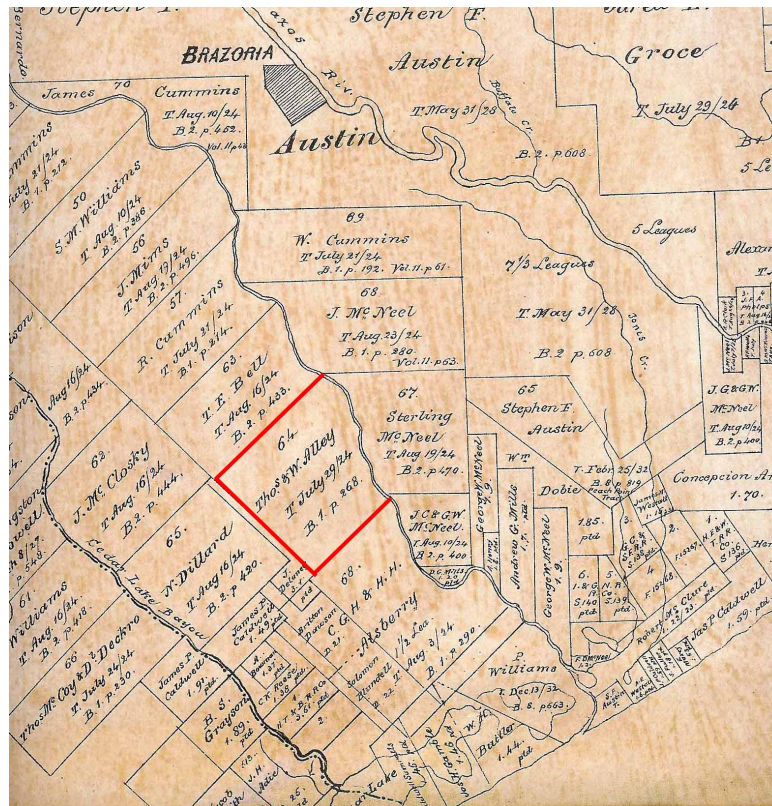


## Joseph Bates Plantation & Churchill's Ferry Brazosport Archaeological Society

Samuel May Williams of Galveston originally purchased a quarter league tract out of the northwest corner of the Thomas V. & William A. Alley League along the west side of the San Bernard River in 1844. He changed the modest plantation that was in place into a sugar plantation and in 1851 he sold the plantation with additional acreage he had acquired to Joseph Bates, the Federal Marshal in Galveston. Joseph Bates, originally from Alabama, would move his new wife, Mary Love Morris, and their children from previous marriages to his new plantation and continue to cultivate sugar cane using slave labor. In the 1850's he was a consistent producer of sugar adding steam power to his mill in 1859. During the Civil War he became colonel of Bates' 13<sup>th</sup> Texas Infantry Regiment. This regiment was initially detailed to guard the Texas coast from Caney Creek to San Luis Pass. After the Civil War Joseph Bates was one of the more moderate members of the community and aided both sides during Reconstruction. After the death of Joseph Bates, Sidney J. Bates and his wife sold the plantation to his brother's wife Elizabeth M. Bates and his sister Alice Bates in 1889. Elizabeth and her husband Wharton Bates held the homestead until 1911 when it was sold to E.D. Pearson. J. T. Hinkle acquired the homestead in 1912 and the property is now part of the Herbert & Jean Hinkle Estate. In the 1830's Andrew Churchill and his family moved to Texas and eventually built a ferry across the San Bernard River in the early 1840's in the same league of land. The ferry was in operation until the mid 1880's.



Thomas V. & William Alley League Map 1879 The General Land Office of the State of Texas

Five sons of Catherine and Thomas Alley of Missouri came very early to colonial Texas. John C.(?-1822?)<sup>1</sup>, Abraham(~1803-1862), and Thomas V. Alley ?-1826) came to Texas from New Orleans in the spring of 1822 aboard the schooner *James Lawrence*. Carrying letters and supplies for Stephen F. Austin, they landed on Galveston Island and journeyed on foot to the Fort Bend settlement on the Brazos River. They later settled on the Colorado River, where another brother Rawson Alley (~1793-1833) had located in 1821. William A. Alley (~1800-1869) joined his brothers in Texas in 1824. July 29, 1824, Thomas V. and William A. Alley received title to one league of land on the west side of the San Bernard River south of Brazoria, Texas.

Thomas V. Alley drowned when he fell from his horse crossing the Colorado River while on a campaign against the Waco and Tonkawa Indians in the spring of 1826. William A. Alley never married and settled along the Colorado River near what became Alleyton in Colorado County.<sup>2</sup>

After the deaths of Thomas V. and Rawson Alley (1833) their lands were divided among the brothers Abraham and William and their sister Cynthia Alley Daniels. Cynthia Alley Daniels received the upper ¼ league bordering the San Bernard River, Abraham the middle ¼ league, and William received the remainder of the league. They also split acreage in Colorado County February 10, 1837.<sup>3</sup>

For \$1944.25 Cynthia and her husband William Daniels immediately sold their ¼ league to Leander H. McNeel, who lived on the opposite side of the San Bernard River at Pleasant Grove Plantation.<sup>4</sup> The same year for \$1200 Abraham Alley sold his ¼ league to Robert Mills who owned Low Wood Plantation with his brother David G. Mills.<sup>5</sup> Neither of these transactions lists any improvements on the property.

Dudley R. Walker, who bought the upper ¼ league from Leander H. McNeel for \$4000 in 1839, sold the property to his brother Edward B. Walker Jr. that same year. In 1840 Edward sold the property back to his brother. Improvements are indicated on the property along with a modest number of livestock.<sup>6</sup>

---

<sup>1</sup> During the fall of 1822 or winter of 1822-1823 while canoeing up the Colorado River John C. Alley, John C. Clark<sup>qv</sup>, and Loy another man were attacked by a band of Karankawa Indians near the mouth of Skull Creek, and Alley and Loy were killed. The party of Indians also attacked and severely wounded [Robert Brotherton](#). Wilbarger, J.C., *Indian Depredations in Texas*, Eakin Press, Austin, Texas, 1985.

<sup>2</sup> "Abraham Alley" *Handbook of Texas Online*, s.v. ", "  
<http://www.tshaonline.org/handbook/online/articles/AA/fal31.html> (accessed October 28, 2009).

(NOTE: "s.v." stands for sub verbo, "under the word.")

"John C. Alley" *Handbook of Texas Online*, s.v. ", "  
<http://www.tshaonline.org/handbook/online/articles/AA/fal33.html> (accessed October 28, 2009).

(NOTE: "s.v." stands for sub verbo, "under the word.")

"Rawson Alley" *Handbook of Texas Online*, s.v. ", "  
<http://www.tshaonline.org/handbook/online/articles/AA/fal34.html> (accessed October 28, 2009).

(NOTE: "s.v." stands for sub verbo, "under the word.")

"Thomas V. Alley" *Handbook of Texas Online*, s.v. ", "  
<http://www.tshaonline.org/handbook/online/articles/AA/fal36.html> (accessed October 28, 2009).

(NOTE: "s.v." stands for sub verbo, "under the word.")

"William A. Alley" *Handbook of Texas Online*, s.v. ", "  
<http://www.tshaonline.org/handbook/online/articles/AA/fal37.html> (accessed October 28, 2009).

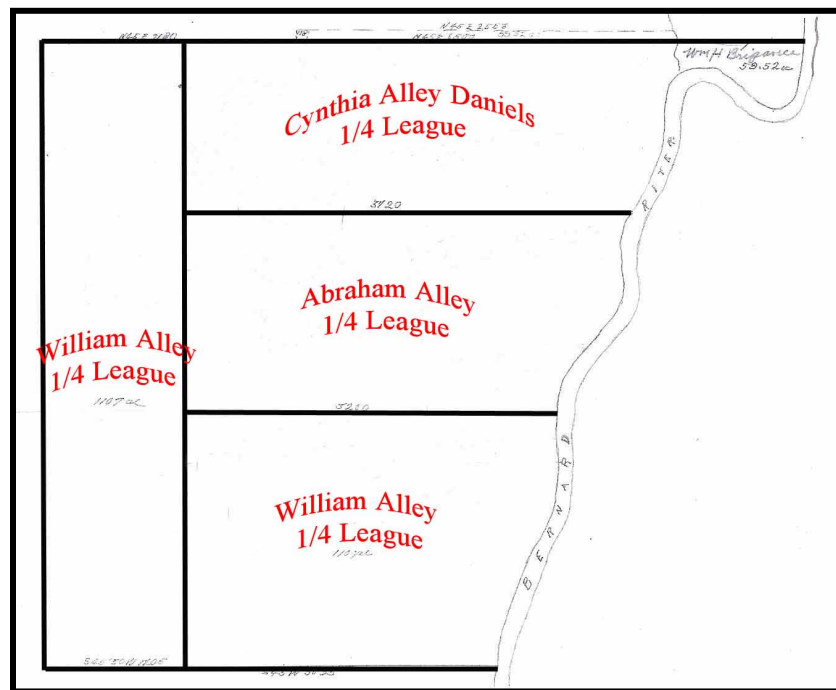
(NOTE: "s.v." stands for sub verbo, "under the word.")

<sup>3</sup> Brazoria County Deed Records: A 111/12, C 252/3, & E 475/77.

<sup>4</sup> BCDR: A 7/8

<sup>5</sup> BCDR: C 17/18

<sup>6</sup> BCDR: C 372/73, C 412, C 423/24, & C 481/83



Thomas & William Alley League

Samuel May Williams of Galveston bought the plantation in May 1844 from Dudley R. Walker for \$11,250 at a time when sugar cane cultivation promised to be profitable. In addition to ~ 1100 acres of land Williams received “one Negro woman named Hannah aged about twenty eight years, one Negro man name Maj aged twenty five years, one Negro woman named Clarissa aged twenty three years and her three children; also one hundred and twenty head of cattle, seven horses and mules, five work oxen, the stock of hogs belonging to said premises, farming, carpenter and Smith tools and also all the corn, fodder and meat belonging to said plantation, also one large wagon, all of which have been delivered.”<sup>7</sup>

Samuel May Williams had arrived in Texas in 1822 becoming Stephen F. Austin’s assistant in colonial affairs. During Austin’s absences from the colony between 1830 and 1835 he assumed responsibility for directing Austin’s business pursuits. By helping provide ships, arms, ammunition, recruits, and supplies from the United States Williams helped Texas win her independence from Mexico. Initially based in Quintana at the mouth of the Brazos River he joined Thomas F. McKinney in the commission business; they moved their business to Galveston in 1837. In 1848 Williams opened the Commercial and Agricultural Bank in Galveston.<sup>8</sup> His sons Joseph V. and Austin Williams served as overseers for the sixteen Negro slaves who planted and harvested the cane during the last year Williams owned the plantation.<sup>9</sup> Williams had previously bought 707 acres of the ¼ league tract that had been partitioned to Abraham Alley from Robert Mills in February 1851 for \$2527.51.<sup>10</sup> The 1850 Census lists Joseph V. Williams, planter, aged 26 born in Texas and John Derrick, carpenter, aged 55 born in

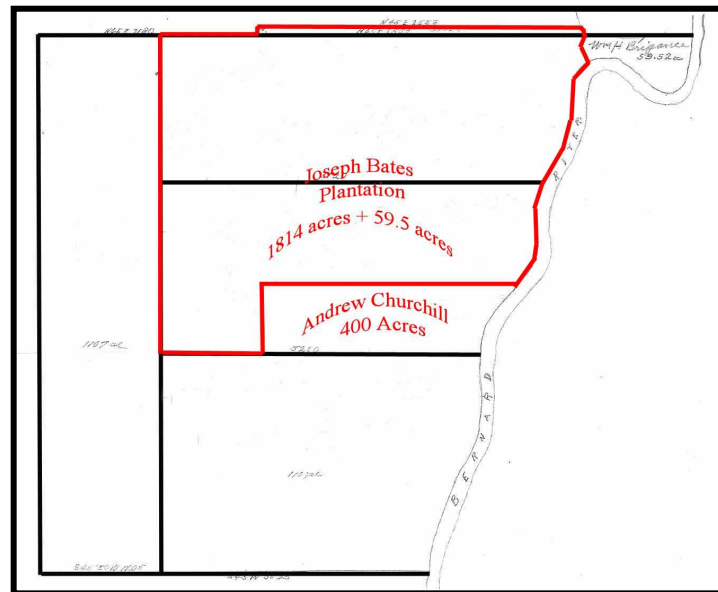
<sup>7</sup> BCDR: F 479/80

<sup>8</sup> Henson, Margaret Swett, Samuel May Williams, Texas A&M University Press, College Station, Texas, 1976, pp.xi-xii.

<sup>9</sup> Ibid., p.149.

<sup>10</sup> BCDR: C 520/22

Pennsylvania. In the 1850 Agricultural Census J. V. Williams is listed with 200 improved acres and the value of his plantation at \$12,000. Livestock on the plantation consisted of 10 horses, 19 mules, 40 milch cows, 18 working oxen, 100 head of cattle, and 100 swine. During 1849 he would have produced 1000 bushels of Indian corn, 1500 bushels sweet potatoes, 400 pounds of butter, 60 pounds of honey & beeswax, and 54 hogsheads of sugar with 2000 gallons of molasses. December 1851 Samuel May Williams sold the plantation now containing 1814 acres in the Alley League and 59 ½ acres in the Bell League to Joseph Bates of Galveston. He conveyed "the buildings, fixtures, machinery, farming utensils and implements and stock on the said plantation, and one half the crop."<sup>11</sup>



Joseph Bates Plantation 1851

Joseph Bates was born in Mobile, Alabama in 1805. He became a prominent Whig politician and served as a representative in the Alabama legislature in 1829, 1836, 1837, and 1840. In 1835 he took an active part in the Seminole Indian War in Florida. In 1837 Bates became major-general of the Sixth Division of the Alabama State militia.<sup>12</sup>

Joseph Bates married Rosa F. Mull (unknown)<sup>13</sup> when he was approximately 18 years of age based on the ages of his children. In 1845 he moved to Galveston, Texas. In 1848 he was elected mayor of Galveston, and that same year their last child, Rosa, was born. His wife may have died at this time as there is no reference to his wife at a later time. The 1850 Census lists the Joseph Bates household:

Genl. Joseph Bates (U.S. Marshal)	45M	Alabama
John B. Bates (Deputy Marshal)	26M	Alabama
Jane L. Bates	18 F	Alabama

<sup>11</sup> BCDR: F 501/02 & F 502/03

<sup>12</sup> Joseph Bates *Handbook of Texas Online*, s.v. "," <http://www.tshaonline.org/handbook/online/articles/BB/fbaag.html> (accessed October 31, 2009). (NOTE: "s.v." stands for sub verbo, "under the word.")

<sup>13</sup> Have found little data on Rosa F. Mull. Not completely sure that this is the first wife of Joseph Bates.



Mary M. Bates	16 F	Alabama
Amelia R. Bates	10 F	Alabama
Joseph Bates	8M	Alabama
Julia M. Bates	6 F	Alabama
Rosa E. Bates	2 F	Texas

President Millard Fillmore appointed Joseph Bates United States Marshal for the Eastern District of Texas from 1850-1853. During this time in 1851 he married Mary Love Morris who had two daughters by a previous marriage. Mary's father James Love was a prominent local jurist in Galveston and owner of the Chenango Plantation in Brazoria County 1839-1852. In 1854 the family moved to their plantation in Brazoria County. During the early to mid 1850's Bates produced sugar using horse power to drive his crushers and by 1859 he had steam power. During this same period his slave population remained 31-32 individuals according to the tax records.

1852	160 Hogsheads
1853	60 Hgds
1854	75 Hgds
1855	100 Hgds
1858	125 Hgds
1859	80 Hgds <sup>14</sup>

The family of Joseph and Mary Bates grew during the 1850's and Mary M. Bates, Joseph Bates' daughter by his first wife, married Andrew E. Westall in February 1855. Andrew's first wife had died and he owned a plantation east of the San Bernard River a short distance from the Bates' Plantation.

Joseph Bates, Edward Bates, John B. Bates, and William R. Smith were sued by the United States Federal Government. A judgment of \$19,535.65 was rendered against them in Federal court January 1855. For his part Joseph and Mary Bates had to sign a deed of trust using "1760 acres of land...the same on which the said Bates now resides and which is occupied and cultivated by him as his plantation together with the sugar house, engine fixtures, machinery, and all the buildings, and improvements" and his livestock as security.<sup>15</sup> The same year Bates had to sign over his sugar crop to secure several other notes.<sup>16</sup> In 1859 Bates had to borrow \$4836.85 from James Sorely and J. C. Smith of Sorely, Smith & Company of Galveston to make his payments to the United States government. He not only had to sign over his plantation, improvements, and livestock but also 20 slaves as security.<sup>17</sup>

---

<sup>14</sup> Champomier, P. A., Statement of the Sugar Crop Made in Louisiana in 1852-53, With An Appendix, New Orleans. Champomier, P.A., Statement of the Sugar Crop Made in Louisiana in 1853-54, With An Appendix, New Orleans, 1854. Champomier, P. A., Statement of the Sugar Crop Made in Louisiana in 1854-55, With An Appendix, New Orleans, 1855 & Statement of the Sugar Crop Made in Louisiana in 1855-56, With An Appendix, New Orleans, 1856. Champomier, P. A., Statement of the Sugar Crop Made in Louisiana in 1858-59, With An Appendix, New Orleans, 1859. Champomier, P. A., Statement of the Sugar Crop Made in Louisiana in 1860-61, With An Appendix, New Orleans, 1861.

<sup>15</sup> BCDR: G 185/87

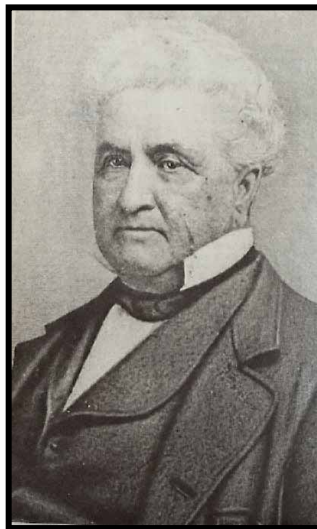
<sup>16</sup> BCDR: G 345/47

<sup>17</sup> BCDR: J 180/82

According to the 1860 Agricultural Census Joseph Bates had 200 improved acres and valued his plantation at \$53,900 with \$2000 worth of farm machinery. On the property he had 15 horses, 23 mules, 300 milch cows, 40 working oxen, 1200 head of cattle, and 100 swine. For the 1859 crop he produced 2500 bushels of Indian corn, 400 bushels sweet potatoes, 1095 pounds of butter, 10 tons of hay, 40 hogsheads of sugar, and 4000 gallons of molasses. There are 32 slaves listed with 8 dwellings in the 1860 Federal Slave Census. The 1860 Federal Census lists the Joseph Bates household:

Joseph Bates (Planter)	55M	Alabama
Mary Bates	38 F	Alabama
Amelia Bates	19 F	Kentucky
Joseph Bates	17M	Alabama
Julia Bates	15 F	Alabama
James Bates	8M	Alabama [Texas]
Wharton Bates	3M	Texas
Mollie L. Morris	17 F	Texas
Bettie Morris	15 F	Texas
Edmond Abbot (Laborer)	31M	Texas

According to John Henry Brown few men in Texas were better known or more universally admired in their day than Joseph Bates. Another author wrote “Indeed, nature seemed to have marked him for command. He was tall, athletic, and of exact symmetry in his person, with a head and face which a sculptor would delight...His mental powers were not inferior to his physical...Never did I gaze upon a more lofty man in his physical developments, coupled with what I knew to be his intellectual qualities...”<sup>18</sup>



Joseph Bates Unknown Date (6 feet 4 inches in height with red hair in his younger days)  
Courtesy Brazoria County Historical Museum

---

<sup>18</sup> Brown, John Henry, Indian Wars and Pioneers of Texas, L. E. Daniel, St. Louis, Missouri, 1895, pp. 546-547.

With the beginning of the Civil War, Texas had a large coast line to defend. Blockading vessels were shortly dispatched by the Union to the western gulf. Appointed to the rank of colonel at the outbreak of the Civil War, in September 1861 Colonel Joseph Bates was given command of Bates' Texas Infantry (Fourth Texas Volunteers). The unit was also known as the Thirteenth Texas Volunteers. Many local citizens joined the regiment originally consisting of twelve companies A-M. The Austin Grays (Company A, 13<sup>th</sup> Texas Infantry), Columbia Blues (Company B, 13<sup>th</sup> Texas Infantry), Brazoria Rangers (Company G, 13<sup>th</sup> Texas Infantry), Velasco Calvary (Company I 13<sup>th</sup> Texas Infantry), and Brazoria County Minutemen were some of the local companies formed that joined the regiment. Companies A and D were artillery companies; B, C, K, and I were cavalry companies; and the other remaining companies were infantry. It was not unusual for regiments assigned to coastal duties to have artillery and cavalry companies attached to them. Bates' command was part the coastal defenses extending from Caney Creek to San Luis Pass and included the ports of Velasco and Quintana at the mouth of the Brazos River. The regiment was officially reorganized in April 1863 as the 13<sup>th</sup> Texas Infantry and had only ten companies A to K.

In April 1862 the *U.S.S. Montgomery* was in the gulf off San Luis Pass and observed a schooner at anchor inside the pass. The Union ship came to anchor and hoisted an imitation English flag and the rebel flag at the fore. The ruses worked as the Confederates guarding the pass, Part of Colonel Bates' command, sent out a boat containing nine people a couple hours later and they were all seized, including a civilian Alexander G. Follett. A plan was developed then to attack the schooner and bring her out of the pass or destroy her<sup>19</sup>:

...Left the ship at 6:30 p.m. and crossed the bar safely, though the surf was rolling heavily. We then slackened our speed to pass the fort...under the cover of night. This precaution failed to avail us, however, for when abreast of it (the fort) they fired, the shot passing through the side of the launch. Without returning the fire...pulled rapidly for the schooner, which, reaching was boarded...without a shot. We took possession of her, the crew consisting of seven men, being completely surprised; found she was the *Columbia*<sup>20</sup>, of Galveston, loaded with cotton, ready for sea, and bound to Kingston, Jamaica.

Prepared everything for kedging her out...Secured the prisoners, and for two hours made every effort to warp the schooner out. Finding we had made little progress, I gave the order for firing her fore and aft...

The sloop, with prisoners, escorted by the whaleboat, then shoved off; the launch, remaining to see the fires would be effective in destroying vessel, then followed, repassing the battery in safety...At early dawn, finding the surf still rolling high was compelled to give the sloop up to the prisoners, liberating them, and hurry off to the ship...<sup>21</sup>

The commercial trade associated with cotton and sugar exportation gave importance to the localities of Velasco and San Luis. Both locations became bases for Confederate blockade runners. Colonel Joseph Bates established his headquarters at Velasco but was early on in disagreement with Major Caleb G. Forshey, an engineer in charge of constructing the coastal defenses from San Luis to Indianola. Their internal conflict left the mouth of the Brazos River poorly defended for much of 1862. Velasco was attacked by the *U.S.S. Rachel Seaman* and

<sup>19</sup> "Abstract log *U.S.S. Montgomery*, Lieutenant Hunter, U. S. Navy commanding", April 5-6, 1862, Official Records of the Confederate and Union Navies, Series I Volume 18, pp. 105-106.

<sup>20</sup> Schooner *Columbia* belonged to R. and D. G. Mills, Mr. Thomas Dixon, and H. A. Brower.

<sup>21</sup> "Thomas Pickering, Acting Master to Lieutenant Charles Hunter", Off St. Louis Pass, Texas, April 5, 1862, Official Records of the Confederate and Union Navies, Series I Volume 18, pp. 104-105.

*U.S.S. Midnight* in January 1862. Though the Confederates only had one long iron 18-pound cannon, due to accuracy of their fire the Union commanders reported that the shore battery contained heavy guns, one or more of which were rifled.<sup>22</sup> Again in August 1862 Velasco was attacked and Colonel Bates began to see the need for a more fortified position to protect the entrance to the Brazos River. His report to Captain C. M. Mason, Acting Assistant Adjutant General:

HEADQUARTERS BATES REGIMENT,  
Velasco, Tex. August 16, 1862

Sir: I have the honor to report operations at this post, resulting in a collision with the enemy, on the afternoon of the 11<sup>th</sup> instant:

About 4 p.m. of that day a screw-propeller of about 800 tons burden, two-masted, and marked with figure 5 on her stack, steamed slowly in from the eastward, and when opposite the battery at this place, immediately outside the bar, opened fire, without showing colors or giving any notice of her intentions. Her fire was promptly responded to, and after firing four times and receiving five shots from us she drew out of range and disappeared down the coast. It is believed that our third shot took effect. We sustained no damage. A 13-inch shell, which failed to explode, was picked up by our men. One other shell exploded in our camp; the others went overhead and struck some distance out in the prairie. I am confident that if we had had even a single piece of heavy ordnance she could have been disabled...

Allow me to respectfully urge upon your consideration that there are quite a number of heavy pieces of ordnance now in this department dismounted and not in use, which, if placed in battery here, could defend my position and our foreign trade...I have but one 18-pounder gun in battery at this place...<sup>23</sup>

The defenses at the mouth of the Brazos River were inspected by Major J. Kellersberg in November 1862:

The bar at the mouth of that river [Brazos] will admit vessels drawing 7 ½ feet of water at flood tide and calm weather, and once over the bar there is from 20 to 30 feet of water as high up as Columbia. The river is destitute of timber for some 4 miles from the bar. The defenses consist of an open battery in front of the town of Velasco, on the left bank of the river, and has two 18-pounder guns mounted on rather high barbette carriages. The earthwork was recently put in proper shape. These guns are too small for defending the entrance of this important river, but will serve very well as guard guns until the works higher up the river will be finished. The towns of Velasco and Quintana are of course exposed to the shells of the enemy...About 7 miles up the Brazos River, where the timbered highland commences, the county of Brazoria, is erecting a very formidable obstruction across the river, consisting of a solid layer of live-oak logs from 12 to 20 feet long...Within canister-shot of this veritable blockade is a battery of two 8-inch siege howitzers, built by the order of Lieutenant-Colonel Bates. This work is exposed to the long-range guns of hostile ships. I ordered some alterations to be made on it, both for strength and protection, and located a new battery of two 12-pounder siege guns on the opposite bank (left) river bank, out of sight of the ascending boats...<sup>24</sup>

<sup>22</sup> Freeman, Martha Doty, *A History of Civil War Military Activities at Velasco & Quintana, Brazoria County, & Virginia Point, Galveston County, Texas*, Prewitt and Associates, Inc., Austin, Texas, April 1995, pp. 12-15.

<sup>23</sup> "Colonel Joseph Bates to Captain C. M. Mason", Velasco, Texas, August 16, 1862, *Official Records of the Confederate and Union Armies*, Series I Volume 9, pp. 616-617.

<sup>24</sup> "Major J. Kellersberg to Lieutenant R. M. Franklin", Harrisburg, Texas, November 3, 1862, *Official Records of the Confederate and Union Armies*, Series I Volume 15, pp. 853-854.



November 27, 1862 the *U.S.S. Morning Light* was off the coast near Cedar Lake. Three boat crews and officers were sent ashore to destroy the extensive and valuable salt works located on the Winston Plantation:

...Acting Master William W. Fowler, with one party, destroyed one factory of 8 large kettles and all the buildings belonging to it. I, with another party, destroyed those extending to the northward, consisting of 4 large tubular boilers and 10 large and 4 small kettles.

The whole amount of salt ready packed for transportation was not far from 10 tons, all of which was ruined...<sup>25</sup>

The next day another shore party was sent to destroy another salt works 4 miles farther down the coast. However, Confederate troops were waiting for them and while in act of destroying the works, a mounted force charged upon them driving them back to their landing boats:

...I this day landed with the crew of the first cutter, covered by the third cutter, under charge of Acting Master's Mate G. H. Rice, for the purpose of destroying a salt manufactory near the southwest end of Cedar Lake. We were unable to effectually destroy it, having been attacked by a body of mounted rebels, numbering 40, and a large number of footmen, who were able to approach us unseen in the grass. In retiring, William Thompson, captain forecastle, was taken prisoner. Thomas, ordinary seaman, killed by a ball through his head. Peter Le Provost, captain after guard, wounded in the head; Michael Sugru, seaman, left arm broken by a ball; William Thomas, ordinary seaman, wounded in the breast. I am unable to state positively the number of the enemy killed, but think it not far from 4, as that number were seen to fall from their horses...

...Nearly all in the boats were slightly wounded and the boats completely riddled with balls or slugs...<sup>26</sup>

A few days previous on November 20, 1862 1 masters mate and 9 seamen from the *U.S.S. Henry James* were sent ashore to kill beef for the crew and were surprised and captured without loss of life on either side. Colonel X. B. Debray reported "three ordinary muskets and seven Enfield rifles fell into our hands, with cartridge boxes, and the launch on which the party came was burned. None of the landing party escaped".<sup>27</sup>

Although General J. Bankhead Magruder declared Velasco and other ports free from the blockade shortly after the retaking of Galveston by Confederate forces on January 1, 1863, from early April 1863 until January 1864 fortifications all along the Brazoria County coast line were improved and built by troops stationed at each locality and slave labor procured from the plantation owners under the direction of Chief Engineer Valery Sulakowski and First Lieutenant Abram Cross of the engineering department.

Part of the 13<sup>th</sup> Texas Infantry was moved to Louisiana from May 1863 to December 1863 and served under General Richard Taylor with headquarters at in Brashear City, Louisiana. Colonel Bates was observed by one of the Union prisoners, Colonel Charles C. Nott of the 176<sup>th</sup> New York Volunteers, being held there after the Confederate Army operations in June 1863:

<sup>25</sup> "Acting Master Henry W. Washburn to Acting Master John Dillingham", *U. S. Ship Morning Light*, November 28, 1862, Official Records of the Confederate and Union Navies, Series I Volume 19, p. 381.

<sup>26</sup> "Acting Master Henry W. Washburn to Acting Master John Dillingham", *U. S. Ship Morning Light*, November 28, 1862, Official Records of the Confederate and Union Navies, Series I Volume 19, p. 382.

<sup>27</sup> "Colonel X. B. DeBray to Captain Samuel Boyer Davis", November 22, 1862, Houston, Texas, Official Records of the Confederate and Union Armies, Series I Volume 15, p. 188 and "Acting Master L. W. Pennington to Commander William B. Renshaw", Matagorda Bay, December 1, 1862, Official Records of the Confederate and Union Navies, Series I Volume 19, pp. 360-361.

“While the boat was lying at the wharf, an officer, with long white hair and imposing appearance, came slowly down the saloon. As he drew near I observed a Colonel’s insignia on his collar, and one of the guard whispered me, that it was Colonel Bates, the commanding officer at Brashear. The Colonel marched up to me, extended his hand, and with grand solemnity, in keeping with his dignified bearing, said: “Colonel, I have come down now to apologize for not having waited upon you before. I ought to have done so, sir—I ought to have done so. But I have been over-occupied. I pray you will excuse me, sir.” When I consider our differences in years, and the different circumstances that surrounded each, I do not know of any incident that could have pleased me more than this stately courtesy of the old Colonel....when the boat was ready to start, he called up the officer of the guard, and said to him: “Captain, your orders are strict, I know; but these gentlemen are invalids; they are too weak to escape, sir. You must construe your orders liberally, sir, in favor of the sick. Do not let the guard trouble these gentlemen, and make them as comfortable as you can.”<sup>28</sup>

August 19, 1863 Colonel Joseph Bates and the 13<sup>th</sup> Texas Infantry were recalled to Texas to defend Velasco although not all of his troops, especially his four companies of cavalry, returned immediately.<sup>29</sup> Colonel Bates reported that “I had only 284 men for duty, including all the commissioned officers and enlisted men. I have only 35 cavalry (State troops) to scout and guard a distance along the coast of some 70 to 80 miles, when there ought to be at least three companies.”<sup>30</sup> General John Bankhead Magruder himself evaluated the defenses at Velasco and judged Bates’ regiment the most appropriate to guard the mouth of the Brazos while the regiment was still not at full strength and he also noted that the enemy had launched a force from Berwick Bay, Louisiana to either Texas or Mobile, Alabama:

HEADQUARTERS DISTRICT OF TEXAS, &C.  
Houston, October 9, 1863

Sir: The mouth of the Brazos requires for its defenses artillery, infantry, and cavalry, in small numbers. I found Bates’ regiment, thus composed, stationed there and well acquainted with the locality...I recognized it as a good one for the defense of the Brazos, and have kept it so...Brown’s battalion has not been sent to Louisiana nor has all of Bates’ regiment arrived in Texas. My last dispatches from General Taylor, dated September 30, state that the enemy sailed from there for Texas or Mobile the day before...In my opinion the mouth of the Brazos can be better defended by Bates’ regiment as it now is than by any other organization in my power...<sup>31</sup>

In the later part of 1863 Union General Nathaniel Banks invaded the lower Texas coast and began to move northward. By December 1863 Banks occupied Indianola and Port Lavaca and was in control of Matagorda Island.<sup>32</sup> While General J. Bankhead Magruder was desirous of holding the line at the Brazos River Colonel Bates was lamenting his weakness in numbers:

HEADQUARTERS FORCES MOUTH OF BRAZOS  
Velasco, Texas, December 2, 1863

...My regiment has only six companies left—three armed and serving as infantry, one light battery, and two companies serving as heavy artillery. The artillery companies are almost entirely destitute of small arms, and the command is divided, as you know by the Brazos River.

<sup>28</sup> Nott, Charles C., Sketches in Prison Camps: A Continuation of Sketches of the War, Anson D. F. Randolph, New York, New York, 1865, pp. 51-52.

<sup>29</sup> “Special Orders No. 223 George A. Magruder, Jr.”, Near Millican, August 19, 1863, Official Records of the Confederate and Union Armies, Series I Volume 26 Part 2, p. 173.

<sup>30</sup> “Colonel Joseph Bates to Captain A. N. Mills, Assistant Adjutant General”, September 29, 1863, Velasco, Texas, Official Records of the Confederate and Union Armies, Series I Volume 26 Part 2, pp. 270-271.

<sup>31</sup> “Major General J. Bankhead Magruder to Brigadier General W. R. Boggs”, October 9, 1863, Houston, Texas, Official Records of the Confederate and Union Armies, Series I Volume 26 Part 2, pp. 296-297.

<sup>32</sup> Wooster, Ralph A., Civil War Texas, Texas State Historical Association, Austin, Texas, 1999, pp. 27-28.

Here is my reliance for defense—only three companies—should the forts be abandoned. It is true that Colonel [T. W.] Jones has arrived with seven companies of State troops, but they are raw troops, badly armed, undrilled and undisciplined, and have no ammunition prepared.

Thus is summed up my sole reliance for the defense of my position, which is, in my humble judgment, one of the most important in the State, inasmuch as it is a point from which the enemy can do the greatest injury in the shortest distance and time...<sup>33</sup>

A few days later the 35<sup>th</sup> Regiment of Texas Cavalry under Colonel R. R. Brown was west of the San Bernard River scouting while Colonel Bates was still pressing for a build up of more troops.

HEADQUARTERS FORCES MOUTH OF BRAZOS  
Velasco, Texas, December 6, 1863

...I sent a courier to Colonel Brown this morning, suggesting to him that he would, in my opinion, do more good by keeping his regiment on the west side of the San Bernard...There are companies in Colonel Brown's regiment that are very familiar with all the ground between the San Bernard and Caney and along the peninsula...it might prevent a raid up the Caney...it would, too, prevent the escape of negroes to the enemy...

I am greatly in want of infantry troops, or more troops. I suggested to Colonel Likens, commanding Luckett's brigade, by courier yesterday, that he was too far off (Sandy Point) to be of service to this point in the event of an attack by a large force...Hence you see in what consists of my force to "hold out to the last extremity."

The Parrott gun arrived this morning, and will be placed in position without delay...<sup>34</sup>

As the troops started to pour into Brazoria County and to Velasco the demeanor of Colonel Bates started to change.

HEADQUARTERS FORCES MOUTH OF BRAZOS  
Velasco, Texas, December 8, 1863

...No vessels in sight. Heavy guns heard this morning at sea in the direction of Galveston. The Second and Third Texas Regiments, and a portion of Waul's Legion and of Gould's regiment, arrived last night; in all, about 1000 men. Many more troops are, I understand, near at hand, all of which makes me feel not only hopeful but confident that we will not be whipped...<sup>35</sup>

According to the Major General J. B. Magruder's list of troops present for duty in Texas on December 31, 1863 there had been a large influx of soldiers to all camps in Brazoria County:

Station and Command	Officers	Men
Brazos	37	601
Camp McNeel	33	517
Camp on Caney	40	617
Camp on Old Caney	26	325
Gulf Prairie	95	1386
McNeel's Plantation	9	166

<sup>33</sup> "Colonel J. Bates to Captain L. G. Aldrich, Assistant Adjutant General" December 2, 1863, Velasco, Texas, Official Records of the Confederate and Union Armies, Series I Volume 26 Part 2, pp. 468-469.

<sup>34</sup> "Colonel J. Bates to Captain Edmund P. Turner, Assistant Adjutant General", December 6, 1863, Velasco, Texas, Official Records of the Confederate and Union Armies, Series I Volume 26 Part 2, pp. 484-485.

<sup>35</sup> "Colonel J. Bates to Captain Edmund P. Turner, Assistant Adjutant General", December 8, 1863, Velasco, Texas, Official Records of the Confederate and Union Armies, Series I Volume 26 Part 2, p. 496.

Velasco (Confederate troops)	131	1399
Velasco (State troops)	124	1006

Velasco

2d Texas, Lieut. Col. N. L. McGinnis

3d Texas, Maj. J. H. Kampmann

23d Texas Cavalry, Lieut. Col. J. A. Corley

Bates' (Texas) regiment, Lieut. Col. H. P. Cayce

Waul's (Texas) Legion, Lieut. Col. J. Wrigley

Jones' (Texas) battery, Lieut. C. H. Williams

1<sup>st</sup> Texas State Cavalry, Col. T. W. Jones

Infantry Brigade, State Troops (twenty companies), Col. N.W. Townes<sup>36</sup>

January 8-9, 1864 the Confederate defenses at the mouth of Caney Creek were bombarded by a Federal gun-boat while the Confederates were trying to complete their hasty preparations for the invading army of General Banks.

#### HEADQUARTERS SECOND BRIGADE, SECOND DIVISION

Camp near P. McNeil's [McNeel] Farm, January 10, 1864

...I have the honor to report that on the 8<sup>th</sup> instant, at about 11 o'clock, a Federal gun-boat commenced shelling our works at the mouth of Caney, which she continued at intervals all day. At her first fire 1 man of Company E, First Texas Cavalry, was killed<sup>37</sup>. In the afternoon a transport was reported to be close in shore about 6 miles below the works, and the brigade was immediately sent to within supporting distance, where they remained all night. About noon on the 9<sup>th</sup>, the transport having left early in the morning in the direction of Decrow's Point, the brigade returned to camp. The gun-boat, which lay at anchor off the works all night, commenced shelling them again on the morning of the 9<sup>th</sup>, firing 40 rounds. No casualties.....<sup>38</sup>

Lieutenant Edward Sandcliffe reported that the shelling by the Union gun-boats was limiting his abilities to complete the fortifications at the mouth of Caney Creek:

SAN BERNARD. January 8, 1864—11 p. m.

I am so much annoyed by gun-boats that I can only work in the nighttime. Our work was this morning literally strewn with fragments of shells, grape, and canister, and am happy to say that no injury was done, the working parties being covered by the bomb-proofs. They are now shelling the lines below this place, and are expected any moment here. I had just now a report from Lieutenant Forsgard, in charge of troops at the mouth of Caney, that one of Buchel's men was killed by a shell, and that another gun-boat was coming up from the west while the one present was firing. I have ordered the negroes to work during the night, and by the rise of the morning star withdraw to the timber and then return in the evening. The carpenters' work is of

<sup>36</sup> "Abstract from returns of the District of Texas, New Mexico, and Arizona, Maj. Gen. J. B. Magruder, C. S. Army, commanding, for the month of December, 1863", Official Records of the Confederate and Union Armies, Series I Volume 26 Part 2, pp. 563-564.

<sup>37</sup> William Behrends aged 25 of Company E 1<sup>st</sup> Regiment of Texas Cavalry, McKinney, Bobby J., Confederates on the Caney, Mouth of Caney Publication, 1994, p.9.

<sup>38</sup> "Colonel A. Buchel to Captain L. G. Aldrich, Assistant Adjutant General", January 10, 1864, Camp near McNeil's Farm, Official Records of the Confederate and Union Armies, Series I Volume 34 Part 1, pp. 80-81.

such nature that it must be done in the daytime, unless provided with lanterns. The boat that shelled us last night laid for anchor in front of the fort until broad daylight...<sup>39</sup>

During this time troops were being stationed over the lower regions of Brazoria County in preparation of the Union advance:

Camp near	Officers	Men
San Bernard	92	1267
Mouth of Caney	105	1504
Cedar Lake	103	1386
Perry's Landing	29	283
Velasco	62	834

At Velasco

3d Texas Infantry, Col. P. N. Luckett

13<sup>th</sup> Texas Infantry, Col. Joseph Bates

Texas Battery, Capt. William E. Gibson

Texas Battery, Capt. H. Willke

With 7 pieces of heavy artillery and 8 pieces of field artillery<sup>40</sup>

From April, when fortifications at the mouth of the Brazos were planned and laid out, and the later part of 1863, work had been steady but slow. Union naval gun-boats had on several occasions fired on and attempted to assess the Confederate defenses at Velasco and Quintana.

In June Commodore H. H. Bell recorded in his private diary:

Saw in the river at Velasco one steamer and one schooner. A newly built fort on Quintana side, without gun, and 100 tents adjacent, but not soldiers, the morning being clear, and not more than four or five men on the fort. On the Velasco side the battery is not so prominent; situated near the water and to the south of the white house with colonnades<sup>41</sup>, some 40 or 50 men were assembled there in the rear of the fort, apparently unarmed; saw no guns. I think no soldiers there.<sup>42</sup>

In December 1863 the *U.S.S. Sciota* was ordered to assist the *U.S.S. Granite City* in landing troops at Smith's Landing and to reconnoiter the coast from Pass Cavallo to the Brazos River:

...when off San Bernard River discovered the enemy had two or three thousand men at work throwing up breastworks on the northern bank of the river.

I fired a few shells and dispersed them. On arriving at the Brazos River, found two forts, one on each side of the river, mounting seven guns; breastworks thrown up in the rear of the forts, and large numbers of troops at work upon them. Fired several shots at the works...<sup>43</sup>

<sup>39</sup> "Lieutenant Edward Sandcliffe to Theodore Heerman, Engineer Department", January 8, 1864, San Bernard, Official Records of the Confederate and Union Armies, Series I Volume 34 Part 2, pp. 843-844.

<sup>40</sup> "Abstract from return of the District of Texas..., Maj. Gen. John B. Magruder commanding", Official Records of the Confederate and Union Armies, Series I Volume 34 Part 2, pp. 931-932.

<sup>41</sup> John Herndon's beach home in Velasco which was once a hotel

<sup>42</sup> "Extracts from the private journal of Commodore H. H. Bell, U. S. Navy 1863", Official Records of the Confederate and Union Navies, Series I Volume 20, p. 758.

<sup>43</sup> "Lieutenant-Commander George H. Perkins to Captain John P. Gillis", Off Galveston, January 3, 1864, Official Records of the Confederate and Union Navies, Series I Volume 20, pp. 743-744.



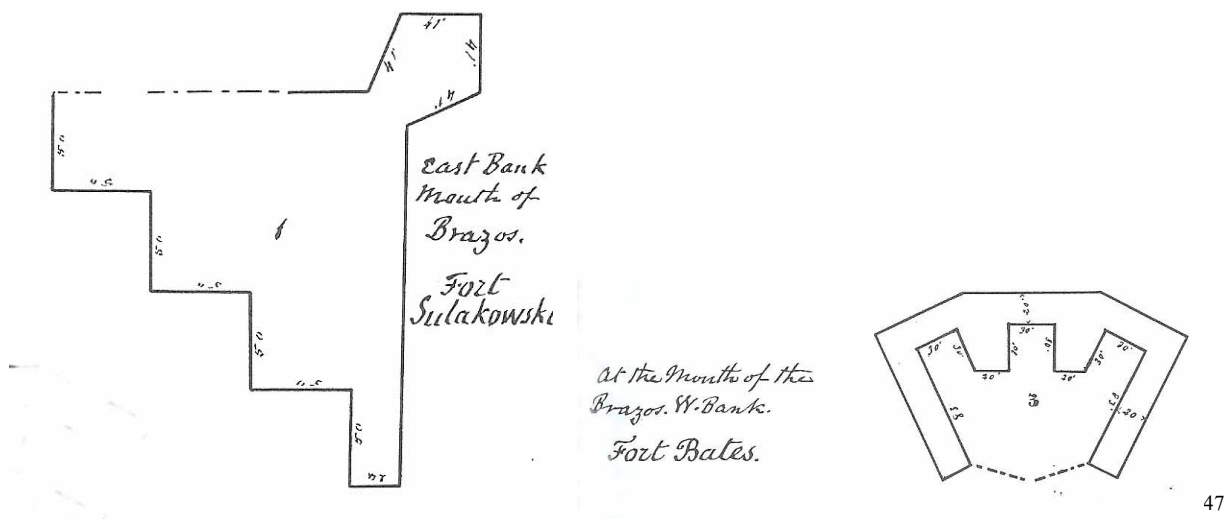
...At 12:15 p.m. off Brazos River; discovered the enemy had two forts, one on each side of the river, mounting seven guns, and a larger number of troops throwing up breastworks in the rear of the forts. Also for 2 miles above a large number of troops. Fired several shells at the forts, but received no reply...<sup>44</sup>

The Confederates at Post Velasco also reported this attack:

...I have the honor to report that a steam gunboat was discovered this morning about 12 m. off the mouth of the San Bernard. After firing a few shots there she lowered her sails and steamed up opposite our batteries and fired eight shots, all of which fell short and were not answered by our guns...<sup>45</sup>

Commander J. H. Strong of the *U.S.S. Monongahela* had reported earlier that he had learned from deserters and partial reconnaissance that at the mouth of the Brazos the rebels had a fort mounting at least 20 guns; 13 guns facing the sea, some of them heavy guns.<sup>46</sup>

In reality the fortifications at the Brazos River were not complete until January 1864. Lieutenant Abram Cross reported that Fort Sulakowski on the Velasco side of the Brazos River had “cremaliere front, facing about South West, flanked by a baskin [bastion] in North East corner, enclosed in rear by stockade and mounting five guns, in barbette, to wit; on 30 pounder Parrot gun, one 32 pounder Navy gun, one 24 and one 18 pounders, Sea coast guns and one 12 pounder; containing four Bombproofs, four Magazines, (bombproofs 6x20) and a hot shot furnace”. On the Quintana side of the river was Fort Bates, “mounting three pieces of artillery, to wit; one 32 pounder Navy gun, one 18 pounder and an 8 inch howitzer and hot Shot furnace with two Bombproofs and two Magazines.”



<sup>44</sup> “Abstract log of the *U.S.S. Sciota*”, Official Records of the Confederate and Union Navies, Series I Volume 20, p. 745.

<sup>45</sup> “Colonel P. N. Lockett to Captain L. G. Aldrich”, Headquarters Post of Velasco Texas, December 29, 1863, Official Records of the Confederate and Union Navies, Series I Volume 20, p. 859.

<sup>46</sup> “J. H. Strong Commander to Commodore H. H. Bell”, Of Pass Cavallo, December 28, 1863, Official Records of the Confederate and Union Navies, Series I Volume 20, pp. 741-742.

<sup>47</sup> Freeman, Martha Doty, A History of Civil War Military Activities at Velasco & Quintana, Brazoria County, & Virginia Point, Galveston County, Texas, Prewitt and Associates, Inc., Austin, Texas, April 1995, pp. 26-37.

The game of cat and mouse between the Union gun boats and Confederate blockade runners continued through 1864 and 1865 while the threat of invasion lessened as Union General Nathaniel Banks moved most of his forces and started the Red River Campaign March 10-May 22, 1864.

In March Velasco was shelled by the Union gunboat *U.S.S. Penobscot* as reported by Captain W. S. Herndon:

I have the honor to report that about 4:30 o'clock yesterday the blockader, a schooner-rigged propeller, passed up to the eastward some 3 miles from the forts and then came back, just out of the range of our guns, with the wind and sea, and opened fire on the steamship Matagorda, which was still aground. She fired 4 shots from a Parrott gun, all passing over the vessel and exploding some distance to the rear. The enemy then passed to eastward again, not being able with so much wind and sea to open fire going up, and then the second time came down within range of both our batteries. The enemy fired 3 shots; one of them, a shell, exploded within a few yards of the Matagorda, one exploded so near Doctor Seeds that he was covered with cinders and smoke, and a solid shot knocked down a horse at the bridge on the bayou. Our guns shot remarkably well, since 6 shots from our batteries came very near, some went over, some a little short, glanced (ricocheted), and I think struck the vessel of the enemy, which drew the gunners from their guns and the men from off the deck, and the vessel remained in an unmanageable condition for about ten minutes, when she backed out to sea without firing anymore. The enemy came to anchor about 5 miles out. There were 7 shots fired by the enemy and 15 shots by our batteries...<sup>48</sup>

The same month Colonel Joseph Bates was notified of an increase in his area of responsibility:

The general commanding directs me to state that your command includes all troops from Duff's command in the west now stationed on the Lavaca River to the San Luis Pass. The following regiments and companies are in your command: Duff's and Brown's regiments of cavalry, Bates' Second [Thirteenth] Texas Infantry, Waul's Legion, and three batteries, Dashiell's, Hughes', and Jones' also the fleet in Matagorda Bay, as well as Rugeley's company at Matagorda. The latter is dismounted, all but about 20 men.<sup>49</sup>

By the end of March activity along the coastline began to diminish and for most the rest of the year most of the action among the gun-boats blockading the coast was the chasing of the occasional blockade runner.

The *U.S.S. Penguin* chased ashore the steamer *Granite City* January 1865 being one of the last engagements with the forts at the mouth of the Brazos River:

... in hopes of forcing him offshore, as I was gaining on him very rapidly, and as soon as in range, opened fire from pivot gun, and forcing him to run on shore about a half a mile northward and eastward of the entrance to Velasco, under the enemies batteries. At 3:50p.m. commenced firing from our broadside guns at the distance of about 1,000 yards, with the enemy returning fire from batteries on shore with about 5 guns, their projectiles going over and falling around us...Ammunition expended: Nine rounds from 32-pounders, 10 from 20-pounder Parrotts, 11 from rifle howitzer (pivot)...<sup>50</sup>

<sup>48</sup> "Captain W. S. Herndon to Colonel Joseph Bates", Headquarters Post, Velasco, March 22, 1864, Official Records of the Confederate and Union Armies, Series I Volume 34 Part 1, pp. 652-653.

<sup>49</sup> "Assistant Adjutant-General E. R. Tarver to Colonel Joseph Bates", Wharton, Texas, March 17, 1864, Official Records of the Confederate and Union Armies, Series I Volume 34 Part 2, pp. 1052-1053.

<sup>50</sup> "Acting Volunteer Lieutenant James R. Beers to Captain George F. Emmons U. S. Navy", Off Velasco, Texas, January 21, 1865, Official Records of the Confederate and Union Navies, Series I Volume 22, p. 18.

Nearing the end of the war, Colonel Joseph Bates reported the troops present for duty under his command in April 1865:

	Officers	Men
13 <sup>th</sup> Regiment Texas Volunteer Infantry	19	392
McCord's regiment (Texas) cavalry	13	76
Hughes' battery light artillery	4	42
Goode's company, 25 <sup>th</sup> Regiment Texas Cavalry	3	28 <sup>51</sup>

After the surrender field guns left in position and spiked by the Confederate troops at Velasco which included those at Quintana were listed as:

32-pounder gun	2
24-pounder gun	2
18-pounder gun	2
12-pounder gun	1
4.25-inch rifle	1
12-pounder field howitzer	2 <sup>52</sup>

Upon returning to civilian life Joseph Bates continued to live with his family on his plantation on the San Bernard River engaging in farming and ranching. Two children had been born to Joseph and Mary Bates during the Civil War and another would be born in 1869 (See Appendix A). Joseph and Mary in 1870 deeded a one acre tract over to a group of freedmen "for a school house to be used for the education of freedman and children irrespective of race or color".<sup>53</sup> The 1870 Census lists the Joseph Bates household:

Joseph Bates (Farmer)	65M	Alabama
Mary Bates	46 F	Kentucky
James Bates (Stock driver)	18M	Texas
Morris Bates	9M	Texas
Sidney Bates	7M	Texas
Alice Bates	3 F	Texas
Flournoy Troup (Laborer)	25M	Kentucky
Fountain Winston (Laborer)	38M	Alabama
John Hughes (Domestic servant)	14M	Georgia
Eliza Hughes (Domestic servant)	21 F	Texas
Mary Hughes	1 F	Texas

In 1879 Mary Bates died and was buried with her parents in Galveston. Mammie Westall, Joseph Bates' granddaughter and Joseph Westall, grandson, began to live with Joseph Bates by 1880:

<sup>51</sup> "Abstract from return of the Central Sub-District of Texas, Col. Joseph Bates commanding", April, 1865, Official Records of the Confederate and Union Armies, Series I Volume 48 Part 2, pp. 1292.

<sup>52</sup> "Report of siege and sea-coast guns, Trans-Mississippi Department", June 1, 1865, Official Records of the Confederate and Union Armies, Series I Volume 48 Part 2, p. 964.

<sup>53</sup> BCDR: M 266/67

Joseph Bates (Farmer)	75M
Sidney Bates (at School)	17M
Alice Bates (At School)	12 F
Mamie Westall (Keeping House)	21 F
Joseph Westall (Stock Driver)	16M

In 1886 Sidney J. Bates received the plantation and other acreage from his father and his siblings.<sup>54</sup> Joseph Bates died February 18, 1888 at his home in Brazoria County and was buried with his wife in the Episcopal Cemetery in Galveston. As part of his written eulogy: "...he in the turbulent time of reconstruction bore himself with such moderation, discretion, and firmness, that his example and zealous efforts went far towards bringing a pacific adjustment to local affairs...His love of home and friends, his high sense of justice, unbending integrity and constancy of purpose, are all traits of character which united in him..."<sup>55</sup>



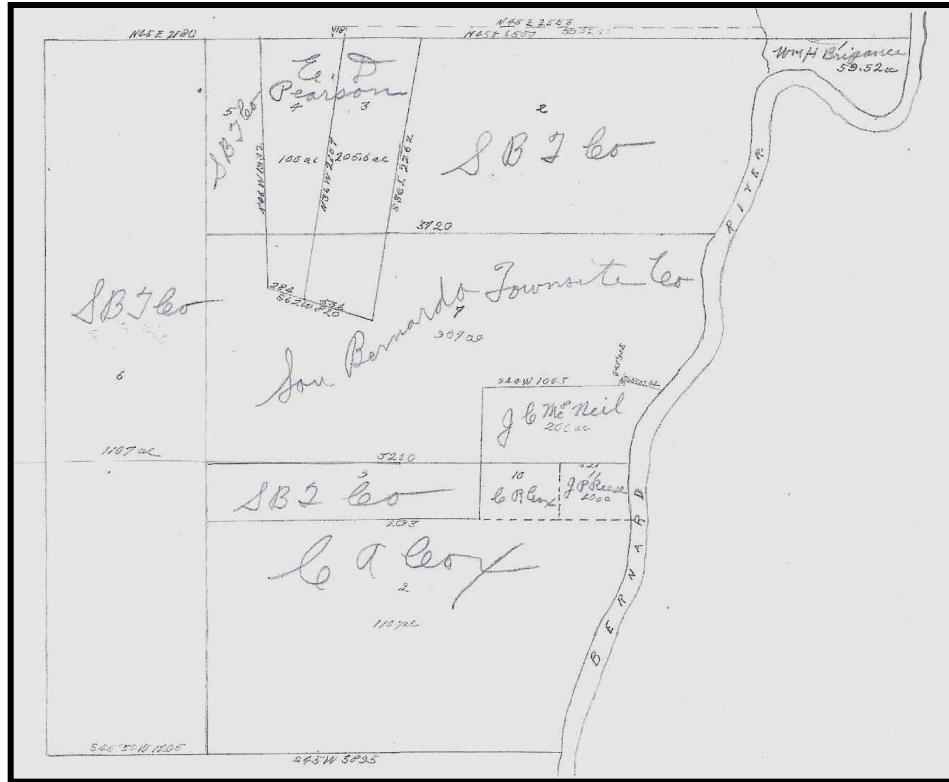
Photo Courtesy of the Author 2009

In 1889 Sidney J. and S. Amanda Bates sold the 200 acre homestead and the rest of the plantation lands to Elizabeth M. Bates, wife of Wharton Bates, and Alice Bates, his sister and moved to Matagorda County.<sup>56</sup> By 1900 Wharton and Eliza Bates were living in Houston where Wharton practiced law. The family held on to the 200 acre homestead plus 100 acres until Elizabeth M. Bates sold the homestead to E. D. Pearson in 1911 for \$9300.

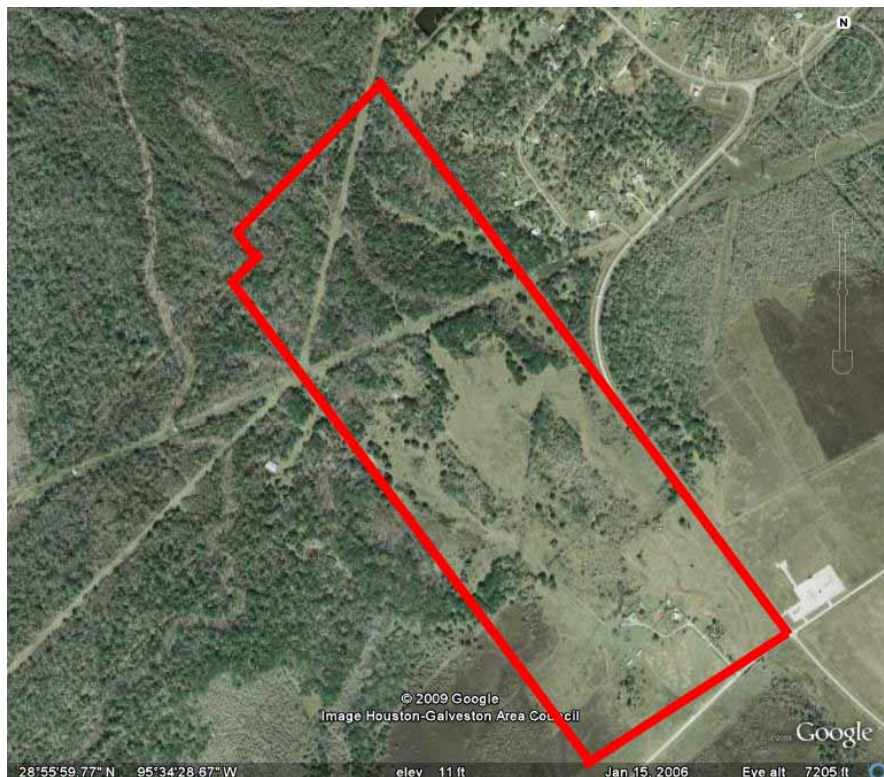
<sup>54</sup> BCDR: Z 11

<sup>55</sup> Brown, John Henry, Indian Wars and Pioneers of Texas, L. E. Daniel, St. Louis, Missouri, 1895, p. 547

<sup>56</sup> BCDR: 2 102/04 & 2 141/43



Alley League Courtesy Brazoria County Historical Museum Map 1988.070c.0221





J. T. Hinkle acquired the property in 1912 and it has been part of the Herbert & Jean Hinkle estate for many years. The exact location of the home and sugar mill is not known at this time.

Located in the same Thomas V. and William A. Alley League on the west side of the San Bernard River was Churchill's Ferry. Andrew and Margaret Churchill with their son William may have arrived in 1835 before the Texas Revolution from Kentucky.<sup>57</sup> In the late 1830's Andrew owned a home and lots in the port of Velasco at the mouth of the Brazos River.<sup>58</sup> Before April 1840 he bought 400 acres out of the Alley League from Robert Mills.<sup>59</sup> The 1842 Tax Roll lists Andrew Churchill with the 400 acres and 3 slaves. Andrew Churchill ran a small farm and built a ferry across the San Bernard at this location. The road from Brazoria crossed here and headed south to Cedar Lake and the mouth of Caney Creek.

The 1850 Federal Census lists the Churchill family and also the family of William H. Scott who had married Andrew and Margaret's daughter, Jane Ann Churchill:

Andrew Churchill (Farmer)	59M	Kentucky
Margaret Churchill	59 F	Tennessee
William Churchill	21 M	Kentucky
William H. Scott (Farmer) (Blind	37M	Kentucky
Jane Ann Scott	27 F	Kentucky
William A.	5/12 M	Texas

---

<sup>57</sup> Creighton, James A., *A Narrative History of Brazoria County*, Texian Press, Waco, Texas, 1975, p. 463.

<sup>58</sup> BCDR A: 242

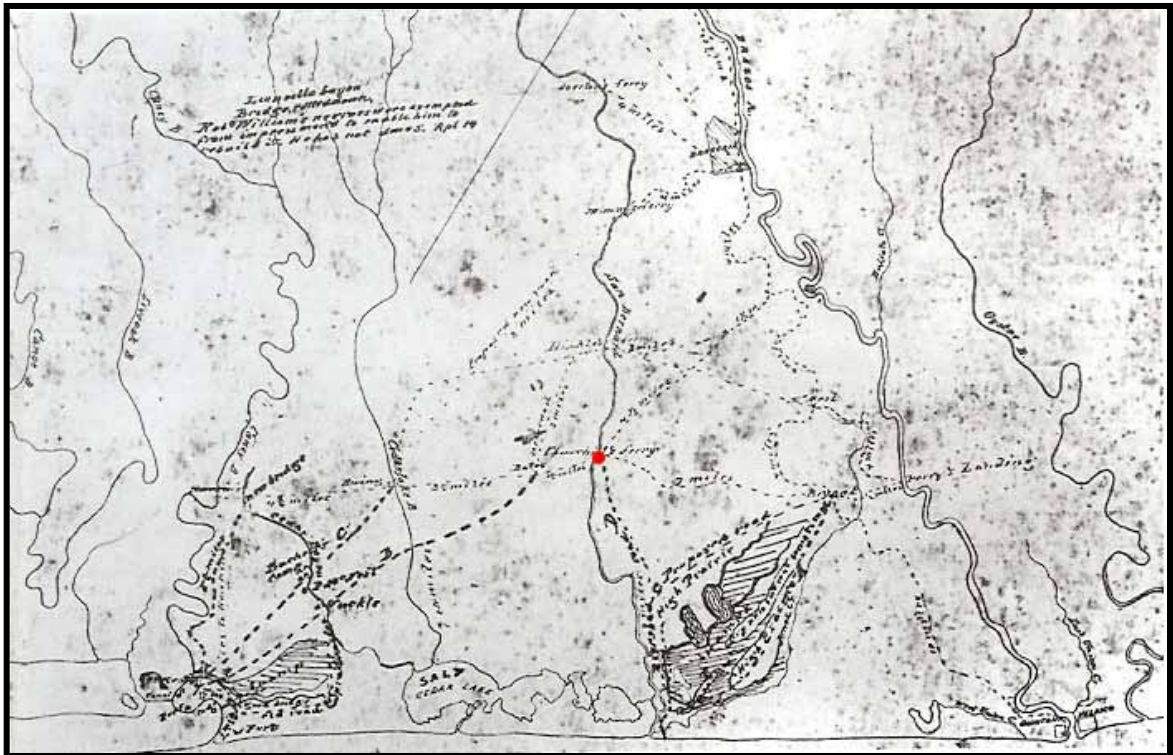
<sup>59</sup> The deed of transfer from Robert Mills to Andrew Churchill was not entered into the County Clerk's records but Mills mentions that he had previously sold the 400 acres to Churchill in his deed of transfer of 707 acres adjoining Churchill's to Jordan Hill April 17, 1840. BCDR: C 520/22



John L. Cochrane (Physician)

36M Kentucky

John L. Cochrane, physician, may have been staying at the home to care for Margaret as she would die that same year December 11, 1860 (Born December 1, 1786 buried old Cedar Lake Cemetery). Andrew moved to Jackson County while William stayed operating the small plantation and ferry. He died October 11, 1861<sup>61</sup> (buried old Cedar Lake Cemetery no marker) and left the ferry and 200 acres to his son according to William P. Churchill. The ferry would be a hub of activity during the Civil War as troops passed back and forth to the southern part of the county.



National Archives Map # Z58-1

After the Civil War, William Churchill worked for Joel Spencer as manager of his cotton plantation near Brazoria. At this same time in 1867 Adelaide Spencer<sup>62</sup>, a freedwoman, was charged with "Fornication". Previous to that time in 1865 Adelaide was seen in William P. Churchill's house on the San Bernard by C. R. Cox. William P. Churchill supposedly had told C. R. Cox that he had visited Adelaide on several occasions at night. Joel Spencer testified that he knew of no relationship between the two while Churchill was managing his plantation. Joel

<sup>61</sup> Have reference that Andrew Churchill married Mary Harrell July 30, 1864 in Jackson County, Texas so the date of death may be in question.

<sup>62</sup> Adelaide Spencer was the daughter of Sylva or Silva Spencer, slave of Joel Spencer. Joel Spencer's wife had accused him of taking Silva as a mistress as part of their divorce case. See Joel Spencer Plantation Report.

Spencer put up a \$300 bond for Adelaide to appear at trial. She was found guilty and fined \$100 although this case would be reversed by the Texas Supreme Court.<sup>63</sup>

William P. Churchill and Adelaide Spencer Churchill were listed in the same household in 1870 with Adelaide's mother Sylva and her other children living close by:

		Race	
William Churchill (Farmer)	41M	W	Kentucky
Adelaide Churchill (Keep House)	29 F	M	Texas
Aria?? Churchill	4 F	M	Texas
William Churchill	1M	M	Texas
Alonzo Churchill	10M	M	Texas
Love(?)	8 F	M	Texas
Sylva Spencer (Keep House)	55 F	M	Louisiana
Mat Spencer	25M	M	Texas
Sallie Spencer	22 F	M	Texas
Jackson Spencer	17M	M	Texas
Simian Spencer	16M	M	Texas

In 1867 William P. Churchill had conveyed the "Churchill Place and Ferry" which now consisted of 200 acres to Adelaide Spencer for \$500. This conveyance for the suitable maintenance of Adelaide and her children was only to last as long as Adelaide was still alive and revert to William should she die before him. Should William die before Adelaide the property was hers to do as she wished.<sup>64</sup> On July 16, 1870 Adelaide's brother Matt Spencer shot William P. Churchill to death with a shotgun. He left the county and was never tried.<sup>65</sup>

In 1873 William H. Scott on behalf of his children claiming that they were entitled to their deceased mother's share of her father's estate sued Adelaide Churchill for ½ interest. Scott wanted the lands divided equitably or sold.<sup>66</sup> An agreement was reached February 15, 1873 in which Adelaide would pay Scott \$1200 in cash and notes (including a note from Joseph Bates).<sup>67</sup> Scott still brought the suit forward to have a clear title made to Adelaide. May 1874 Adelaide Churchill bought the Churchill Place at public auction for \$1600.<sup>68</sup> She mortgaged the property to the Alexander Mims Estate to cover a \$667 note on which there was a balance of \$373.08 by June 27, 1874.<sup>69</sup> That same year Sally Breeze, Adelaide's sister, would die and her husband, James A. Breeze, conveyed all his wife's home furnishings in a home in Brazoria to Adelaide.<sup>70</sup>

---

<sup>63</sup> *State of Texas vs Adelaide Spencer*, Criminal Case 587, District Clerk's Office, Brazoria County Courthouse, Angleton, Texas.

<sup>64</sup> BCDR: L 381

<sup>65</sup> *State of Texas vs Matt Spencer*, Criminal Case 807, District Clerk's Office, Brazoria County Courthouse, Angleton, Texas

<sup>66</sup> *Scott et al vs Adelaide Churchill*, Civil Case 3208, District Clerk's Office, Brazoria County Courthouse, Angleton, Texas

<sup>67</sup> BCDR: S 730 Adelaide Spencer Churchill was able to sign her name to this document.

<sup>68</sup> BCDR O 289/90

<sup>69</sup> BCDR: N 685/86 & O 290/91

<sup>70</sup> BCDR: O 505

In September 1875 Adelaide Churchill sold the 200 acres, improvements, ferry, and ferry boat to Lewis T. Bennett of Brazoria for \$2000.<sup>71</sup> Lewis and his wife Josephine sold their home and three lots in Block 21 in Brazoria to Adelaide the same day for \$750.<sup>72</sup> Lewis T. and Josephine's daughter Eliza M. Bennett had married Wharton Bates and they lived on the Bates Plantation just to the north of the old Churchill Place.

Lewis T. Bennett became postmaster in 1877 and ran the ferry for several years until after the death of his wife when he sold the property to Charles P. and J. Calvin McNeill in 1885.<sup>73</sup> It remained part of the McNeill family property for many years though the ferry itself was not in use being replaced by a hand operated drawbridge (See map on page 18). The building of the Sportsman's Span Bridge across the San Bernard River about a mile upstream of the ferry in 1958 on FM 2611 would finally connect the road system in the lower part of Brazoria County. No structures are known to exist that were part of the "Churchill's Place" or "Churchill's Ferry" though the location of the ferry down river from Sportsman's Span Bridge can still be located.

---

<sup>71</sup> BCDR: P 20/22, P 22/24 & P25 Adelaide Spencer Churchill was able to sign her name to this document.

<sup>72</sup> No further data could be found on Adelaide Spencer Churchill after her move to Brazoria or her mother Sylvia Spencer.

<sup>73</sup> BCDR: X 160/62



## Appendix A Joseph Bates Family Genealogy

Joseph Bates b. January 19, 1805 Mobile, Alabama (Joseph Bates Sr.)  
d. February 18, 1888 Brazoria County, Texas (buried Galveston)

m. 1<sup>st</sup>

Rosa F. Mull?

1. John B. Bates b. ~1824
2. Jane L. Bates b. ~1832
3. Mary M. Bates b. ~1834  
m. February 15, 1855  
Andrew E. Westall b. ~1813
4. Amelia R. Bates b. ~1840 Kentucky
5. Joseph Bates b. November 22, 1843 Alabama  
d. July 19, 1878 Brazoria County, Texas (buried West Columbia)  
m.  
Amanda Jane Bell b. July 8, 1848  
d. December 14, 1911 Brazoria County, Texas (buried W. Columbia)
6. Julia M. Bates b. ~1844 Alabama d. 1864 Huntsville, Texas  
m. October 10, 1864 Brazoria County, Texas  
Andrew Morgan Baker b. 1834 Florence, Alabama d. Oct. 4, 1864 Huntsville, Texas  
a. Andrew Morgan Baker b. September 22, 1864
7. Rosa E. Bates b. ~1848 Texas

m. 2<sup>nd</sup> 1851 Galveston

Mrs. Mary Love Morris b. September 28, 1821 Kentucky (James Love 1795-1874 & Lucy Ballinger)  
d. January 16, 1879 Galveston, Texas (Tombstone Mabel Love Bates b. September 28, 1821)

1. James Love Bates b. ~1852 Brazoria County, Texas
2. Wharton Bates b. Nov. 1856 Brazoria County, Texas  
m. February 13, 1877  
Elizabeth Margaret Bennett b. Oct. 1859  
3 Children none alive by 1900
3. Morris Bates b. ~1861 Brazoria County, Texas
4. Sidney Johnston Bates b. Nov. 12, 1862 Brazoria County, Texas  
m. May 13, 1885 near Bay City, Matagorda County  
Susan Amanda Matthews b. Nov. 11, 1862 Caney, Texas d. October 15, 1941  
a. Joseph M. Bates ( May 1886-)  
b. Belle Bates (Sept. 1887-August 1, 1958)  
c. Mary Love Bates (July 11, 1889-Jan. 24, 1978) Mrs. Guy Jones  
d. John Wharton Bates (Jan. 6, 1892-June 12, 1937)  
e. Morris Sylvan Bates (July 1894- January 20, 1957)  
f. Jessie Bates (July 11, 1899-) Mrs. Anderson Gladney  
g. Van A. Bates (July 1899-)
5. Mary Alice Bates b. 1868 Brazoria County, Texas  
m. May 4, 1891 Brazoria County  
Oscar D. Kirkland

## Appendix B

### Joseph Bates Plantation Deed Record

GRANTORS	GRANTEES	Kind of Instrument	Book	Page	Month	Day	Year	Acres	Description
Mexican Government	Thomas & William Alley	Deed	1	268	July	29	1824		1 League west side of San Bernard River south of Brazoria
Rawson & Thomas V. Alley estates	William Alley Abraham Alley Cinthea Alley Daniels	Deed	A	111/12	Feb	10	1837	1107	Heirs of Rawson Alley and Thomas Alley agreed to partition the Thomas & William Alley League. Abraham Alley received the middle ¼ league
Heirs	William Alley	Deed	E	475/77	May	7	1850	2214	¼ back end of league + ¼ on south line confirmed deed from 1837
Heirs	Cynthia Alley Daniels	Deed	C	252/53	Feb	10	1837	1107	Upper ¼ league
Cynthia and William Daniels Colorado Co.	Leander H. McNeel	Deed	A	7/8	Feb	10	1837	1107	\$1944.25 Cynthia Alley Daniels ¼ League upper
Abraham Alley	Robert Mills	Deed	C	17	June	2	1837	1107	\$1200 His ¼ middle league
Robert Mills	Andrew Churchill	Deed						400	Where Churchill established his ferry
Leander H. McNeel	Dudley Richardson Walker	Deed	C	372/73	July	11	1839	1107	\$4000 ¼ Alley League
Dudley R. Walker	Edward Bryerton Walker Jr.	Deed	C	423/424	Sept	26	1839	1107	\$4500 "improvements" & livestock
Edward Bryerton Walker Jr.	Dudley R. Walker	Deed	C	481/83	Feb	4	1840	1107	\$4500 3 yoke of oxen & a cart, 1 sorrell mule
Dudley R. Walker	Jesse H. Cleveland	PA	F	479	Feb	1	1844		
Dudley R. Walker New Orleans	Samuel May Williams	Deed	F	479/80	May	18	1844	1107	\$11,250 1 Negro Woman Hannah (28), 1 Negro Man Major (25), 1 Negro Woman Clarissa (23) + her 3 children, 120 hd of cattle, 7 Horses & mules, 5 work oxen, stock of hogs, farming, carpenter and smith tools, corn, fodder, & meat belonging to plantation
Robert Mills	Jordan Hill	Deed	C	520/22	April	17	1840	707	\$2527.50 upper part of ¼ league Churchill had lower 400 acres
Jordan Hill	Robert Mills	Deed	E	186/87				707	Hill couldn't make payments so he deeded it back to Mills
Robert Mills	Samuel May Williams	Deed	F	476/77	Jan	14	1853	707	\$1500 acreage out of Abraham Alley's share had conveyed 14Jan1851
Samuel May Williams	Joseph Bates	Deed	F	502/03	Dec	25	1851	1760	\$16000 1700 acres + 59.5 acres out of Zerrilda Bell's tract all buildings, machinery, horses, and ½ present crop
Joseph & Mary L. Bates	Clinton Terry	DT	G	185/87	Feb	1	1855		\$19,535.65 Judgment US Federal Court USA vs Joseph Bates et al plantation & 20 slaves + livestock as security

Joseph Bates	James H. Bell	DT	G	345/46	June	16	1855		Present crop of sugar cane and land as security for 3 notes
Joseph Bates	John A. Wharton	DT	J	180/81	May	30	1859	1760	Note \$4836.85 Sorely Smith & Co. Plantation, sugar house, farm machinery, livestock, and 20 slaves as security
C. K. Reese Estate	Joseph Bates	D	K	384/85	May	12	1862	250	\$1250 east of Cocklebur Slough
Joseph & Mary L. Bates	Chris Higgins Benjamin Ward Pompey Higgins B. Mathews etc trustees	D	M	266/67			1870	1	1Square acre for a school house to be used for the education of freedman and children irrespective of race or color
Sheriff auction	James L. Bates	D	O	12/14	Oct	31	1873	250	Acreage on Cocklebur Slough foreclosed
James L. Bates	Sidney J. Bates	D	Y	328	May	12	1886		All interest in the Mary L. Bate Estate
Joseph Bates Wharton Bates (son) Alice Bates (daughter)	Sidney J. Bates	D	Z	11	Dec	12	1886		2375 acres Alley League 59.5 acres Bell League 750 acres Dillard League Plantation & ranch
Sidney J. & S. Amanda Bates	Mrs. E. M. Bates ( wife Wharton Bates) Alice Bates	D	2	102/04	Jan	1	1889	200	\$3500 Homestead tract Alley League
Sidney J. & S. Amanda Bates	Mrs. E. M. Bates ( wife Wharton Bates) Alice Bates	D	2	141/43	Jan	1	1889		\$4500 the tracts of land making up the plantation and ranch except homestead
Mrs. Mary L. & Webster Ballinger	John Lyle Scott	D	16	182/85	July	2	1892		Their interest
Wharton Bates et al	Middlesex Banking Company	D	18	275/80	Sept	6	1892		\$26,250 Several tracts of land
Middlesex Banking Company	Connecticut Investment Co.	D	108	241/44	June	12	1893		8 Tracts of land
Sidney J. Bates et al	Middlesex Banking Company	D	32	270/74	June	11	1894		Their interest in
Mary L. & Webster Ballinger	Middlesex Banking Company	D	32	274/77	Nov	9	1894		Their interest in
Connecticut Investment Co.	J. R. Mitchell	Decree	32	278/81	March	31	1895		
J. R. Mitchell	H. Masterson	D	65	394/95	Nov	29	1895		½ Interest \$650
J. R. Mitchell	Wharton Bates	D	50	174/76	Oct	17	1899	200	Homestead
Wharton Bates	E. M. Bates	D	50	176/77	Oct	17	1899	200	Homestead
Mrs. E. M. Bates	E. D. Pearson	D	107	160/62	April	4	1911	200	\$9300 homestead
E. D. Pearson	R. C. & Blanche Nitze	D	114	425/26	June	8	1911	300	½ Interest
E. D. Pearon R. C. Nitze	J. T. Hinkle	D	118	405/07	Aug	14	1912	300	Reserved crop
Herbert Harold Hinkle	Herbert & Jean Hinkle Estate	D			Dec	12	1999		1999-057999
					Jan	7	2000		2000-000838

Churchill's Ferry									
Abraham Alley	Robert Mills	Deed	C	17	June	2	1837	1107	\$1200 His ¼ middle league
Robert Mills	Andrew Churchill	Deed						400	Where Churchill established his ferry date of deed unknown prior April 1840
Andrew Churchill	Margaret Churchill	Deed	H	204/05	Jan	19	1855		\$1600 sold slaves Silvey and her 2 children to his wife as separate property
William P. Churchill	Adelaide Spencer	Deed	L	381	Nov	15	1867	200	Churchill Place & Ferry if she were to die before Churchill it would revert to him \$500
William H. Scott et al	Adelaide Churchill	Agreement	S	730/31	Feb	13	1873	400	Scott agrees to institute suit to bring about partition of 400 acre Churchill estate so Adelaide can purchase & get clear title
Adelaide Churchill	T.W. Masterson Asa E. Stratton	Mortgage	N	685/86	June	12	1873	200	\$667 note to cover purchase price from Estate of Alexander Mims
William Fort Smith	Adelaide Churchill	Deed	O	289/90	May	7	1874	200	As part of Civil Case 3208 Adelaide purchased Churchill Place at auction \$1600
Adelaide Churchill	T.W. Masterson Asa E. Stratton	Mortgage	O	290/91	June	27	1874	200	Original note of \$667 to purchase Churchill place balance of \$373.08 secured by property
Adelaide Churchill	C. R. Cox	Deed	O	335	July	29	1874		\$126.60 purchase of 2 horses
James A. Breeze	Adelaide Churchill	Deed	O	505	Dec	22	1874		On death of Sally Ann Breeze her husband conveyed all her household belongings to her sister Adelaide
		Decree	R	48/49	June	8	1875		Civil Case 1525 Joseph Bates contested property line and won the case
Adelaide Spencer Churchill	Lewis T. Bennett	Deed	P	20/22	Sept	1	1875	200	\$2000 sold homestead
Lewis T. Bennett	Adelaide Spencer Churchill	DT	P	22/24	Sept	1	1875	200	Deed of Trust to Adelaide security on note
Lewis T. & Josephine Bennett <sup>74</sup>	Adelaide Spencer Churchill	Deed	P	25	Sept	1	1875		\$725 Lots 1, 2, & 3 Block 21 in Brazoria with improvements
C. R. Cox Sheriff	Joseph Bates	D	R	659/60	Oct	1	1878	200	\$50 Bates bought the western 200 acres as part of suit against Adelaide
William P. Churchill Estate?	Joseph Bates	Deed	S	257/59	July	1	1879		\$12.15 back taxes on his 200 acres
Lewis T. Bennett	Charles P. & J. Calvin McNeill	Deed	X	160/62	Jan	6	1885	200	McNeill's held DT on land. They released the DT for \$1442.45 and paid \$200

<sup>74</sup> Deed records indicate that Lewis T. and Josephine Bennett were the parents of Eliza M. Bates (wife of Wharton Bates) and Josephine had died by September 1885.

## BIBLIOGRAPHY

### Primary Sources

#### UNPUBLISHED PAPERS

Brazoria County Historical Museum Library, Angleton, Texas  
Bates Family File 164

Texas State Archives, Austin, Texas  
Texas Agricultural Census 1850

Texas Agricultural Census 1860

#### NEWSPAPERS AND PERIODICALS

*Democrat and Planter*, Columbia, Texas

#### GOVERNMENT DOCUMENTS

Deed Records Brazoria County, County Clerk's Office, Angleton, Texas

Brazoria County Tax Records on microfilm Brazoria County Historical Museum,  
Angleton, Texas

Federal Population Schedule, Seventh Census of the United States.  
1850 The State of Texas, Brazoria County  
"Schedule 2—Slave Inhabitants in the County of Brazoria, Texas"

Federal Population Schedule, Eighth Census of the United States.  
1860 The State of Texas, Brazoria County  
"Schedule 2—Slave Inhabitants in the County of Brazoria, Texas"

Federal Population Schedule, Ninth Census of the United States.  
1870

Federal Population Schedule, Tenth Census of the United States.  
1880

### Secondary Sources

#### BOOKS, ESSAYS, THESES, AND DISSERTATIONS

Champomier, P. A., Statement of the Sugar Crop Made in Louisiana in 1852-53, With An Appendix, New Orleans, 1853



Champomier, P. A., Statement of the Sugar Crop Made in Louisiana in 1853-54, With An Appendix, New Orleans, 1854

Champomier, P. A., Statement of the Sugar Crop Made in Louisiana in 1854-55, With An Appendix, New Orleans, 1855

Champomier, P. A., Statement of the Sugar Crop Made in Louisiana in 1855-56, With An Appendix, New Orleans, 1856.

Champomier, P. A., Statement of the Sugar Crop Made in Louisiana in 1858-59, With An Appendix, New Orleans, 1859

Champomier, P. A., Statement of the Sugar Crop Made in Louisiana in 1860-61, With An Appendix, New Orleans, Cook, Young, & Co., 1861

Creighton, James A., A Narrative History of Brazoria County, Texian Press, Waco, Texas, 1975

Freeman, Martha Doty, A History of Civil War Military Activities at Velasco & Quintana, Brazoria County, & Virginia Point, Galveston County, Texas, Prewitt and Associates, Inc., Austin, Texas, April 1995

Henson, Margaret Swett, Samuel May Williams, Texas A&M University Press, College Station, Texas, 1976

Wilbarger, J.C., Indian Depredations in Texas, Eakin Press, Austin, Texas, 1985

Wooster, Ralph A., Civil War Texas, Texas State Historical Association, Austin, Texas, 1999

The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies, 128 volumes, Washington D. C., Government Printing Office, 1880-1901

The Official Records of the Union and Confederate Navies in the War of the Rebellion, 34 volumes., Washington D. C., Government Printing Office, 1899-1908

The Handbook of Texas Online