

Beyond Failure: Rethinking Confederate State Policies on the Western Frontier

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Abstract

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Stephanie McCurry has noted that “the literature on the Confederacy has long been characterized—and limited—by a preoccupation with the matter of military defeat and related questions about the strength or weakness of Confederate nationalism.” Nowhere has this long preoccupation been clearer than in the literature on Confederate state governments. States appear in this literature most often in discussions of their inability to supply homefront and military needs, or of the dysfunctional relations between states jealous of their rights and a grasping Richmond government. Historians discuss why Confederate states divided and died far more than what they actually did.¹

One result has also been a preoccupation with the question of what made Southern states *different*, both from the Northern states that defeated them and from the modern state more generally. A common answer to that question, both among scholars and the general public, has been that Confederate states were hampered by the limited-government, laissez-faire views of their architects. They represented a paradox: states built by anti-statists. In recent years, however, numerous historians have brought “the state” back in to the study of the Confederacy, and in the process have moved away from preoccupations with “why the South lost” and “what made the South different.” Their work challenges the ideas that Southern states were weak, ineffective, and committed on principle to limited intervention in society and the economy.

¹Stephanie McCurry, *Confederate Reckoning: Power and Politics in the Civil War South* (Cambridge, Mass.: Harvard University Press, 2010), 6.

Chad Morgan and John Majewski, for example, have shown that Confederates in Georgia, Virginia, and South Carolina were not anti-modern laissez-faire agrarians. They believed in strong “state activism,” Majewski’s term for the muscular use of public investment, legislation, institutions, and even protective tariffs to develop the region’s slave economy. Secessionists drew on a long tradition of what Milton Sydney Heath, a forerunner of this new literature, called “constructive liberalism”—the belief that individual enterprise should be encouraged by robust collective action. From this point of view, the strong central state that Confederates ultimately built was not a paradox or turnabout, but a culmination of antebellum trends.²

What we might call the rediscovery of Confederate statism enables us to see what made the Confederate state(s) similar to other states. Though increasingly distinctive, from a hemispheric perspective, in their attempts to use state action in the service of slavery, Confederates’ embrace of state activism to support manufacturing and internal improvements placed them within a broad mainstream of nineteenth-century state-building projects.

Indeed, as Ryan Quintana has recently argued in an article on internal improvements in early national South Carolina, Southern states partially exemplified the broader rise of what he calls “liberal governmentality.” Slave states not only invested in infrastructural improvements; they also developed bureaucratic systems to oversee these projects, founded public reformatory institutions (like schools, penitentiaries, and asylums), and, in James Scott’s influential formulation, created modern tools for “seeing like a state”: maps, surveys, censuses, administrative boilerplate, and the like. In Quintana’s words, Southern states were “ardently committed to the project of modern state governance,” not despite but

²Chad Morgan, *Planters’ Progress: Modernizing Confederate Georgia* (Gainesville: University Press of Florida, 2005); Gregory P. Downs, *Declarations of Dependence: The Long Reconstruction of Popular Politics in the South, 1861-1908* (Chapel Hill: University of North Carolina Press, 2011); Milton Sydney Heath, *Constructive Liberalism: The Role of the State in Economic Development in Georgia to 1860* (Cambridge, Mass.: Harvard University Press, 1954). Majewski notes that proponents of state activism did not succeed in all their aims, and concedes sectional differences between Northern and Southern industrialization, but contends that neither of these facts should be attributed to a general anti-statism or dogmatic laissez-faire commitments. In a similar vein, Jaime Martinez’s recent book on Virginia’s slave impressment policies argues that they were more successful and well-coordinated than historians once believed, though she uses that finding primarily to intervene in the continued debate over why the Confederacy lost. See Jaime Amanda Martinez, *Confederate Slave Impressment in the Upper South* (Chapel Hill: University of North Carolina Press, 2013).

because of their commitments to slavery.³ In a similar attempt to make Confederate politics less exceptional, Greg Downs has also argued that the rise of a new postbellum conception of the national state, which he calls “patronalism,” also had its roots in Confederate state policies and politics during the war.⁴

In short, much like recent historians of slavery who have argued that the institution was essential to the rise of capitalism, historians of Southern states are beginning to see them as part of a broader nineteenth-century story of state development. So far, however, this historiographical wave has crashed only on eastern shores, leaving western Confederate states like Texas, Arkansas, and Louisiana largely untouched. This neglect is not surprising, given that “scant attention has been paid to the Civil War and Reconstruction in the Trans-Mississippi” by American historians generally, as Steven Hahn recently noted. Yet for historians attempting to push “beyond failure” in their studies of Confederate statecraft, this neglect of the West is especially unfortunate. Today I will suggest that bringing the Trans-Mississippi West into view can extend and consolidate new scholarship on Confederate statecraft, while also opening new lines of inquiry about the afterlives of Confederate state policies in the Reconstruction era.

Consider, for example, the administration of Louisiana Governor Henry W. Allen, who was elected in November 1863. Allen initiated ambitious state programs such as the establishment of bureaucracies to encourage manufacturing, mining, and chemical laboratories; the commissioning of a state-run geological survey; the erection of state-owned cloth and rope factories; the expansion of penitentiary production; appropriations for education; and the state purchase, export, and sale of cotton, whose proceeds he used to purchase goods that were then sold at state-owned stores or distributed to indigent citizens. Under Allen’s watch, the state of Louisiana even invested directly in an iron works located across the border in Texas by purchasing a quarter of the company’s stock. One retrospective survey dubbed Allen’s short-lived but popular programs “a ‘New Deal’ in the Old South.”⁵

³Ryan A. Quintana, “Planners, Planters, and Slaves: Producing the State in Early National South Carolina,” *Journal of Southern History* 81, no. 1 (February 2015): 82; James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven: Yale University Press, 1998).

⁴Downs, *Declarations of Dependence*.

⁵Amos E. Simpson and Vincent Cassidy, “The Wartime Administration of Governor Henry W. Allen,” *Louisiana History* 5, no. 3 (Summer 1964): 259. See also May Spencer Ringold, *The Role of the State Legislatures in the Confederacy* (Athens: University of Georgia Press, 1966), 3; Vincent H. Cassidy, “Louisiana,” in *The Confederate Governors*, ed. by W. Buck Yearns, (Athens:

Allen's state activism sprung partly from military necessity, to be sure. As Allen put it in an 1865 address, "the country is at war—the whole State is an immense camp." Yet in the same address, Allen also envisioned manufacturing, public welfare, and strategic state investment as only the "beginning" of an effort to make the state "self-sustaining" and "prosperous" even after the war. Allen's activities resembled those of eastern state officials who presided over activist states.⁶

Like his North Carolina counterpart Zebulon Vance, Allen also expertly performed the new political style that Downs calls "patronalism." He allowed citizens to see state provisions as expressions of his personal obligations and power, thereby enlarging expectations about what the state could and should do for citizens. While Allen's friend Sarah Dorsey complained that "the people had a trust and reliance upon him that was frequently ludicrous," his own rhetoric encouraged that reliance by casting state officials as powerful friends making personal promises. "I promised every lady in Louisiana a pair of cotton cards," he told the legislature, identifying the state's word with his. In Dorsey's words, Allen came to be seen as "the veritable Pater Republicae" who had adopted the entire state "as a sort of family." The citizenry in turn flooded his office with petitions asking for state intervention, belying the idea that Confederates were constitutionally averse to dependence on the state.⁷

A similar story can be told about neighboring Texas. Despite white Texans' fierce pride in their history as a breakaway republic, Confederates there also called for a more active state. One soldier even wrote to Governor Pendleton Murrah from camp to complain that Allen's Louisiana was excelling Texas in its encouragement of manufactures:

I would ask if the already small state of Louisiana, with her ports all closed to the world, ... and but the poorest portion of the state left

University of Georgia Press, 1985), 103–105; Terry L. Jones, "The South's Greatest Governor," *New York Times* Disunion blog, January 13, 2014, <http://opinionator.blogs.nytimes.com/2014/01/13/the-souths-greatest-governor/>.

⁶*Annual Message of Governor Henry Watkins Allen to the Legislature of the State of Louisiana, January 1865*, electronic edition at Documenting the American South, <http://docsouth.unc.edu/imls/lagov/allen.html>. In the end, of course, defeat meant a "sudden stoppage of all the wheels of the industrial machinery Allen had put in motion," as his friend Sarah Dorsey put it in early account of his work. Sarah A. Dorsey, *Recollections of Henry Watkins Allen, Brigadier-General Confederate States Army, Ex-Governor of Louisiana* (New York: M. Doolady, 1866), 303.

⁷*Annual Message of Governor Henry Watkins Allen*; Dorsey, *Recollections*, 253, 258. On "patronalism," see Downs, *Declarations of Dependence*.

to her, can do as much in so short a time, what might the large & mighty state of Texas, with her seven hundred miles of seacoast, the blockade of which has so often been successfully run since the war began, an outlet into the friendly “state” or “empire” of Mexico with which we can trade, an immense territory, ... I ask what she might not do? Why sir with a little energy on the part of her Governor, she could be teeming with manufactories of every kind and in every part of the state. ... Then will we appear as we really are, a great people, a great nation in ourselves.⁸

This anonymous writer not only typified patronal politics; he also spotlighted some of the unique advantages that white Texans enjoyed in comparison to Confederates elsewhere. The absence of significant combat in the state brought little disruption to the operations of its slave-based cotton economy. Largely cut off from the remainder of the Confederacy after Union armies captured the Mississippi River in 1863, Texas and Confederate officials also enjoyed a wider latitude for action than those closer to Richmond and the front lines. Finally, and most significantly, proximity to Mexico made it easier for limited cotton sales to continue across the border at Eagle Pass and Brownsville.⁹

Some of the state’s features also presented unique challenges to the Confederate government, however, including what Murrah’s correspondent called its “immense territory.” With at least a third of the state still unorganized into counties, and white settlements threatened by attack from Native American polities to the west, the state struggled to supply its so-called Frontier Regiment while also protecting the interests of planters in the southeast. Even in that more populated region, infrastructural improvements remained far less developed than they were in the older states along the Atlantic seaboard. South Carolina had a Board of Public Works as early as 1819; the American state of Texas was still a teenager when the war began. Most of the state’s railroad tracks were still “pathetic fragments going nowhere,” according to one historian, and its “mediocre network of unpaved roads” wasn’t much better.¹⁰

⁸“A Soldier” to Governor Pendleton Murrah, December 24, 1864, Records of Governor Pendleton Murrah, Texas State Library and Archives Commission.

⁹On limited disruption to the slave economy, see Randolph B. Campbell, *An Empire for Slavery: The Peculiar Institution in Texas* (Baton Rouge: Louisiana State University Press, 1989), 231–248. On the cotton trade across the border, see James W. Daddysman, *The Matamoros Trade: Confederate Commerce, Diplomacy, and Intrigue* (Wilmington: University of Delaware Press, 1984).

¹⁰Robert L. Kerby, *Kirby Smith’s Confederacy: The Trans-Mississippi South, 1863–1865* (New York: Columbia University Press, 1972), 82–83.

Nevertheless, the soldier who wrote to Murrah need not have worried that the governor would neglect state action to remedy these defects. In his inaugural address in 1863, Murrah had already spoken of government as a “science” and the state as “machinery” whose chief end was to secure the people’s “welfare physically, morally and mentally,” including by the “establishment of manufactories.” And though Murrah admitted that industry depended primarily on private enterprise, “limited and prescribed, as the government is, in its power over the subject,” he and his predecessor Francis Lubbock, together with the legislature, acted energetically to encourage such enterprise. They laid the foundations of the “constructive liberalism” that had already existed for some time in the east.¹¹

Examples of this work can be briefly summarized. First, of all the Confederate states, the Texas legislature was among the friendliest to railroads and corporations. The state allowed the roads to pay debts late in depreciated currency. And though several states offered bounties to newly incorporated manufacturing firms, Texas was among the most generous. A November 1863 law granted 320 acres to corporations for every \$1,000 they invested into new machinery, and in its next two sessions, the legislature granted incorporation to over two dozen firms to produce textiles, lead, paper, and other manufactured goods, with capital limits ranging from the tens of thousands to millions of dollars. Though many of these companies failed to produce much before the end of the war, in the end, according to one scholarly account, “the state of Texas rivaled North Carolina in its patronage of manufacturers.” Part of that patronage included the promise of state protection for corporations wishing to sell cotton in Mexico in exchange for machinery like looms. The Texas legislature also showed special interest in the introduction of machinery at its state penitentiary in Huntsville, one of the few Confederate prisons that survived the war unscathed. While a prisoner-operated cotton and woolen mill had been installed at the prison in the 1850s to offset costs, in wartime the penitentiary became a major center of cloth production for the Confederacy, as well as “Texas’s leading source of revenue.”¹²

¹¹For Murrah’s address, see James M. Day, ed., *House Journal of the Tenth Legislature, Regular Session of the State of Texas, November 3, 1863 - December 16, 1863* (Austin: Texas State Library, 1965), 53-61.

¹²Harold S. Wilson, *Confederate Industry: Manufacturers and Quartermasters in the Civil War* (Jackson: University of Mississippi Press, 2002), 147-148; Robert Perkinson, *Texas Tough: The Rise of America’s Prison Empire* (New York: Metropolitan Books, 2010), 80. On penitentiary production, see especially Brett J. Derbes, “Prison Productions: Textiles and Other Military Supplies from State Penitentiaries in the Trans-Mississippi Theater During the American Civil War” (Master’s thesis, University of North Texas, 2011). On new manufacturing corporations, see also Clayton E. Jewett, *Texas in the Confederacy: An Experiment in Nation Building* (Columbia: University

As these state programs grew in scale and complexity, Texas also expanded bureaucracies to monitor their activities. In 1862, the legislature created a three-person state “Military Board,” granting it broad powers to create foundries and ordnance factories; fund public works such as salines; use state bonds to purchase supplies; and purchase and sell cotton for the state. Under Lubbock, the board also extended loans directly to private enterprises in certain industries. Reorganized in 1864, the Board continued to support industries and engage in cotton trading.¹³

Under Murrah, the responsibility of purchasing cotton also shifted briefly to another bureau, the Texas Loan Agency, under a so-called “State Plan” in which agents employed by Austin would purchase cotton for bonds backed by land warrants. The state would transport the cotton, which was protected from impressment by the Confederate military’s Trans-Mississippi Department because it was publicly owned, to the Rio Grande, sell it across the border, and then split proceeds between the state and the original vendor of the bales. It proved wildly popular among cotton planters eager for state action on their behalf, and launched a thousand wagons bound for Mexico, where state agents struggled to keep up with requisitions for machinery and sales of cotton.¹⁴

The Military Board and the Loan Agency required the employment of numerous functionaries. Each spawned new administrative records, complete with instructions to agents about how to mark cotton bales, whom to engage in trade along the border, how much machinery could be purchased and for what ends, and when to report back to Austin about sales. Contracts between the state and corporations for the import of machinery likewise had to detail, through new formulaic templates, the precise number of bales that a company could sell and the exact purposes to which machinery would be put. Invariably, of course, the activities of the state’s agents outran the state’s ability to keep track of them all, creating frequent rumors of mismanagement and state funds disappearing

of Missouri Press, 2002), 171. Partly because of its youth, Texas had more control over its public lands than eastern seaboard states, making it easier for it to use land warrants as encouragements to private enterprise. Texas had also granted public lands to railroads in the 1850s. See Reuben McKittrick, “The Public Land System of Texas, 1823-1910,” *Bulletin of the University of Wisconsin* 905 (1918), 7-37, 59-60.

¹³See Charles W. Ramsdell, “The Texas State Military Board, 1862–1865,” *The Southwestern Historical Quarterly* 27, no. 4 (April 1924): 253–275; Records of the Texas Military Board, Texas State Library and Archives.

¹⁴See Ralph A. Wooster, “Texas,” in *The Confederate Governors*, ed. by W. Buck Yearns, (Athens: University of Georgia Press, 1985), 195–215; John Moretta, “Pendleton Murrah and States Rights in Civil War Texas,” *Civil War History* 45, no. 2 (June 1999), 126-146.

to Havana or beyond. But like the operations of early national South Carolina's sometimes inefficient Board of Public Works, Texas's Military Board and Loan Agency are still significant indications of the state's "governing logic"—its belief that the public business could be legibly organized and controlled.¹⁵

The logic of "legibility," James Scott's term for the modern state's attempts to see and understand its own social domain, worked in a circular way to lengthen the state's tentacles and obligations. Bureaus were needed to watch the bureaus; committees formed to check on the boards. By the end of the war, the legislature had appointed (at the request of the governor) committees to investigate and report on both the penitentiary and the Military Board. And after the war, new Auditorial Boards were created to sort out and judge claims made on the state, as well as a Board of Public Labor, modeled on the Military Board, to manage convict work.¹⁶

Yet such boards only reinforce the similarities between the statecraft of Texas and Louisiana and that of their eastern counterparts. These Trans-Mississippi states, though facing a different array of opportunities and challenges, also proved themselves "ardently committed to the project of modern state governance." They did so, moreover, with relatively broad support from constituents. As Lubbock recalled in his memoirs, the many "incorporated enterprises" encouraged by the state "indicated clearly the trend of the public mind at that day."¹⁷

Yet this leads me to a final question: so what? After all, these states fell apart and failed, and both Murrah and Allen fled to Mexico at war's end. Why does it matter that we begin to see Confederate states not just as failed experiments, but as experiments in "state activism," "constructive liberalism," patronalism, and seeing like a modern state?

I'll conclude with three possible answers to that "so what" question. First, seeing Confederate states in the ways described above undermines their exceptionalism. If we bracket the knowledge that they would fail, it is possible to see that Trans-Mississippi states confronted problems of sovereignty and statecraft that were common in the mid-nineteenth century world. Indeed, the challenge

¹⁵The point here about "governing logic" borrows from Quintana, *Planners, Planters, and Slaves*, 95.

¹⁶For examples of contracts and correspondence with agents, see the papers of the Texas Military Board (organized into folders by agents and corporations) and the Papers of Governor Pendleton Murrah, Texas State Library and Archives Commission.

¹⁷Francis R. Lubbock, *Six Decades in Texas; or, Memoirs of Francis R. Lubbock* (Austin: Ben C. Jones, 1900), 371.

Texas faced in securing spatial control over its “immense territory,” while also regulating and stimulating an embattled economy, resembled the challenges the national government would face after 1865 in establishing its sovereignty in the region. More generally, if the history of the nineteenth century United States was a story of what Charles Bright and Michael Geyer call two modes of sovereignty, one grounded in the “production of territory” and the other driven by attempts to turn national space into “territories of production” that could “mobilize national resources and project power,” the national and state history of Texas—in particular—might be narrated in the same way: as a struggle over the sovereign power both to produce territory and to mobilize production. Put more simply, moving beyond the paradigm of defeat helps historicize Confederate statecraft and nationalism in ways that make them less strange, enabling us to ask “where in the world was the Confederacy.”¹⁸

Second, undermining the idea of Confederate statecraft as out of step with the rise of the modern state also helps to undermine the idea (also criticized by historians of slave capitalism and “second slavery”) that modernity and slavery were incompatible. Although I have not directly discussed state policies regarding slavery in the Trans-Mississippi West, make no mistake: Lubbock, Murrah, Allen, and other advocates of an active state all took for granted that slavery formed an essential part of their programs, just as state planners elsewhere in the South did. Lubbock, for example, viewed the influx of refugees from other Confederate states who brought enslaved people to Texas as a boon to the state because it would provide more labor and capital. The Texas iron works in which the state of Louisiana invested, like many such firms, rented enslaved labor. And, when surveying the state’s still dilapidated public roads in 1864, the *Marshall Republican* urged the legislature to pass laws increasing the number of enslaved people required to work on the highways. “The negroes, as every one is aware, do the most of the road working,” argued the editor, “and there are more negroes

¹⁸Gregory P. Downs, “Three Faces of Sovereignty: Governing Confederate, Mexican, and Indian Texas in the Civil War Era,” in Arenson and Graybill, ed., *Civil War Wests*, 118-138; Charles Bright and Michael Geyer, “Where in the World is America? The History of the United States in the Global Age,” in *Rethinking American History in a Global Age*, ed. Thomas Bender (Berkeley: University of California Press, 2002), 63-100. Once Confederate statecraft is sufficiently historicized, we might even be able to return with fresh eyes to the question of why the Confederate state failed without having to posit that it died of an exceptionally anti-modern worldview. For example, it may be, as McCurry and Majewski have implied for reasons detailed in their work, that the Confederacy died not of too little nationalism, but too much—not of being behind their times, but of being so much of them. Nationalizing states fell apart frequently, after all, in the nineteenth century world.

in the State now than were ever here before. We hope the press throughout the State will call attention of the Legislature to this important matter.” Had the Confederacy not been defeated, there is no reason to think that slavery would have quickly died away—not *only* because of its continued profitability to individuals, but also because Confederates envisioned slavery as essential to the activist states they created during the war.¹⁹

Indeed, Confederate state activism in places like Texas may help explain, finally, why systems that looked so much like slavery cropped up so quickly in the postbellum South. In narratives of the nineteenth century South, systems like convict leasing, highway gangs, and mass incarceration are often cited as continuations of “slavery by another name,” driven by the continued racism and rapacity of the slaveholding class. Yet harsh penitentiary regimes depended equally on the idea that states should be in the penitentiary labor business in the first place. That idea had roots as well in the “constructive liberalism” and state manufacturing projects of secessionists and Confederates. Reconstruction leasing systems also depended on penitentiary workshops and institutions ready to receive freedpeople caught in the dragnets of postbellum Black Codes, and so it matters that states like Texas and Louisiana managed to defend and even expand such operations during the war.²⁰

In 1866, for instance, Texas passed one of the earliest laws allowing the leasing of prisoners outside the penitentiary walls. The legislature did so partly to keep afloat one of its most reliable revenue streams during the war: prison labor. And it leased its first prisoners to two railroad companies that had already received aid from Confederate legislation in the state. Five years later, when

¹⁹Marshall *Republican*, October 7, 1864. On the role of slaves in Southern internal improvements and road construction, see especially Quintana, *Planners, Planters, and Slaves*. For Lubbock’s comments on newly arrived slaves, see Message of Governor, November 4, 1863, *House Journal of the Tenth Legislature, Regular Session, of the State of Texas, November 3, 1863 - December 16, 1863*, ed. James M. Day (Austin: Texas State Library, 1965), 11. Ideas like those the *Republican* expressed were also common in Louisiana: the *Caddo Gazette*, for example, believed enslaved labor should be used on public railroad repair: “The surplus negro labor in North Louisiana can accomplish the work in less than six months.” See the reprinted article in *Marshall Republican*, July 5, 1862. For a survey of “second slavery” scholarship, see Anthony E. Kaye, “The Second Slavery: Modernity in the Nineteenth-Century South and the Atlantic World,” *Journal of Southern History* 75, no. 3 (August 2009), 627-650.

²⁰The reference to “slavery by another name” comes from Douglas Blackmon’s work. On highway and railroad gangs, see Alex Lichtenstein, *Twice the Work of Free Labor: The Political Economy of Convict Labor in the New South* (London: Verso, 1996); Tammy Ingram, *Dixie Highway: Road Building and the Making of the Modern South, 1900-1930* (Chapel Hill: University of North Carolina Press, 2014).

the state decided to lease the entire prison to a private contractor, much like many states across the South and North had long before, it also chose, as the first lessee, a man who had arguably benefitted from the state's wartime state activism, having joined one of the manufacturing companies incorporated after the November 1863 law and then worked as a cotton factor in the trade that Murrah's State Plan helped to prop up. Perhaps by looking closer at Confederate statecraft in the Trans-Mississippi, and not only to explain why the Confederacy died, we can find new ways to understand the origins of what lived on after it did.²¹

²¹On the broader history of convict labor in the North, see Rebecca M. McLennan, *The Crisis of Imprisonment: Protest, Politics, and the Making of the American Penal State, 1776-1941* (New York: Cambridge University Press, 2008). A. J. Ward, a former superintendent of penitentiary labor in Arkansas, had fled to Texas in 1863 after Union forces captured his prison. There, my initial research suggests that he built new business networks by joining one of the numerous manufacturing firms called into being by the legislature's liberal November 1863 incorporation law: the Bastrop Manufacturing Company, which received assistance from Murrah's Military Board in its attempts to sell cotton in Mexico for machinery. By the end of the war, he had established himself as a cotton and wool factor in Galveston. Drawing on social and material capital amassed in his new home, Ward then pivoted into the state's first penitentiary lease, presiding over what by all accounts was one of the most brutal convict leasing regimes in the postwar South. See "An Act to Incorporate the Bastrop Cotton and Wool Manufacturing Company," *Weekly State Gazette* (August), November 16, 1864; P. R. Smith to Pendleton Murrah, August 7, 1864, from the Mexico Border in Records of the Military Board of Texas, Texas State Library and Archives. For more on Ward's fascinating story, see Michael Pierce, "The Mechanics of Little Rock: Free Labor Ideas in Antebellum Arkansas, 1845-1861," *Arkansas Historical Quarterly* 67, no. 3 (Autumn 2008): 221-244; Donald R. Walker, *Penology for Profit: A History of the Texas Prison System, 1867-1912* (College Station: Texas A&M University Press, 1988); Derbes, "Prison Productions."