

University of Oklahoma College of Law

University of Oklahoma College of Law Digital Commons

American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899

4-12-1850

Memorial of the Legislature of Texas, praying the reimbursement of expenses incurred by the state in providing for the military defences of her frontier in 1848

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>



Part of the [Indigenous, Indian, and Aboriginal Law Commons](#)

Recommended Citation

S. Misc. Doc. No. 97, 31st Cong., 1st Sess. (1850)

This Senate Miscellaneous Document is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact Law-LibraryDigitalCommons@ou.edu.

MEMORIAL
OF
THE LEGISLATURE OF TEXAS,

PRAYING

The reimbursement of expenses incurred by the State in providing for the military defences of her frontier in 1848.

APRIL 12, 1850.

Referred to the Committee on Military Affairs, and ordered to be printed.

COMMITTEE ROOM, December 18, 1849.

The Committee on Military Affairs, to whom was referred so much of the governor's message as relates to the payment of the two companies of mounted volunteers recently ordered into service for frontier protection by his Excellency the governor, as well as the resolution subsequently referred to them requiring them to examine the claims, and inquire into the expediency of devising some method to secure the payment, of the companies commanded respectively by Captains Hill, Smith, Roberts, Sutton, Ross, and McCulloch, and also ordered into service for frontier protection by his Excellency the governor prior to the two companies first alluded to, have had the same under mature deliberation, and unanimously instructed me to report the following preamble and joint resolutions, and accompanying memorial, and earnestly recommend their passage. All of which is respectfully submitted.

J. M. SMITH, *Chairman.*

To the Hon. C. G. KEENAN,
Speaker of the House of Representatives.

THE MEMORIAL of the Legislature of the State of Texas upon the subject of expenses incurred by the State in providing a military defence upon her frontier in 1848.

To the honorable the Senate and House of Representatives of the Congress of the United States:

Your memorialists would most respectfully represent unto your honorable bodies, that after the annexation of Texas to the Union, the general government being intrusted with the proper and necessary defence of our frontier, a regiment of mounted volunteer rangers were ordered to be enlisted in Texas, and organized for that service. The force thus provided,

if not adequate to the extent of the exposed settlements of Texas, at least sufficed to check the temerity with which the numerous savage tribes upon our borders would doubtless have committed their characteristic deeds of theft and murder. This organization was continued up to the 15th day of February, 1849, at which time the whole of the regiment was mustered out of service, their services being dispensed with, in anticipation of the arrival of the regular troops, which the cessation of hostilities in Mexico had at length enabled the government to assign for that duty.

It is not in disparagement of the intention of the United States government that your memorialists state that the order to disband the regiment of rangers was premature. It was so on account of the non-arrival of regular troops to meet the requirements of the service. The consequence was, that the whole extent of our northwestern frontier must be left exposed in momentary and imminent danger, or such provision made by the State as would meet the exigency. In such an emergency, the executive of Texas could not hesitate. Duty, no less than the promptings of common humanity, imperiously required of him the course which he pursued. Eight companies of mounted rangers were called into service at different times, from the 8th of August, 1848, until the — day of —, 184—, as the condition of the country was supposed to require. These companies were in active duty, and performed invaluable services, from the date of their enlistment until they were severally discharged.

The amount necessary to defray the expenses of this indispensable organization amounts to the sum of fifty-three thousand nine hundred and forty-six dollars and forty-three cents, according to the Adjutant General's report to this body of date November 27, 1849, a certified copy of which is hereunto appended, estimated at the rate of payment allowed by the United States government for the like service. This amount has been assumed by the State, as will be seen by a joint resolution passed by your memorialists, and approved the 7th day of January, 1850, entitled a "joint resolution," a copy of which also accompanies this memorial. The State could not do otherwise than respond to the just demands of her citizens for the ordinary remuneration for the service thus performed. The faith of the State was pledged for this impliedly, at least, by the call of the executive.

Your memorialists believe that they hazard nothing in relying confidently on the justice of the United States government to reimburse the State in the amount so assumed by her. It is believed that a similar demand has never been refused any other State of the Union, and they confidently assert that a more meritorious one has never been presented. If any reason, in addition to the facts stated, were deemed necessary to give validity to the claim thus presented, it might be urged that these companies were recognised as troops of the government in being regularly mustered out of, and honorably discharged from, the service of the United States, by one of its officers, under an order from the commanding general of the 8th regular military division, and by the payment of most of their subsistence.

Your memorialists cannot refrain from the expression of their reprehension of the efforts that have been made from time to time at the seat of the national government to underrate the importance of a strong military defence upon our frontier, and to superinduce the belief that any complaint that may have been made on account of insufficient protection originated

not so much from a sense of insecurity as from other and less laudable motives.

In refunding to the State the amount assumed by her, the general government will perform an act of justice, and give evidence of her sense of obligation to protect from violence and wrong the people of Texas equally with the citizens of her sister States. Your memorialists, therefore, respectfully ask that it may be done.

HOUSE OF REPRESENTATIVES,

City of Austin, January 10, 1850.

This is to certify that the foregoing is a true copy of the original now on file with the archives of the House of Representatives of the State of Texas.

C. G. KEENAN,

Speaker of the House of Representatives.

Attest:

BENJAMIN F. HILL,

Chief Clerk of the House of Representatives.