

An Application for an Official Texas Historical Marker for

## **THE BAYLAND GUARDS**

by Trevia Wooster Beverly  
and presented to the Harris County Historical Commission

### **I. CONTEXT**

Baytown,<sup>1</sup> also known as Bayland,<sup>2</sup> and her early neighbors of Cedar Bayou,<sup>3</sup> Goose Creek<sup>4</sup> and Lynchburg,<sup>5</sup> are early 1820s Anglo settlements. Early settlers had homesites that were distinctive and remain a part of the area's history. *Cedar Point*<sup>6</sup> was Sam Houston's vacation home, William Scott's homesite was *Point Pleasant*<sup>7</sup> and his wharves were known as *Midway*, Ashbel Smith's home was *Evergreen*, David G. Burnet's home was *Oakland*,<sup>8</sup> and *Lynch's Ferry*<sup>9</sup> at Lynchburg was begun by Nathaniel Lynch.

The Bayland Guards drew its membership from the area encompassing eastern Harris County<sup>10</sup> and the western area of Chambers County.<sup>11</sup> What was then known as Bay Town boomed after the Civil War and once again with the discovery of oil nearby in 1916. When Humble Oil and Refining Co. bought 2,200 acres for a refinery in 1919, present-day Baytown began to evolve. The current city limits of Baytown now extend from Harris County into the western edge of Chambers County.

On February 1, 1861 the Texas Secessionist Convention voted 166 to 7 to secede, calling for a ratification election by the people of Texas. In March the Convention reconvened and on March 5, 1861 the Texas Secessionist Convention accepted Confederate statehood. A number of Texas counties furnished companies to the various Confederate regiments. Some cities or counties were able to furnish several companies to the same regiment, or more than one county would be needed to provide a single company. Four groups from the Harris County area were the San Jacinto Guards,<sup>12</sup> Confederate Guards,<sup>13</sup> Bayland Guards,<sup>14</sup> and the Texas Greys,<sup>15</sup> were officially organized and ordered into Confederate service on July 31, 1861 as Companies A, B, C and D respectively, of the Galveston Infantry Regiment, and later the Second Texas Infantry, organized in September 1861.<sup>16</sup>

## II. OVERVIEW

The parent of the Bayland Guards was constituted August 5, 1823 as the Texas Regiment of National Militia, having its headquarters at San Felipe de Austin. Redesignated a number of times through the Republic of Texas era and the U.S.-Mexican War, the Harris County Regiment reorganized and designated on February 14, 1860 as the 16<sup>th</sup> (Harris) Brigade, Texas State Troops. The companies of the 16th Brigade were reorganized and mustered into state service February 1861-June 1862.<sup>17</sup>

As with most Confederate regiments, the Second Texas Infantry consisted of ten companies of riflemen, each commanded by a captain, with musicians, regimental officers, a quartermaster, an adjutant, a surgeon, and a chaplain. The county commissioners responded to the state's call to organize by selecting someone within the county having military experience and leadership qualities to organize the militia. On a prescribed day, men wishing to volunteer for military service met at a site within the county and enlisted for service in the company.<sup>18</sup>

On April 27, 1861<sup>19</sup> a Harris County group from Baytown, Cedar Bayou, and Barbers Hill in western Chambers County to become known as the Bayland Guards, was organized by 50-year-old Dr. Ashbel Smith,<sup>20</sup> who trained and outfitted the men at his Evergreen Plantation.<sup>21</sup> Despite a shortage of weapons, Smith held regular drills and worked in local defense of Galveston Bay.

Sam Houston's son, Sam Jr., was a member of the Bayland Guards,<sup>22</sup> as were Samuel E. Jones and Charles Elliott Jones, sons of Anson Jones,<sup>23</sup> the last President of the Republic of Texas.<sup>24</sup> All of the sixty-one men who were shown on the original "Muster Roll of the Bayland Guards"<sup>25</sup> (see Addendum) were not with the unit when it was mustered into service on July 31, 1861 as Co. C. Likewise, others joined.<sup>26</sup>

Eager for action and thwarted by administrative delays, some of the men joined units that already had orders. The Ashes joined Frank Terry's Texas Rangers, a Fort Bend County cavalry company headed for Virginia. Gardner Brown Baker joined Galveston's Lone Star Rifles.<sup>27</sup> Dr. Smith finally found a copy of the prescribed oath and had himself sworn in<sup>28</sup> and on his fifty-sixth birthday, August 13, 1861, Ashbel Smith administered the oath to his men.<sup>29</sup> The Harris County companies were assigned to the Galveston Infantry Regiment in Galveston, which achieved its final organization on October 12, 1861 as the 2<sup>nd</sup> Regiment, Texas Infantry with

others from the Houston and Galveston area. In December of 1861 the regiment was moved to Camp Bee<sup>30</sup> in Houston.

With no fife or drum, Ashbel Smith pressed Jim Hagerman, who played the fiddle, into service as “a band,” and their entry into Houston when it came to join the Confederate Army “was a thing to remember.” Smith, who was a small man, had a “great big sword” and marched near the head of his company with Jim Hagerman leading the way, playing “The dog he ate in the corner and wiped his mouth with a straw.”<sup>31</sup>

The Texas and New Orleans Railroad had recently been constructed along the north side of Buffalo Bayou from Houston to Liberty and Orange, thus enabling Confederate troops from Harris County to reach the Neches River on their way east. Ninety strong, the Bayland Guards moved out by train on March 12, 1862, as part of the 2<sup>nd</sup> Texas Regiment; they left the depot serenading their wives and sweethearts with “The Girl I Left Behind Me.”<sup>32</sup> By train, foot and steamer, the Bayland Guards traveled east to Shiloh and then to Vicksburg.

By rail from Houston to Orange, after crossing the Sabine River, they marched overland to Alexandria, Louisiana where they took a steamer down the Red River and then up the Mississippi to Helena, Arkansas. There they crossed on the ferry and marched to Corinth, Mississippi where they joined Smith’s old friend, Albert Sidney Johnston.<sup>33</sup>

Arriving at Pittsburg Landing, Tennessee on April 3<sup>rd</sup>, the 2<sup>nd</sup> Texas moved east of the Mississippi River to fight at Shiloh, Corinth, and Hatchie Bridge.

At the Battle of Shiloh, April 6-7, the Bayland Guards received orders to cover the regiment’s advance into the union camp. With two other companies, they charged. Half of Company C was wounded or killed; Smith received a shot in the arm and was sent to a Memphis hospital. Sam Houston, Jr., age 19, was missing in action. He had been wounded at Shiloh when a bullet struck the metal-covered New Testament his mother had given him. A Union chaplain had found him, and noting the inscription in the Testament, gave him special care.<sup>34</sup> Sent to Camp Douglass, Illinois,<sup>35</sup> Sam Jr. survived and returned home in September 1862.

Ashbel Smith was promoted to lieutenant colonel and acting inspector general of the brigade, and was sent home to Texas to recruit more men. Returning to Mississippi in December 1862 he had 200 new troops, ages 18 to 45. Under the command of Smith, the Guards, as part of the 2<sup>nd</sup> Texas, distinguished itself in defense of a crescent-shaped fortification located in the center of the Vicksburg line of defense. They withstood two Union assaults of brigade strength

on May 22, 1863, and “for forty-six days the men of the regiment faced daily shelling from land-based artillery and nightly bombardment from the fleet of mortar barges anchored in the Mississippi River.”<sup>36</sup>

The unit was later assigned to Moore’s Brigade, Department of Mississippi and East Louisiana, and under this command the Bayland Guards was active at Snyder’s Bluff, surrendering with the forces at Vicksburg on July 4, 1863. On July 8, 1863, Brig. Gen. John C. Moore made his report on the part taken by his brigade during the siege of Vicksburg,<sup>37</sup> stating that “The brigade during this time was composed of the Second Texas, Thirty- fifth and Fortieth Mississippi, the Thirty-seventh, Fortieth, and Forty-second Alabama, Sengstak's and Tobin's light batteries, and a portion of Landis', Ridley's, Davidson's, and Wall's batteries; in all, nineteen guns. An 18-pounder, a 30-pounder Parrott, and a Whitworth gun...” On July 11, 1863 they were furloughed to Texas as paroled prisoners of war. Of the 468 who were engaged, 38 had been killed, 73 wounded, 15 missing and 11 died of disease. Only 29 men were present at the exchange in November 1863, as the majority of the men had already returned to Texas.<sup>38</sup>

The regiment was reassembled at Camp Bee in Houston and placed under Gen. John B. Magruder. Decimated by its service in Mississippi, it could not muster more than a battalion of effective troops. Never restaffed, it did continued to carry the regimental designation throughout the remainder of the war.

From the early part of 1864 until the end of the war, the unit was stationed in or near Galveston. In April 1864 18 officers and 190 men were fit for duty. The yellow fever epidemic that summer took its toll but the unit participated in the defense of Galveston. “In April 1865, there were 395 men, but the unit disbanded before the surrender on June 2. Field officers at the time included Colonels Noble L. McGinnis, John C. Moore, William P. Rogers, and Ashbel Smith; Lieutenant Colonels William C. Timmins and J.F. Ward; and Majors Xavier B. Debray, George W.L. Fly, and Hal. G. Runnels.”<sup>39</sup>

In 1921 Frank Fitzgerald wrote two letters that contained some of his memories of the Civil War. He noted that only four of the original 93 members<sup>40</sup> of the Bayland Guard were still living – S.J. “Bud” Lawrence, W.H. Woodall, Albert Smith, and himself.<sup>41</sup>

### III. SIGNIFICANCE

The Bayland Guards, with no previous military experience, under the command of Dr. Ashbel Smith, scholar, statesman, and skilled physician, registered their original Muster Roll at the Harris County Courthouse in Houston on April 29, 1861. Mustered into Confederate service on July 31, 1861 as Company C of the Galveston Infantry Regiment, in Galveston. The Galveston Regiment was redesignated on October 12, 1861 as the Second Texas Infantry Regiment.

Seeing battle at Shiloh, Corinth, and Hatchie Bridge, with the Second Texas Infantry, the Guards served bravely and distinguished itself for the defense of a crescent-shaped fortification at Vicksburg. They faced “forty-seven days and nights of daily shelling and nightly bombardment in a narrow ditch, exposed to the scorching heat during the day and the often chilly air and dews of night” from two Union assaults. The Bayland Guards, as part of the Second Texas Infantry, was surrendered at Vicksburg on July 4, 1863 and was paroled within the week. They were exchanged September 12, 1863, reorganized in Texas during the fall of 1863, and surrendered May 26, 1865.

Three sons of Republic of Texas presidents Sam Houston and Anson Jones served in this unit: Samuel Houston, Jr., Charles Elliott Jones, and Samuel Edward Jones.

As part of the Second Texas Regiment, the Bayland Guards served with distinction and honor, and upon returning home from the war, shaped by their wartime experiences, helped to shape the future of the communities they represented. They continued to distinguish themselves as the bay area began to rebuild itself and go through Reconstruction. They were the farmers and ranchers, teachers, doctors and dentists, business owners, and several served in elected offices.

## IV. DOCUMENTATION

<sup>1</sup> Young, Buck A. *Handbook of Texas Online*, s.v. "Baytown, Texas"

<http://www.tshaonline.org/handbook/online/articles/BB/hdb1.html> (accessed July 28, 2008); Henson, Margaret Swett. *The History of Baytown*. Bay Area Historical Society, 1986.

<sup>2</sup> Simon Hageman was the postmaster at Baytown from March 12, 1859 until January 23, 1867 when it was discontinued. Absalom Gregory was appointed postmaster of Bayland on March 31, 1868; discontinued on June 15, 1869. Jim Wheat's *POSTMASTERS & POST OFFICES OF TEXAS, 1846 – 1930*.

<http://www.rootsweb.ancestry.com/~txpost/harris.html> (accessed July 29, 2008).

<sup>3</sup> Smith, Timothy Nolan. *Handbook of Texas Online*, s.v. "Cedar Bayou, Texas"

<http://www.tshaonline.org/handbook/online/articles/CC/hrc33.html> (accessed July 29, 2008); Henson, op.cit.

<sup>4</sup> *Handbook of Texas Online*, s.v. "Goose Creek, Texas" by Priscilla Myers Benham,

<http://www.tshaonline.org/handbook/online/articles/GG/hvg32.html> (accessed July 29, 2008).

<sup>5</sup> *Handbook of Texas Online*, s.v. "Lynchburg, Texas" by Priscilla Myers Benham.

<http://www.tshaonline.org/handbook/online/articles/GG/hvg32.html> (accessed July 29, 2008).

<sup>6</sup> Texas Historical Marker No. 9115, 1986.

<sup>7</sup> Texas Historical Marker No. 11074, 1990.

<sup>8</sup> 1936 Centennial Marker, No. 10743.

<sup>9</sup> 1936 Centennial Marker, No. 10722.

<sup>10</sup> Located in Precinct 6 of Harris County, with mail going to Lynchburg. *1860 Federal Census*.

<sup>11</sup> Fleischman, Flavia Stubbs. *Old River Country, A History of West Chambers County* (The Wallisville Heritage Park, 1999).

<sup>12</sup> Raised by Hal G. Runnels. Chance, Joseph E. *The Second Texas Infantry, From Shiloh to Vicksburg* (Eakin Press, Austin, 1984) pp. 171-173.

<sup>13</sup> Chance, op.cit. pp. 173, 174. Raised by William C. Timmons.

<sup>14</sup> "Muster Roll of the Bayland Guards," Recorded April 29, 1861. Harris County Deed Record Book Y, pp. 210-211. Chance, op.cit., pp.174-176. Company raised by Dr. Ashbel Smith. Fleischman, op.cit.

<sup>15</sup> Texas Greys List Members. Deed Records of Harris County Texas vol. Y, p. 436. Transcribed by Andrew Forest Muir, August 30, 1940. Reproduced from the Holdings of the Texas State Archives.

Chance, op.cit. pp. 176, 177.

<sup>16</sup> *Handbook of Texas Online*, s.v. "Second Texas Infantry" by Joseph E. Chance

<http://www.tshaonline.org/handbook/online/articles/SS/qks4.html> (accessed August 28, 2008).

<sup>17</sup> Lineage of the 3-141st Infantry Battalion, *Task Force Salerno News*. <http://www.agd.state.tx.us/3-141/history-lineage1.html> Accessed July 29, 2008.

<sup>18</sup> Chance, op.cit.

<sup>19</sup> Chance. op.cit.

<sup>20</sup> Envoy from the Republic of Texas to the court of St. James and St. Cloud. Texas Historical Marker No. 10780 (1984). A native of Hartford CT, he was born on August 13, 1805. With several degrees from Yale University, he continued his education in Paris before establishing a practice in Salisbury NC. He had moved to Texas by 1836 and became a close friend of Sam Houston before earning the post of Surgeon General with the Republic of Texas army. He fought in the U.S.-Mexican War of 1846 before becoming a Confederate officer. *Guide to the Ashbel Smith Papers, 1823-1926*. Papers of Ashbel Smith, physician, statesman, and educator. Center for American History, The University of Texas at Austin. Texas Archival Resources Online: <http://www.lib.utexas.edu/taro/index.html> (accessed July 29, 2008). *Ashbel Smith*. [http://en.wikipedia.org/wiki/Ashbel\\_Smith](http://en.wikipedia.org/wiki/Ashbel_Smith) (accessed July 29, 2008).

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- <sup>21</sup> Texas Historical Marker No. 10780, 1984.
- <sup>22</sup> Prather, Patricia Smith. *From Slave to Statesman The Legacy of Joshua Houston, Servant to Sam*. College Station: Texas A&M University Press, 1995. He was not listed on the original Muster Roll but is listed later to be with Co. C.
- <sup>23</sup> Both Charles Elliot Jones and S E Jones are shown on the original Muster Roll of April 17, 1861.
- <sup>24</sup> Chance. op.cit..
- <sup>25</sup> Harris County Deed Record Vol. Y, Pg. 210, 211. April 17, 1861.
- <sup>26</sup> Chance, op.cit. pg. 174-176, "Company C."
- <sup>27</sup> Chance, op.cit. Henson. *The History of Baytown*.
- <sup>28</sup> Silverthorne, Elizabeth. *Ashbel Smith of Texas: Pioneer , Statesman, 1806-1886* (College Station: Texas A&M University Press. 1982).
- <sup>29</sup> Silverthorne, op.cit.; Henson, Margaret Swett. op.cit.
- <sup>30</sup> Exact location of the camp has not been determined. G.L. Scott from the Baytown area wrote a letter from Camp Bee to his family, dated Feb. 18, 1862. The Haley Memorial Library and History Center, Midland: The Texas Confederate Museum Collection, The General Files, TCM 94.1-37, Box4. (1862TCM94.7127, Box 4). Other letters were written from Galveston.
- <sup>31</sup> Chance, op.cit.. Fleischman, Flavia Stubbs. *Old River Country, A History of West Chambers County*. Wallisville TX: The Wallisville Heritage Park, 1999.
- <sup>32</sup> Chance, op.cit.
- <sup>33</sup> Henson, op.cit.. Also see map, pg. 48.
- <sup>34</sup> Chance, op.cit.; Henson, op.cit.; Silverthorne, op.cit.
- <sup>35</sup> Camp Douglass received 736 prisoners from Shiloh. Levy, George. *To Die in Chicago, Confederate Prisoners at Camp Douglass 1862-65* (Gretna LA: Pelican Publishing Company, 1999).
- <sup>36</sup> Handbook, op.cit. "Second Texas Infantry" by Joseph E. Chance
- <sup>37</sup> "Reports of Brig. Gen. John C. Moore, C. S. Army, Commanding Brigade. MAY 19-JULY 4, 1863.--The Siege of Vicksburg, Miss. O.R.-- SERIES I--VOLUME XXIV/2 [S# 37]." <http://www.civilwarhome.com/moorevicksburgor.htm> (accessed July 31, 2008).
- <sup>38</sup> *Civil War Soldiers & Sailors System*. <http://www.civilwar.nps.gov/cwss/soldiers.cfm> (accessed February 28, 2008).
- <sup>39</sup> Ibid.
- <sup>40</sup> Only 60 men were listed on the original Muster Roll of April 27, 1861. Deed Records of Harris County, Vol. Y, pp. 210,211. Recorded April 29, 1861. 121 men from east Harris County and west Chambers County are listed in Chance, op.cit.; 307\* are listed as Co. C on the list of the 2<sup>nd</sup> Regiment, Texas Infantry: on the *Civil War Soldiers and Sailors System* <http://www.civilwar.nps.gov/cwss/>; <http://www.civilwar.nps.gov/cwss/soldiers.cfm> (accessed February 10, 2008). \*Note: CWSS includes multiple spellings of many names, so the number of names in this index is not a reliable measure of the number of men in the unit.
- <sup>41</sup> Orton, Wanda. Back in the Day column, "14-year-old joins Confederate Army," undated article, *The Baytown Sun*.