

PAYMENT OF TEXAS VOLUNTEERS.

[To accompany bill H. R. No. 314.]

JUNE 12, 1850.

Mr. EWING, from the Committee on Military Affairs, made the following

REPORT:

*The Committee on Military Affairs, to whom was referred the memorial of the State of Texas in regard to the payment by the United States of the pay, rations, subsistence, &c., of eight companies of volunteers called into service for the protection of the frontier of that State, by the governor thereof, during the years 1848 and 1849, beg leave respectfully to report:*

That they have had the same under consideration, and find that, during the late war with Mexico, the boundary between the United States and Mexico, from the forty-second degree of north latitude to the mouth of the Rio Grande, was, by an arrangement with Texas, mainly defended by mounted volunteers called from said State, who were enlisted, paid and subsisted by the United States.

Immediately on the close of that war, these troops were, by an order of the government, discharged and paid off, with the intention, no doubt, of immediately replacing them with some of the disposable military force of the United States. Unfortunately, however, this arrangement was not or could not be immediately made; and in the interim, whilst the frontier was wholly unprotected, a large party of Indians (supposed to belong to the Lipan tribe) entered our territory and commenced their usual system of burning, plundering, and massacring the inhabitants. Many were murdered, others robbed of all they possessed, and a general fear and alarm diffused throughout the whole extent of the frontier. Under these circumstances the citizens of Texas appealed to their Executive for protection; and in the absence of any assistance from the United States, he deemed it his duty to order out six companies of volunteers, commanded by Captains Benjamin F. Hill, Jacob Roberts, John S. Sutton, Shapley P. Ross, J. M. Smith and Henry E. McCulloch. These companies were deemed necessary not only for repelling the immediate invasion, but for a protection to the frontier until the United States should be prepared to resume the defence of its own borders. They were, therefore, enlisted at different times and served for different periods, all which will be clearly shown by reference to the muster-rolls on file in the office of the Adjutant General. The officers of the United States army in Mexico at that time deemed the employment of these troops so material that they furnished them with subsistence, and perhaps mustered them out of service on their discharge. It is hardly

probable, after a review of these facts and a thorough acquaintance with the hostile, roving, predatory character of the scattered tribes who dwell along the frontier between Texas and Mexico, that the governor of Texas should have done less for the safety of the frontier citizens; and as the United States are charged with the duty of guarding our frontier, and as in the opinion of the committee this duty was not performed, they ought of course cheerfully to bear the burden of reimbursing any expense which may have been reasonably incurred by Texas in the performance of this duty.

Some time after the discharge of these six companies, and since General Brooke has been in command of the western division, and with troops then supposed to be adequate, another incursion by hostile Indians on the territory of Texas was made in the neighborhood of Corpus Christi, on the southwestern part of the frontier, and there being no troops of the United States within eighty or one hundred miles of this point, and most of those stationed on that line being infantry, and therefore wholly incapable of chastising or driving off mounted Indians, many of the citizens were again murdered and much of their property driven off. The remainder applied to the governor of Texas for protection, and he was again compelled to call out two companies of mounted volunteers, under Captains Charles M. Blackwell and Isaac W. Johnson, the first of which numbered one hundred and the second fifty men. These troops were detained in service about three months, during which time they were sustained and paid by the State of Texas about twelve thousand dollars. At the end of this period, the State being unable longer to bear the burden of such an expense, they were discharged. Immediately on their discharge, General Brooke, deeming the services of such troops important for the protection of that portion of the frontier, did, under the authority of the President, make a requisition on the governor of Texas for three full companies of mounted volunteers, to serve for six months on the same line of duty from which the two companies called into service by Texas had been recently discharged. This is certainly presumptive evidence of the necessity for their employment, and of the inability of our commander to afford protection to the frontier without a resort to the volunteers from Texas. Indeed, from the whole evidence submitted to your committee, it is evident that this call for volunteers was absolutely necessary for the safety of the citizens, and that it would have been an abandonment of duty on the part of the governor of Texas to have refused this means of protection to the terrified and injured inhabitants who were loudly demanding it from their local government. They are therefore of opinion that those two companies ought also to be paid and recognised as troops of the United States.

The State of Texas, in the absence of any provision for payment of these eight companies of volunteers on the part of the general government, has assumed upon herself the indebtedness by an act of her legislature, and has appointed an agent to visit the city of Washington, make application to the federal government for reimbursement, and, if possible, receive the amount which might be allowed by Congress, and thus place the State in funds to meet her assumption of indebtedness to her troops. This agent has been regularly commissioned, and has given a large bond to the governor of Texas for the faithful discharge of his trust according to the provisions of the act of the legislature, which accompanies the memorial referred to your committee.

Under these circumstances, your committee, considering the immense distance of the persons entitled to pay from the city of Washington, the small amount due to each individual, with the expense and difficulty attending the probate of powers of attorney, have come to the conclusion that it would be best, after auditing the accounts of the different companies and the deposite of their muster-rolls in the War Department, to authorize the payment by the Treasurer, to the duly authorized agent of Texas, of the amount due to the different companies, taking his separate receipt therefor, and providing that such receipt shall be in full exoneration of the United States from any future obligation on this subject.

The committee have therefore submitted, and recommend the passage of such a bill.