

have been well known in that early day, was known as Houston's Mound, and is located about a mile North of Murchison's Prairie. Both of these localities must have been well known in the very early stages of Texas History. Recently an oil well was drilled very near Houston's Mound, just across the line in Anderson County, and in reaching it the roadway led across the historic elevation known as Houston's Mound. Evidently Houston's Mound was so-called and named in honor of Sam Houston.

On the 17th day of April, 1846, the County of Henderson was created out of portions of Counties of Houston, and Nacogdoches and in the Act creating it is defined as follows:

"Commencing at the Northeast corner of Anderson County, on the Neches River; THENCE North with the Western Boundary lines of the counties of Cherokee and Smith, to the Sabine River; Thence down said river to the Southwest corner of Upshur County; Thence North with the Western Boundary line of said Upshur County to the Southern boundary line of Titus County; Thence, West with the Southern boundary of said county, to the county of Hopkins; and Thence, continuing West with the Southern boundary line of said Hopkins and Hunt counties, to the Northeast corner of said Dallas County; Thence South with the Eastern boundary line of said Dallas County, to its Southeast corner; Thence West with the Southern boundary line of said county to the Trinity River; Thence down said Trinity River to the Northwest corner of said Anderson County, and Thence East with the Northern boundary line of Anderson County, to the place of beginning."

After the creation of both Anderson and Henderson Counties in 1846, Houston County continued to exist, embracing all the territory known as Houston and Trinity Counties until February 11, 1850, when the County of Trinity was created including the following boundaries:

Beginning in the East bank of Trinity River, at the lower corner of Henry Golmon's survey of 980 acres; Thence North $21\frac{1}{2}$ degrees East to the Neches River; Thence down said river with its meanders to the present Southeast corner of Houston County; Thence Westwardly with the South boundary line of said county to the Trinity River; Thence up said river with its meanders to the place of beginning.

On January 26, 1850, by an Act of the Legislature of the State of Texas, the boundary line between Houston and Anderson Counties was more definitely defined as follows:

Beginning at a place in the County of Houston, known as Houston's Mound, about one mile North of Murchison's Prairie;

ITS CREATION AND ORGANIZATION

Thence Westwardly, by direct line running through the old Ionie Village on the North Elkhart Creek, to the East Boundary line of Samuel C. Boxe's Headright League; Thence South with said line to the South boundary line of said league to the Trinity River.

A curious freak of legislation should prove of interest to the people of Houston County. On the 6th day of December, 1841 the Congress of the Republic of Texas passed an act which proved to be an abortive effort to create a county known as Burnet out of Houston County, which Act in part is as follows:

Sec. 1. Be it enacted by the senate and house of representatives of the Republic of Texas in Congress assembled, That the boundary of Burnet be, and is hereby established within the following boundaries, to-wit:

Beginning at a place known by the name of Houston's Mound, North of Murchison's Prairie; Thence Westwardly, to the Iron-Eye village, on Elkhart Creek; Thence to the Trinity River; and from Houston's Mound (the place of beginning) to the Neches River, so as to make a straight line from the Trinity River to the Neches River; Thence up the main West form of the Neches River to Clarence A. Lovejoy's Survey, No. 177, on the West boundary line of the Cherokee lands; Thence due North to the Sabine River; Thence up the Sabine to the fork; Thence up the North fork, to E. W. Shultz Survey, continuing up the same to the Fannin County line; Thence West with said line to the Trinity River; Thence down said Trinity River to the above-named line running direct from the Neches to the Trinity.

Sec. 2. Be it further enacted, That Fort Houston is hereby permanently established as the seat of justice for said county.

So far as the record shows no effort was made to organize the county of Burnet under the foregoing Act, and later another county was created in Western Texas that is now known as the County of Burnet. The singular feature of the above Act of Congress is the fact that it designated Fort Houston as the county seat of the county, without giving the people residing in the county the opportunity to locate and designate the county seat. It is also a matter of interest to the people of Houston County that the Fort Houston mentioned in the foregoing Act is located at the home of Judge John H. Reagan, a few miles Southwest of Palestine, and was originally located in the County of Houston.

After the County of Houston was duly organized by the

selection of county officers and the selection of Crockett as the county seat, the town was incorporated by an Act of the Republic of Texas, December 29, 1837, as follows:

"AN ACT

"To Incorporate the City of Houston and other towns therein named:

"Be it enacted by the senate and house of representatives of the Republic of Texas, in congress assembled, That the citizens of the City of Houston, and the Towns of Washington, Crockett and Refugio, be incorporated under, and entitled to all the privileges and benefits of the Act granting a charter of incorporation to the Town of Brazoria, passed at the extra session of this Congress.

JOSEPH ROWE,

"Speaker of the House of Representatives

MARIBEAU B. LAMAR,

President of the Senate.

"Approved, Dec. 29, 1837,

"SAM HOUSTON."

In order to understand what powers and regulations were conferred upon the Town of Crockett as was incorporated, it will be necessary to refer to the Act incorporating the Town of Brazoria, which was enacted and approved November 16, 1837, just a little more than a month before the incorporation of Crockett.

Section three of the Act incorporating Brazoria, and which applies to the Town of Crockett, is as follows:

"Sec. 3. Be it further enacted, That an election shall be held in said town on the first Monday in January of every year for a mayor, a constable and eight aldermen; the election shall be conducted by the mayor and two aldermen, and the persons so elected shall continue in office for one year or until their successors are qualified. The mayor so elected shall be commissioned by the Chief justice of the County of Brazoria, and shall have all the powers of an ordinary justice of the peace, in all matters and cases arising under the criminal laws of the

country, and shall be authorized and empowered, to enforce and carry into effect such by-laws and ordinances as the corporation of said town shall from time to time ordain, for the better regulation of the police thereof."

Section 7, of said act is as follows:

"Sec. 7. Be it further enacted, That all free males between the ages of 18 and 45 years, and all male slaves over 16 and under 60 years of age, shall be liable to work on the streets; that such persons shall not be compelled to work more than ten days in any one year, and they shall be exempt from other road duty. The board shall impose such fines on defaulters as they may think necessary, in which they shall be governed generally by the laws of the land."

Section 12 of said Act is as follows:

"Sec. 12. Be it further enacted, That if the office of alderman of said town shall become vacant by death, resignation or removed from the town, the board shall have power to appoint a successor; and should the office of mayor become vacant from either of the above-mentioned causes or otherwise, the chief justice of the County of Brazoria, be, and he is hereby authorized to issue forth a writ for a new election to be held on a day mentioned in said writ, and if the election required to be held on the first Monday in January of every year, shall not be held on that day, it may be holden at any time, by giving five days notice, and all elections for mayor and aldermen shall commence at 10 o'clock a. m. and close at 2 p. m."

On account of the destruction, or loss, of the records of the Town of Crockett, we are not able to give the names of the first mayor and aldermen, selected for the Town of Crockett. It had its periods of ups and downs, sometimes being allowed to lapse and again being revived, until about the year 1859 or 1860, when D. A. Nunn, was elected mayor, and it is a well known fact that he rigidly enforced the laws and brought order out of chaos. After that the corporation was allowed to lapse during the period of the Civil War and for some time afterwards, but was finally revived about the year 1890, and has continued to exercise its function as the City of Crockett from that day until the present time.

The original Act creating the County of Houston provided for an election to be held in September, 1837, and doubtless officers were elected at that time, as we know from old instruments still in existence, but no known record now exists of the names of said officers except some official instruments that bear

their official signatures. We know from these instruments that at the original election held probably in September 1837, that Collin Aldrich was elected Chief Justice, Jacob Allbright, County Clerk and George Aldrich, county surveyor. The following official correspondence occurred while Collin Aldrich was chief justice."

"Mustang Prairie, April 7, 1839.

"Dear Sir:

"Yours of the 5th of March came to hand, and in answer I will state to you that so far as I can understand the law, that justices of the peace should be elected for two years from the time of their election, but that there shall be elected on the first Monday in February, 1837, and every two years after, one sheriff and also one coroner at the same time and in the same manner as sheriffs, but I cannot find any law saying the justices of the peace shall be elected at that time. The acting justices of the peace for the County of Houston are as follows:

"For Fort Houston, C. T. Minza and G. W. Browning in and for Capt. John Crists, militia district for Crockett and Mustang Prairie.

"Elijah Gossett and William Dillard in and for Capt. B. W. Davis, militia district, for San Pedro and Neches; S. E. Kennedy and Ruben R. Russell in and for Capt. William T. Sadlers, militia district. The county has been laid off in militia districts under the new organization, and elections for company officers will take place immediately and in answer to yours of the 9th of March, I will answer that three copies of abstracts of original titles upon record only have been received, one by the politeness of Mr. G. W. Henchett, and two by mail. Your letter states that ten copies were sent. The journals referred to in yours of the 7th February, came to hand and have been distributed.

I am, Gentlemen, very respectfully,

Your "Obedient Servant,

"Collin Aldrich,

Chief Justice, Houston County."

(Addressed:) Free—Mustang Prairie, April 7, 1839.

To, The Hon. Secretary of State, Houston.

(Endorsed:) Collin Aldrich, chief justice, Houston County, Ar'l 7, '39, Recorded Page 245.