in all the adjoining counties.

III. It shall be the duty of the officers in command of said camp, to keep the forces thus collected constantly on scouting service, in those districts in which Indians, Bushwhackers, and Deserters are likely to found—detailing from said force a sufficient number of men only, to keep camp and act as couriers, should it be necessary to communicate with neighboring camps on the appearance of Indians or other contingency.

IV. It shall be the duty of the officers in command of the camp detail, to dispatch immediately to the nearest county camp, by swift courier, any intelligence he may receive of Indians, or other danger threatening the Frontier, and such camp will communicate in like manner with the next, until the whole Frontier line is informed.

V. When Indians are known to have penetrated the settlements, the different scouts will guard particularly the passes through which they usually go out with horses. All experience has shown that the most effective plan of operations against an Indian enemy is to head off the raiding parties as they leave the settlements with their plunder and booty. If they are able to get in through the scouting lines, see to it that they go out without spoils, and with severe punishment.
VI. When camps are located they will not be changed without good reasons therefore, and when changed, the district commander and company commanders in the adjoining counties, will be notified of the location of the new camps. The commander of the district will be notified of the nearest Post Office to the different camps.

VII. The companies of Captains [N.] Gussett and [James P.] King and Lieut. [John] Haynes and [C.] Herring will form one common camp to be selected by Captain King. The companies will cooperate in the scouting service, the senior officers present commanding the men on duty.

VIII. When Indians have penetrated the settlements, the company commanders may call out a portion of their command not on their regular tour of duty, and if necessary the entire strength of their companies for the emergency. Let the Indians find themselves met by armed forces, not only on the outer line of the Frontier, but everywhere within those lines.

IX. The greatest promptness and diligence are enjoined upon the officers and men of this command. The Brig. Genl. commanding has good reason to believe the Indians of the North-West are incited and perhaps led to depredate on the Frontier of Texas by White men, who are agents, if not officers and soldiers of the United States. Extra efforts and watchfulness should be at that period in each moon, when Indians usually visit our Frontier. The country expects her Frontier Organization to protect the Frontier, and the Brigadier General Commanding calls upon every officer and every man, to see to it that the public expectation is not disappointed.

By Command of Brig. Genl. J. D. McAdoo
Russell DeArmond
Maj. & A.A.A.G.

[Adjutant General's Records, Archives Division, Texas State Library]
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