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HISTORY OF TEXAS

FROM

ITS FIRST SETTLEMENT IN 1685

TO

ITS ANNEXATION TO THE UNITED STATES IN 1846

By H. YOAKUM, Esq.

IN TWO VOLUMES

VOL. I

WITH AN EXTENDED APPENDIX

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STEREOTYPED BY C. C. SAVAGE,
13 Chambers Street, N. Y.

INTRODUCTION.

THE gulf of Mexico is somewhat in the shape of a horseshoe, having at the two heels Capes Florida and Catorce, and a perimeter of three thousand miles. Its opening is defended and adorned by the island of Cuba, possessing some of the finest harbors in the world. Commencing at Cape Florida, we find ports and harbors are as numerous as could be desired. Now are—Tampa, Apalachie, Mobile, New Orleans, Achafalaya, Calcasieu, Sabine, Galveston, Matagorda, Corpus Christi, Santiago, Soto la Marina, Tampico, Vera Cruz, Tehuantepec, Campeachy, Sisal, and Sagartos. True, some of them all capacity; yet they are sufficient for the vast commerce this great inland sea, and the rich territories that

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At the toe of this great shoe lies the territory of TEXAS, extending from the twenty-sixth nearly to the thirtieth parallel of north latitude, a distance of 380 miles along the coast. It extends into the interior to the parallel of thirty-six and a half degrees north, and lies between the ninety-fourth and the one hundred and fifth degrees of longitude west from Greenwich—embracing an area of two hundred and thirty-seven thousand square miles, or about one hundred and fifty millions of acres. The country along the coast is a level prairie; but,

as you pass to the interior, the surface gradually rises and becomes more undulating—and, still farther inland, hilly, and then mountainous. Timber also begins to appear as the country becomes more undulating, especially in the eastern portion of the state. Yet, after crossing an extensive belt of timber, and reaching more than a hundred miles from the coast, you find the high, rolling prairies—composed of the richest soil in the world, covered with musquit-grass, and having, along the streams and valleys, sufficient timber for ordinary purposes.

Texas is an alluvial country, having very little rock on its surface. Everywhere is to be found unmistakeable evidence of its having been submerged. In the extreme northern part primitive rocks may be found, though in the inhabited portion they are never seen. The variety of her latitude and elevation gives to her citizens a like variety of climate and productions. In the south, they grow oranges and sugar-cane; in the middle region, cotton; farther north, wheat; and potatoes, corn, and vegetables, everywhere. In fact, there is no country of like extent where a greater variety and quantity of agricultural productions can be raised; nor is there any country where the laborer can find a more certain and better reward for his toil.

Circumstances alone have postponed to these latter days the development of the vast resources of Texas. Galveston, her principal harbor—situated about four hundred miles from New Orleans, seven hundred from Vera Cruz, and eight hundred from Cuba—affords her a commercial outlet sufficient for her growing purposes. When her interior shall be supplied with railroad facilities—and in no country can they be more cheaply built—she will have nothing further to desire.

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HISTORY OF TEXAS.

CHAPTER I.

THE first European emigrants to Texas were led hither by Robert Cavalier, the Sieur de la Salle, who landed on the west side, and near the entrance, of Matagorda bay, on the 18th of February, 1685.* La Salle was a brave and gallant knight of Louis XIV. He was a native of Rouen, in Normandy. Born of a good family, and destined for the church, he received, under the guidance of the Jesuits, an excellent scientific education.† He was a man of great abilities, of an enterprising spirit, and possessed of a firmness of mind which peril and adversity seemed only to strengthen. He kept his own counsel, relied upon his own genius, and bore without a murmur whatever ills befell him. But, with all these good qualities, such was his ambition, that it rendered him morose and sullen—haughty, not only to his dependants, but his associates.‡

It is remarkable that the mouth of the Mississippi was not discovered until one hundred and ninety years after the dis-

* *American State Papers*, vol. xii., p. 87: Wait, Boston, 1819. *Life of La Salle, American Biography*, vol. xi., p. 129.

† Ibid., p. 5.

‡ *Travels of Captain Bossu*, vol. i., p. 85: London, 1771.

covery of America; and still more so, that this discovery should have been made through Canada. Ferdinand De Soto, coming from Florida, had seen it, and been buried in its waters about the year 1543. And in 1673, Marquette, a Recollect missionary, with six others, under the direction of M. Talon, the intendant-general of Canada, starting out from Mackinac, crossed over to the great river,* and floated down as far as the mouth of the Arkansas. But it was reserved to La Salle to discover its mouth, which he did on the 7th day of April, 1682, and, on the 9th, celebrated the discovery with great ceremony, taking possession, in the name of Louis XIV., by proclamation and *proces verbal*, of all the territory watered by the Mississippi from its mouth to its source, and by the streams flowing into it on both sides.†

The report of this splendid discovery, which was made known in Europe, by La Salle and his followers, on their return to France, created great excitement, not only at court, but among the learned. The idea of a nearer route to Asia had occupied the minds of commercial and learned men since the time of Columbus. When the trappers and fur-traders of Canada first learned, from the Indians, the existence of this great river, the impression prevailed that it emptied into the Vermilion sea, the name then given to the gulf of California.

* *Meshassepi*, in the language of the Illinois Indians, signifies *all the rivers.*

† See a translation of the *proces verbal* in Appendix iv. to Sparks's *Life of La Salle.* There has been much controversy as to the discovery of the mouth of the Mississippi. If discovered by Moscoso as early as 1545, it is exceedingly strange that for one hundred and thirty years afterward the important fact was unknown in the learned court of France, and that the *savans* of that capital still supposed that river emptied into the gulf of California. The curious can find much said on the subject in Dr. Monette's *Valley of the Mississippi*, vol. i., p. 620; Professor Shea's *Discovery and Exploration of the Mississippi;* Bossu, vol. i., p. 70; Pickett's *History of Alabama*, vol. i., pp. 51, 52; and *Am. Biog.*, vol. x., p. 268 *et seq.* Also the character of *Garcilasso de la Vega*, the writer, on whom the advocates of an earlier discovery rely, can be found in the *Biographie Universelle, in loc.*

La Salle had many enemies: some caused by his harsh and o erbearing temper; others, through envy of his fame; and yet others, on account of the monopoly in trade granted him by the king. Yet he had two friends at court—Frontenac, the former governor of Canada, and Seignelay, son of the great Colbert—who aided him greatly in presenting the importance of his discovery, in removing the unfavorable impressions made by his enemies, and, above all, in opening the way and providing the means for further adventures, and the permanent occupancy of the newly-discovered territory. La Salle proposed to proceed to the mouth of the Mississippi by sea; and, being provided with provisions, implements of husbandry, mechanics' tools, and colonists, to found a colony there. All this was granted, and in a manner suitable to the importance of the enterprise, and the dignity and munificence of the great Louis. A commission was issued to him, giving him authority to establish colonies in Louisiana, and to take command of the expedition.*

A squadron of four vessels was provided and furnished by the king: that is, the *Joli*, a frigate of thirty-six guns; the *Belle*, of six guns, a present from the king to La Salle; the

* The historians of this expedition are, *Joutel*, whose journal was published in Paris in 1713; and *Father Anastase*, whose account is published by Chretien Le Clerk, in his history of the labors of the Franciscan missionaries in Canada, entitled "*Etablissement de la Foy:*" Paris, 1691. Dr. Sparks, in his life of La Salle, has collated and weighed the facts, as given by these authors, in a manner so excellent and accurate, that he has left but little to be added. Besides, he has thrown new light upon the subject by the publication of original documents in the archives of the marine department at Paris.—*Sparks's Am. Biog.*, vol. xi. The accounts, as given by Charlevoix, in the *Histoire Générale de la Nouvelle France*, and by Captain Bossu, in his travels through Louisiana, are taken from Joutel. The facts stated in this chapter are mostly taken from Dr. Sparks, Le Clerk's *Etablissement de la Foy*, and the narrative of Father Anastase Douay. The latter has lately been presented in an English dress by Professor Shea. The journal of Joutel is published in the first volume of the Historical Collections of Louisiana.

Aimable, a ship of some three hundred tons' burden; and a small vessel, the *St. Francis*, carrying munitions. Beaujeu, who commanded the Joli, was also commander of the squadron, but was to be under the direction of La Salle, except in the business of navigating the ships at sea, till they arrived in America: Beaujeu was also to assist him in making preparations for the voyage. The whole number of persons who embarked in the expedition was more than three hundred, of whom one hundred were soldiers, thirty volunteers, and the rest workmen, girls, and seamen. The missionary force consisted of seven persons, viz.: four Recollect fathers, Zenobe Membrè, Anastase Douay, Maxime Leclercq, and Denis Marquet; three priests of St. Sulpitius, Cavalier, brother of La Salle, Chedeville his relation, and Majulte. Among the volunteers were several gentlemen of distinction, among whom may be mentioned Joutel, the historian of the expedition; Moragnet and young Cavalier, nephews of La Salle; Planterose, Thibault, and Ory, from Rouen, the native town of La Salle; also M. Talon, a gentleman of Canada, with his family.*

On the 24th of July, 1684, the squadron set sail from Rochelle. La Salle was on board of Beaujeu's ship, the Joli. An utter want of confidence existed between those two persons. This was caused to some extent by the anomalous position they occupied, the authority of each not having been defined by the marine department; but still more by the pride of Beaujeu and the obstinacy of La Salle. The former had been a captain for thirteen years in the French navy, and took to himself great credit for consenting to obey the orders of the Sieur de la Salle, who had never served in war, except against savages, and who had no military rank.† And when Beaujeu would propose to

* Bossu, i., 71; Life of La Salle, 114.

† See his letter to the minister of the marine, as quoted by Dr. Sparks; May 30, 1684. Ib., p. 116.

him anything, he would haughtily reply, "This is not the king's intention."* Previous to the departure of the squadron, Beaujeu wrote again to the minister, reminding him how disagreeable it was for him to be under the orders of a man who had no military rank, and asking positive orders on the point; stating that he wished the orders to be of such a character, that no blame should attach to him should La Salle fail in his project. He wished also to know what was to be done with the soldiers, as La Salle had already set up a claim to their command so soon as they should land in America. The minister did not enlighten him with any further instructions—nor did La Salle with any intimation of his intentions. It was in this awkward relation that the two chiefs left Rochelle. They had not gone more than fifty leagues to sea when the bowsprit of the Joli was broken, and they returned for repairs. They put out again on the 1st of August. Descrying the island of Madeira, Beaujeu proposed to anchor, and take in water and refreshments; but La Salle refused, alleging that they had on board plentiful supplies, that it would produce unnecessary delay, and expose the design of their expedition to the risk of being discovered by the Spaniards.

Near the coast of St. Domingo, the vessels were separated by a storm; but, between the 28th of September and the 2d of October, they all came into port at Petit Gouave, except the St. Francis, which was taken by the Spaniards.† This was a severe loss, as the stores on this bark were important to the success of the enterprise. La Salle was for three weeks con

* Bossu, i., 72.

† Life of La Salle, Am. Biog., xi., p. 120. On the 15th of August, 1684, the truce of Ratisbon, concluded by France with Spain and the German empire, terminated the war of the previous year.—*Elliot's American Diplomatic Code*, vol. i., p. 5. This was perhaps not known in the West Indies before the end of the year.

fined at this port with fever. He, however, recovered; was visited by the governor and intendant of St. Domingo; and, after laying in the proper stores and suitable domestic animals, and consulting with pilots acquainted with the West India seas, he prepared to depart. La Salle transferred himself and some others from the Joli to the Aimable, and directed the latter, the heaviest sailer of the three, to go in front. This may have been the better to keep the squadron together, but more probably to get rid of Beaujeu. They sailed from Petit Gonave on the 25th of November, and, passing round the southern shore of Cuba, anchored and remained three days at the isle of Pines. At length, after being driven about by adverse winds, and spending some days at Cape St. Anthony, the squadron, on the 28th of December, 1684, discovered land. They had been sailing a northwest course, but, from the account they had received from the West India pilots of the strong gulf-stream which passed around the cape of Florida, they supposed they had been carried east of the mouth of the Mississippi, and were on the coast of Florida. Besides, La Salle, when he discovered the mouth of the Mississippi, had attempted to take its latitude, but had placed it two degrees too far south. So that, with these two errors, instead of being on the bay of Appalachie, Dr. Sparks thinks they were a hundred miles west of the mouth of the Mississippi, near the bay of Achafalaya.* Joutel says that, on the 2d of January, the squadron was, according to conjecture, pretty near the mouth of the Mississippi; and that, on the 10th, they passed by it, without perceiving it. It is at this time impossible and unimportant to know where they were when they first descried land. Conceiving themselves to be east of the mouth of the Mississippi, they coasted westward. La Salle landed on the 1st of January, 1685, perhaps east of

* Life of La Salle, p. 128.

the Sabine—but, making no discoveries, and being unable to learn anything from the Indians, proceeded westward till about the 17th of January, when, having passed Corpus Christi inlet, and finding the coast tending south, they discovered their error, and that they were upon the borders of Mexico. Here Joutel landed with a party in search of fresh water. They found the water salt, but secured an abundance of game. All being satisfied that they had passed the Mississippi, La Salle proposed to Beaujeu to return. This he refused, unless furnished with a new supply of provisions. La Salle offered him a supply for fifteen days, by which time he expected they would reach the mouth of the river. This the captain refused; and La Salle declined giving him more, fearing that he would abandon him, and sail to the West Indies. The difference between the chiefs of the expedition increased: but, in the meantime, the vessels fell back—but by whose order, or in what way, we are not informed—and sailed through Pass Cavallo into the bay of St. Bernard, since known as Matagorda bay. On the 18th of February, 1685, some of the company went ashore, while others were engaged in sailing up the bay and exploring the adjacent coast. On the 20th, La Salle sent orders to the commander of the Aimable* to land the heaviest goods, and run her into the bay. It seems that La Salle intended to be present at the execution of this order; but the marquis of Sablonniere and others, who had gone out on the 18th, had been taken by the Indians as they were strolling along the shore, and he found it necessary to go and retake them. The channels on either side of Pelican island had been sounded, and it was found that the vessels could enter. The Belle had already entered, and the pilot of this vessel was sent to guide the Aimable through the channel; but the commander of the latter refused his aid,

* Bossu, vol. i., p. 74.

saying he could manage his own ship. He hoisted sail, ran upon a shoal, and was lost.*

In the meantime a temporary camp had been formed on the west side, and near the entrance of the bay. Another camp, a considerable distance higher up, on the same side of the bay —perhaps at Indian point—was formed by Captain Hurier and part of the company, by the order of La Salle.

The colony was greatly refreshed by an abundance of game and fish; and, charmed with the country, and the herds of buffalo and deer that were seen grazing on the prairies, they began to think they would soon realize the paradise they had come so far to find. La Salle had not yet lost hope that he was on one of the mouths of the Mississippi; and, though the loss of the Aimable, containing the greater portion of the articles provided for the use of the colony, was a serious misfortune, his ardor was the same, his resolution unconquerable. Joutel and Moragnet were sent out at the head of an exploring party, to proceed up the west side of the bay. La Salle, having reclaimed the men taken by the Indians, had exchanged with them some hatchets for two canoes, with which he explored the eastern shore of the bay. The party of Joutel, after a three days' march, came to a river, probably the Aransas, which they were unable to cross without a boat. Being in full view of La Salle, then on the opposite shore, he went over to them. Having satisfied himself as to the extent of the bay, La Salle and the party returned.

The business of saving as much as possible of the wreck of the Aimable occupied some time. La Salle procured from Beaujeu the boats of the Joli, and, after taking off the crew, he brought away the powder and flour, then the wine and brandy,

* It is hardly credible that this was done on purpose. Some allowance must be made for Joutel's situation and prejudices.

in all some sixty barrels. Joutel is so cruel as to charge St. Aigron, the captain of the Aimable, with sinking his boat on purpose; but this can not be believed. Some blankets from the wreck having been driven ashore, they were picked up and appropriated by the Indians. La Salle, wishing to obtain canoes in exchange for these goods, sent Lieutenant Du Hamel of the Joli, who had volunteered for that purpose, to negotiate the affair. But Du Hamel, unacquainted with the Indian character, or the mode of gaining their good will, rushed into their village with his armed men, which so frightened them, that they could not regard them as friends. Being unable to make himself understood, he seized two of their canoes and a parcel of skins, and returned. The Indians, in revenge for this act of hostility, pursued them, and overtook them where they had landed and gone to sleep, and poured into their camp a shower of arrows, which killed Ory and Desloges, two particular friends of La Salle, and wounded two others, one of whom was his nephew.*

The failure to find the mouth of the Mississippi; the loss of the Aimable, and the greater part of the stores with which she was freighted; and the death of Ory and Desloges—the first European blood shed in Texas—all combined to dishearten the colonists. In addition to this, the few provisions saved were nearly consumed; which, notwithstanding the prairies abounded with buffalo and deer, and the waters with wild-fowls and fishes, alarmed the faint-hearted, and caused murmuring and discontent. And, to add to the loneliness of their situation, and cut them off from the civilized world, Beaujeu sailed on the 12th of March for France, taking with him the captain and crew of the Aimable. When he left, he carried away all the cannon-balls, thus leaving La Salle with eight cannons, and

* Bossu, vol. i., p. 76. Life of La Salle, p. 134.

not a single ball.* Yet it seems La Salle must have furnished him with provisions, or he could not have returned.

La Salle had among his colonists many enemies: some the partisans of Beaujeu; some from disgust, and want of fortitude to bear up under misfortune; others, again, who attributed to his obstinacy the bad state of their affairs. In fact, his colonists had been selected from the dregs of France; and, with the exception of a few who had volunteered to follow him, were persons generally destitute of character, honesty, or enterprise. Among them were Doinmaville and Mignet, two engineers, who became seditious, and were unceasingly denouncing his conduct, and charging his undertakings with folly and rashness. Yet La Salle was firm. His resolution seemed to rise with his misfortunes.

The colonists had constructed a shelter for themselves and their goods out of the wreck of the Aimable, and had surrounded it with entrenchments to protect them from the Indians; and had sown grain in the adjacent lands. The cattle, swine, and fowls, they had brought from St. Domingo, multiplied and prospered.

When their buildings had commenced, La Salle gave orders to Joutel to complete them; and, taking with him about sixty of his men, he went on a tour of discovery. He still labored under the delusion that the bay might be one of the mouths of the Mississippi. While he coasted round the west end of the bay, the commander of the Belle was ordered to sound it, and

* These pieces of artillery were afterward transported to La Bahia (now Goliad), and used by the Spaniards till 1812, when they were taken by the Americans under Guttierez. By them they were used successfully against Salcedo. After the close of the Guachupin war, they fell again into the hands of the Mexicans. They were taken from the latter by Collinsworth; retaken by Urrea in 1836; and when Texas succeeded at the battle of San Jacinto, they were left at Goliad, where as late as 1838 they were seen, with the impression of Louis XIV. upon them. — *Prairiedom*, p. 140.

sail up it so as to keep in communication with him. He passed the Aransas, and at length came to a river which he named *Les Vaches*, on account of the number of buffaloes found there. This, of all the names given by La Salle to the streams, bays, &c., of Texas, is, perhaps, the only one retained by the Spaniards. Sailing up the Lavaca for some six miles, he found on the western bank of the river a beautiful spot for a settlement. It was an elevation, from which could be seen to the north and west extensive undulating prairies, covered with grass, and relieved by occasional clusters of timber; to the south and east were spread out the bay, and timber along the coast and banks of the river. Having selected this point, he began in good earnest to think of making a settlement, and fortifying it. Accordingly, he sent Villeperdry back in a canoe, with orders that all the colonists, except thirty men who were to remain in the fort with Joutel, should join him. This detachment was left to guard the crop which the colonists had planted.

Doubtless the new point selected was more suitable in many respects, especially for health and fertility. Yet the colonists were compelled to bring their timber three miles. But the example of La Salle was encouraging. He was always the first to put his hand to work. The master-carpenter having been lost, he took his place. He laid out the tenons and mortices, and compelled every one to work that was able. The forces under Joutel being continually annoyed by the savages, who had killed some of the men, La Salle sent him an order to join him, with his command, on the Lavaca. The order was received on the 14th of July, 1686, and immediately obeyed. Sickness, arising no doubt from great fatigue and incessant labor in a warm climate, soon carried off about forty of the colonists. But, notwithstanding this fearful inroad upon their numbers, and the consequent gloom cast over the survivors, the

work went on. A new shelter and entrenchment were to be erected. The gun-carriages were at first used by the men to haul the timbers; but the Lavaca being found deep enough for the Belle, twenty men were sent to the old fort to bring up in her the materials used in its construction. This was effected by forming them into a raft, and towing it up at the stern of the vessel. With this addition, the fort was soon completed, and named *St. Louis*.

We will here take leave of the colony for a short time, and inquire where they were, who were their neighbors, and who had claim to the soil on which they were established.

CHAPTER II.

At the time of the landing of the French colony, and for many years afterward, the territory now known as Texas was peopled only by Indians, and but sparsely by them. Indeed, it is more than probable that no European had previously been upon her soil.* The nearest Spanish settlement was at Panuco, near Tampico, a distance of more than two hundred leagues south of the Lavaca river.† On the northeast, Fort Prudhomme, at the mouth of the Wabash, and Fort Crevecœur, on the Illinois, had, but a year or two before, been constructed by the French. The Spanish colony in Florida, though formed some time before, was languishing. The city of Philadelphia had been founded but three years before, by the pious Penn. The colonies of New England, numbering then about a hundred thousand inhabitants, were struggling with Great Britain for

* This point has been much controverted. Many distinguished writers have supposed that the followers of De Soto traversed the country in 1544, or about that time. The authorities they refer to are mostly Spanish. If such had been the fact, and these authorities reliable, it is quite remarkable that, in the long controversy between the United States and Spain, touching this very question, the proof was not forthcoming. — *American State Papers*, vol. xii.

† Panuco is situated on the Panuco or Tampico river, and is celebrated in the history of the conquest. It is still remarkable for the remains of buildings, weapons, and utensils, found in its vicinity. It is forty miles above *Tampico de las Tamaulipas*, which was founded in 1824. Small vessels can navigate the river as far as Panuco. — *Encyclopædia of Geography*, vol. iii, p. 329. *American State Papers*, vol. xii., p. 313.

their charters, and with the Indians for their lands. New York, with a population of some four thousand, had just changed owners, and witnessed the assembling, for the first time, of her legislature. Virginia, groaning under the despotic acts of Charles II., had just closed, with defeat, the rebellion of Nathaniel Bacon, which left her unable to pay the costs so incurred. The Spaniards claim to have settled Coahuila as early as the year 1600, but many circumstances go to prove this to be untrue.* Chihuahua was not settled till 1691.† New Mexico had been settled earlier. As early as 1594, two Franciscan friars from Mexico visited the Indians near where Santa Fé now stands. They were well received. They returned with the information, and giving a favorable account of the country, Juan de Oñate, another monk, was sent out in 1595, and made a further exploration, and perhaps took possession, or entered into a treaty with the Moqui and Apache Indians. It seems that a settlement was thereafter made, on the river, near the site of the present town of Santa Fé. In 1680, however, the Indians rose *en masse*, fell on the Spaniards by surprise, killed a large number of them, and obliged them to retreat to the Paso del Norte. In 1681, Otermin, governor of New Mexico, made another attempt to recover the settlement. From this period to 1695, the Spaniards and Indians were engaged in a constant warfare — the former keeping their stronghold of Paso del Norte, and the latter holding the country about Santa Fé. At length, during the last-mentioned year,

* Letter of De Onis to the secretary of state, Am. State Papers, vol. xii., p. 28. *Mem. of Don Miguel Ramon de Arispe* to the king of Spain: Cadiz, 1812. Arispe, who was representative from Coahuila to the Spanish Cortes, says Saltillo was founded in 1586. His ignorance on the subject is shown from his further statements, confounding the Rio Grande with the Medina (p. 4), and fixing the settlement of Texas at the year 1650 (p. 11).

† Pike's Expedition: Appendix, p. 20.

General Diego de Bargas, having conquered the Indians of New Mexico, obtained the entire pacification of the country.*

From the foregoing sketch of European settlements in North America, it will appear that La Salle's neighbors were few and distant. The Indians, from their mode of living, and the continual wars among their tribes, we may judge were thinly scattered over the vast country lying between the Rio Grande and Red river. The Camanches, then as now, were a tribe of roaming, predatory thieves. They occupied the northern and northwestern portion of Texas, and the Rio Grande as low as the mouth of the Salado. The depredations which they had formerly committed on the Aztecs of the great empire of Anahuac, were now turned upon their European conquerors occupying the colonies of Panuco, El Paso, Montclova, and Monterey. From these they supplied themselves with horses, arms, silver plate, &c.; and, being in treaty with other Indians along the coast, and farther east and north, the latter were thus furnished with horses and firearms.

The Indians along the coast, commencing on the south, were the Lipans and Carankawaes, extending from the Rio Grande along the banks of the *Pashahono* and the *Tockanhono*, the beautiful Indian names of the Colorado and Brasos.† They

* Pike, Appendix, p. 15. *Recog. in New Mexico and Texas*, p. 126 *et seq.* The inscriptions on the rock of Fish spring, near the Pueblo de Zuni, in New Mexico, go back to the year 1606. In relation to Governor de Bargas, the inscription is as follows: "Here served General Don Diego de Bargas to conquer to Santa Fé, for the royal crown, New Mexico, by his own cost, in the year 1692." — *Ib.*, p. 64.

† Recog. in New Mexico and Texas, pp. 209–212. La Salle called the Colorado the *Maligne*, in consequence of one of his party being devoured in it by an alligator. — *Life of La Salle*, p. 146. The French who came with La Salle were so utterly unacquainted with the Indian languages, and their mode of spelling what they guessed to be the names of tribes so different from ours, that it is hard to identify them. Take, for example, the following: —

CARANKAWAES..... *Kirononas.*
CAMANCHES..... *Choumans, Cannensis.*

lived mostly upon fish; and, from the fact that they first encountered the rude shock of the white man, have ever been considered most hostile. Indeed, from the stories of Belisle and others, they have been deemed cannibals; but no authentic fact has been sufficiently established to fix upon these people the horrid practice. The kind reception by them given to La Salle, shows their good disposition. That they were thieves is not to be set down against them, as the rights of property are unknown among savages. The next tribe, going east, were the Cenis, inhabiting Buffalo bayou, the San Jacinto valley, and the Trinity river. These were distinguished for their hospitality and gentleness of disposition. The greater part of this tribe occupied the banks of the Trinity, which they called *Arcokisa*.* Here their villages were large and populous. Their habitations were like bee-hives, and some of them forty feet high.† As they devoted much time to raising corn, &c., they were enabled to sustain a larger population, and were comparatively more wealthy. They were great traders, and had procured (through their allies the Camanches) from the Spaniards horses, money, silver spoons, spurs, and clothing. Such were their comforts and conveniences of life when found there by the French in 1686.

Choctaws	*Tchactas.*
Chickasaws	*Chicachats.*
Cherokees	*Chéraquis.*
Cenis	*A-Simais, A-Sinaes.*
Vidais	*Bedais.*

* Prairiedom, p. 75.

† Life of La Salle, p. 149. Narrative of Father Douay, Shea's translation. Exp. Mis., p. 204. "The village of the Cenis is one of the largest and most populous I have seen in America. It is at least twenty leagues long—not that it is constantly inhabited, but in hamlets of ten or twelve cabins, forming cantons, each with a different name. Their cabins are fine, forty or fifty feet high, of the shape of bee-hives. Trees are planted in the ground, and united above by the branches, which are covered with grass. The beds are ranged around the cabin, three or four feet from the ground. The fire is in the middle, each cabin holding two families."—*Douay.*

The next tribe east were the Nassonis, or Nassonites, a name perhaps including several tribes living between the Cenis and the Sabine river. These Indians seemed to be alike distinguished with their western neighbors for kindness to strangers, and the possession of means to make them comfortable.*

Such, a century and three quarters since, were the original inhabitants of Texas. They formed a portion of the great Shoshonie class, occupying what is now the southwestern part of the United States. The landing of the colony of La Salle was to them a new era. The sight of ships and the sound of firearms were to them subjects of awe and astonishment. Living in the simplicity of uneducated nature, they had their domestic wars, which were conducted without system, but in a manner suited to their wild habits. They were worshippers of the sun, and full of the superstitions common to the North American Indians. They had their rain-makers, their game-finders, and their witches. But the latter, like the witches of ancient New England, found little favor: they were deemed to be in communion with the evil one, and consequently were put to death—most generally by the war-clubs of those that suffered under their supposed incantations.

At that time, Texas was without a boundary and without a name. The Spaniards had not yet penetrated east of the Rio Grande, at least below the Paso del Norte; and La Salle was still endeavoring and hoping to establish the fact that he was in the vicinity of one of the mouths of the Mississippi. Texas to him and his people, and afterward his nation, was a part of Louisiana. He had discovered the mouth of the great river; the coast thence to the confines of Mexico; had planted a col-

* The seat of government among the Nassonites appears to have been on the east bank of the Neches, at the prairie known as the *Bradshaw place*. Here three large mounds remain as evidence of their former labors. This place was called *Texas*, and doubtless gave name to the state.

ony on one of her rivers; had stocked it with domestic animals, and planted fields with the seeds of husbandry. By all the rules, then, of national law, apart from the claim of the Indians, the country was French, and, if they chose to call it so, a part of Louisiana. The country was French by right of discovery. To Spain it was utterly unknown. The voyagers Ponce de Leon, Narvaez, De Ayllon, and De Soto, had never seen any of the vast extent of seacoast between Cape Florida and Soto de la Marina. The pretension and claim set up by Spain to this country, because she was in possession of these extreme points, are not supported by any of the rules of national law established by the governments of Europe in regard to their American discoveries. These rules were—

1. That when any European nation takes possession of any extent of seacoast, that possession is understood as extending into the interior country to the sources of the rivers emptying within that coast, to all their branches, and the country they cover, and to give it a right in exclusion of all other nations to the same.

2. That whenever one European nation makes a discovery, and takes possession of any portion of this continent, and another afterward does the same at some distance from it, where the boundary between them is not determined by the principle above mentioned, that the middle distance becomes such, of course.

3. That whenever any European nation has thus acquired a right to any portion of territory on this continent, that right can never be diminished or affected by any other power, by virtue of purchases made, by grants, or conquests of the natives, within the limits thereof.*

* Letter of the secretary of state to Don Luis de Onis, March 12, 1818. Also, letter of Messrs. Pinkney and Monroe to the Spanish minister of foreign affairs, April 20, 1805.—*American State Papers*, vol. xii., pp. 76, 311, 312.

The French colony, tested by these indisputable rules of natural equity, were thus upon French soil.

Spain, however, entertained a different view of the matter. This kingdom, formed under the auspices of Ferdinand and Isabella, with the powerful aid of Cardinal Ximenes, had grown to be one of the first nations of Europe. The discovery of America, the receipts from the mines, and the commerce of the colonies (amounting annually to over fifty millions of dollars), and, above all, the victories of Charles V., had imparted to the nation a spirit of ambition and love of dominion which knew no bounds. The sixteenth century closed with the gloomy and superstitious tyranny of Philip II., which had lasted for forty-two years. During his reign the greatness of Spain began to decline. He left his country bankrupt, and a prey to dissensions foreign and domestic. But her ambition was in nowise lessened.* Pope Alexander VI., in 1494, had settled the dispute between the kings of Portugal and Castile concerning their claims in America, dividing their conquests by a line running from pole to pole, three hundred and seventy miles west of the Azores; and, by his bull, confirmed to Spain the country west of that meridian.† In pursuance of this claim, and the voyages of De Leon in 1512, De Ayllon in 1525, De Narvaez in 1527, and De Soto in 1538—although they had sailed only from Cape Florida to Cape Catoree, or perhaps as high up as the Soto de la Marina—Philip II. of Spain issued a royal order prohibiting all foreigners from entering the gulf of Mexico, or any of the territories lying around it, under pain of extermination! And this order was repeated to the Spanish colonial viceroys and governors, requiring its strict observance and execution.‡

* Encyclopædia Americana, articles Spain, Philip II.

† Ib., article Alexander VI. American State Papers, vol. xii., p. 79.

‡ Luis de Onis to the secretary of state.—*Ib.*, pp. 27, 31. Mr. Adams, in reply

Here, then, in the settlement by La Salle, under the orders of his sovereign, and the monstrous pretensions of Spain, is laid the foundation of a controversy, which, being transferred from one party to another, is finally and for ever closed by the *treaty* of Guadalupe Hidalgo, made between the United States and Mexico, on the 2d of February, 1848.

These facts, together with the jealousy and constant watchfulness of the Spanish rulers in Mexico, will serve as a key to many of the events narrated in this history. We will now return to the colonists on the Lavaca.

to this letter of De Onis, says (p. 78): "Far more honorable would it be, sir, to the character of your nation and the credit of your government, to bury in the profoundest oblivion the memory of that atrocious order, than at this day [1818] to produce it, for the purpose of bolstering up a title for which you have in vain ransacked the records of the Spanish monarchy to discover a better support."

CHAPTER III.

After the necessary steps had been taken to secure the colony from the Indians, Joutel was left in command of the fort, and La Salle, with a company of twenty men, set out, about the last of October, 1685, on an expedition to explore the country. The Belle was ordered to the upper end of the bay, where she was stationed, and directed so to remain till further orders. La Salle, dividing his company, some of them went down the Lavaca in canoes, and he with the others crossed over and descended to the head of the bay on the east side. Here he sent out five men in canoes to sound the bay, and ascertain how far the Belle could be brought up. Night coming on without their return, he went in search of them, and found on the shore, where they had encamped, their mangled bodies — the Indians having murdered them, perhaps while asleep. Giving his orders to the Belle, La Salle caused the canoes to be sunk in a small creek; and each of the company having supplied his knapsack with provisions, they set out on their journey. They travelled east as far as the Colorado. During this expedition, which lasted till nearly spring, La Salle doubtless explored the valley of the Colorado, and perhaps much of the surrounding country. At any rate, he must have satisfied himself that he was far from the Mississippi.

On his return, La Salle sent some of his men down to the

bay to search for the Belle, while with the others he returned to the fort, where they were joyfully received.* The next day, the party who had gone in search of the Belle, returned without having found any trace of the vessel; nor had she been heard from by any of those at the fort.

In this condition of his affairs, destitute of means for sustaining the colony, cut off from all communication with the civilized world, having under his command a number of persons that were sowing the seeds of rebellion against his authority and perhaps his life, and surrounded by a treacherous and savage foe, La Salle determined upon the bold expedient of opening a communication with De Tonti in Illinois. This required a tedious and perilous journey of some two thousand miles over an unexplored waste, peopled by those who had never seen the face of a white man.

Having resolved upon the journey, La Salle left the fort under the charge of his faithful Joutel, and selected a company of twenty men to go with him. Among these were Father Anastase, Moragnet, his brother Cavalier, Bihorel, Le Clerk, Hurier, Nika the Canadian Indian, and Heins, a surgeon, and formerly a buccaneer.† Having made the necessary preparations, they performed their devotions in the chapel of the fort, and set out on their journey on the 22d of April, 1686. They travelled in a northeastern direction, and at the end of ten days reached the Colorado. Previous to this, however, they

* Life of La Salle, p. 141, *et seq.*

† From *boucaner*, to roast or broil flesh. This remarkable class of men, many of whom figured in the early history of Texas, first began to associate on the western coast of St. Domingo, in 1630, and lived upon wild cattle. They roasted their meat like the Indians: hence the name given them. From simple robberies, they extended their operations to piracies on the seas. For a hundred and fifty years they swept the West India waters of the Spanish galleons, and greatly annoyed the commerce of England and France. From these men originated the French settlements on the western half of St. Domingo. — *Raynal: History of the Indies.*

met with a party of Camanche Indians having horses and saddles. Those that were mounted wore boots and spurs. This was proof that these Texan Bedouins had held intercourse with the Spaniards of Mexico. In fact, at this early period the horse had been extensively introduced into Texas; and, as the Camanches often rode them down, they abandoned them to graze on the prairies, or to die. Hence, in a few years, the prairies abounded in *mustangs*.

At this season of the year the Texan streams are always swollen, so that La Salle and his party were greatly retarded in their journey. They were compelled to build rafts over branches which in other parts of the year are dry. They were hindered also by the necessity of killing and drying buffalo-meat for their sustenance. From the direction they travelled, they perhaps crossed the Colorado about Elliot's ferry. Here they changed their course more to the east, and, reaching the Brasos probably not far from Columbia, they found it full and running rapidly. La Salle, with part of his company, on a raft, were hurried down the stream until they were considered as lost. They were two days crossing this stream; and Father Anastase informs us that he carried his breviary in his cowl, to keep it dry. Having all crossed over safely, they found themselves in a swamp, covered with canes and vines. They were engaged two days in cutting their way out. After reaching the fine prairies and open woods, they found their condition more agreeable. They soon fell in with the Cenis Indians, who treated them with great hospitality; indeed, the white race were, at first, everywhere so treated by the Indians in Texas. This, the most numerous and civilized tribe of Texan Indians, owned a large extent of country: they occupied all the territory between the great prairie on the northwest and the gulf-coast, and from toward the Brasos to the Neches.

Their centre of empire was not far from Cold Spring, in Polk county. What has become of this tribe, once the proud ally of the Camanche, and the hospitable retainer of the gallant La Salle? Tradition says that, after the settlement of Louisiana by the French, the powerful tribes on the banks of the Mississippi, driven west by these intruders, took refuge in Texas. They first encountered the Nassonites: these retreated to the north, and gave them a place to dwell. But, as other tribes were driven out, they crowded on the latter. The fall of the Natchez, and the expulsion of the Alabamas and Choctaws, brought a further accession. Before this formidable host of new-comers the peaceful Cenis retired to the banks of the Trinity. Here they met, and on the left bank of this stream, some seventy-five years ago, a great battle was fought, in which the nation of the Cenis was utterly destroyed.

But, to return to La Salle. One of the Cenis gave him a horse to ride. He and his company were received and feasted by this tribe; and, after some trading, in which, among other things, we are informed that one horse was purchased for a hatchet, and Father Anastase was offered another for his cowl, the travellers pursued their journey.

They soon reached the country of the Nassonites. Here La Salle and his nephew were attacked with fever, by which they were detained two months. On his recovery, he found the stock of ammunition reduced so low, that he would proceed no farther. As the game they killed was their only means of support, it was necessary to return to the fort on the Lavaca for powder. They reached the fort on the 17th of October, much wearied, and with but eight men.

La Salle soon learned the history of what had transpired in his absence. The Indians had been troublesome, but had made no attack on the place. Duhaut had endeavored to stir up a

mutiny, but the firmness of Joutel and the mild persuasions of Father Zenobe had prevented it. The survivors of the Belle had come in, and reported that the vessel had been stranded on the southern shore of the bay; that six of the men had been lost in a canoe while returning from the land in the night—some had died on board of disease, and others had perished on a raft—so that the remaining force was not sufficient to manage the ship, and thus she was lost. The survivors, saving themselves, with a few articles and provisions, and the clothes and papers of La Salle, landed from a raft on the strand, where they remained for three months. At length a canoe floated ashore, by means of which they were enabled to reach the fort. However, amid all this gloom, and the wasting away of the colonists, the Sieur Barbier and one of the maidens of the fort afforded them some pleasure by a wedding. This was the first European marriage on the soil of Texas.*

From this time to the 12th of January, 1687, La Salle was preparing to start again on his journey to the Illinois. He caused to be constructed a new storehouse, and made other provisions for the colony, which at this time consisted of about forty persons.

He selected for his companions in this, his last journey, twenty persons, among them Father Anastase, his two nephews Moragnet and Cavalier, his brother Cavalier the priest, Joutel, Duhaut, L'Archeveque de Marne, Heins, Lictot, Tessier, Saget his footman, and Nika the Indian hunter. These are all mentioned because of the part they took in the tragic scenes which shortly after occurred.

In the fort were left some twenty persons, under the command of the Sieur Barbier. On January 12th, having called them all together, and made known to them in an affectionate

* Life of La Salle, pp. 144, 145.

address the necessity of the journey, he set out. He took with him about five thousand dollars in coin and plate, and six thousand dollars' worth of goods.* They found less difficulty in this their second journey on the same route, from the fact of their past experience. Besides, they carried with them a portable boat of buffalo-skins, and were assisted in crossing the streams by the kind-hearted Indians. They also furnished them with more horses.

The party continued their journey till the 15th of March, when they came near to the spot where, on the previous tour, La Salle had buried some corn and beans. Previous to this, however, they had learned from the Cenis Indians of a Frenchman named Rutel, among that tribe, who had wandered from La Salle on the Mississippi in 1682, and had been living with these Indians ever since. Joutel went for him and brought him to the camp. He was delighted with the idea of again returning to Europe. From the route pursued, and the time they had been travelling, they must have been, at this time, on the Neches river.†

* Bossu, vol. i., p. 84.

† Dr. Sparks thinks they were on the waters of the Brasos.—*Life of La Salle*, p. 158, *note*. Others suppose they were on the Trinity. But all the circumstances—the time, the direction, the fact of finding Rutel, and the burying of the corn and beans (done, perhaps, when La Salle had turned back on his previous journey)—go to show that the last days of this great discoverer were spent on the Neches. There is yet another reason for this belief. At that season of the year (March), the buffaloes were down in the timber, and the Indians also in pursuit of them. Hence, La Salle met more Indians on this second tour, and Nika had no difficulty in finding buffalo. This was not the case on the Brasos prairies. From time immemorial there was a great Indian trail about in the course travelled by La Salle, crossing the Trinity at the present town of Swartwout. From the boggy nature of the soil in the spring, it is not unlikely that the travellers pursued this trail. It passed through the centre of the Cenis nation, and by the *Indian village*, occupied by the Alabamas after the extinction of the Cenis. La Salle's camp was on the opposite side of the river from the place where the meat was killed. Had it been the Trinity or the Brasos, horses could not, at that season, have been sent over for the meat.

La Salle ordered Duhaut, Heins, Lietot, L'Archeveque, Tessier, Saget, and Nika, to go and bring away the corn and beans. They went to the place, but the provisions were spoiled. In the meantime, Nika had killed a supply of buffalo-meat, and Saget was sent to get horses to carry it into the camp. La Salle directed his nephew Moragnet and De Marne to return with horses in company with Saget for the meat—to send back one load for immediate use, and to remain with the balance till it was dried. It appears that for some time there had been no good feeling between Moragnet and Duhaut; at any rate, the former reproached the latter for having laid aside some pieces of the meat for himself and his company, and took them from him. Duhaut, having determined on revenge, brought Lietot, Heins, Tessier, and L'Archeveque, into the conspiracy. The next night, when Moragnet, Saget, and Nika, were asleep, Lietot with a hatchet knocked them on the head. The Indian and Saget died immediately. As Moragnet was not yet quite dead, the conspirators compelled De Marne to finish him. Having gone thus far, the murderers were uneasy. They feared the just vengeance of La Salle, and immediately deliberated on the necessity of taking his life. Chance gave them an opportunity. Two or three days had elapsed, and La Salle became anxious on account of the absence of the party. Perhaps they had been cut off by the savages, or had got lost, or had quarrelled. He inquired if there had been any ill feeling between his nephew and any of the party. Such, at length, were his forebodings of evil, that he went himself, with Father Anastase, and two of the natives for guides, in search of them, leaving the camp under the command of Joutel. At a distance of some six miles he found the bloody cravat of Saget, and saw buzzards flying about the locality. Concluding the party were near, he fired his gun. The conspirators, on the opposite side

of the river, hearing the report, and supposing it was La Salle, crossed over. Duhaut and L'Archeveque, seeing La Salle advancing, stopped. Duhaut hid himself in the high grass, and cocked his gun. L'Archeveque advanced a little farther, when La Salle saw and recognised him. "Where is Moranguet?" asked La Salle. "He is lower down," replied L'Archeveque. At that instant, Duhaut fired and shot La Salle in the head. He fell. Anastase took him by the hand; he did not speak, but, pressing the hand of the holy father, expired.* Thus fell, on the 20th of March, 1687, the Sieur de la Salle, a man of genius, fortitude, and courage. "The most unhappy thing for the memory of this famous man," says Bossu, "is, that he has not been pitied by anybody, and that the bad success that has attended his undertakings has given him the appearance of an adventurer among those who only judge from appearances. He has further been reproached with never taking advice from anybody, and with having ruined his private affairs by his obstinacy."†

However this may be, his discoveries hastened the settlement of New Orleans, and of Texas, as we shall see.

Father Anastase expected to follow his leader; but he was soon quieted by Duhaut, who told him that what was then done was an act of despair, and that the death of Moragnet was in revenge for former insults. Anastase then dug the grave of his kind benefactor, and buried him with his own hands, and

* Bossu, vol. i., p. 83. Life of La Salle, p. 157.

† "It is little to the credit of France or of Louisiana," says Bunner, "that neither of them have shown the smallest mark of respect to his memory. A bust, placed by order of Congress in the rotunda of the capitol, is the only memorial of a man whose enterprising genius and persevering resolution merit the highest honors."—*History of Louisiana*, p. 55. The same may be said of Texas. He made the first improvement on her soil, met first the rude shock of the Indian, built the first fort, brought to the country the first domestic cattle, wore himself out, and was buried within her borders.

erected a cross over his grave. The party then returned to the camp.

Joutel was not present when they came in. L'Archeveque, his friend, ran to inform him of what had occurred, and to say to him that he would be put to death if he expressed any dissatisfaction. When he returned, Duhaut proposed that each should command by turns. He had, however, already taken possession of the goods, coin, and plate. Those of the party not concerned in the murders took no part in affairs, but remained quiet. In the meantime, the conspirators quarrelled among themselves: they could not agree as to the division of the spoils. From quarrelling they proceeded to blows. Heins shot Duhaut in the head, and killed him. Rutel then fired at Lietot, which, being followed by two shots from other parties, they despatched him. Thus, within a short time, these two assassins met with that punishment so sternly demanded by justice.

The Indians were astonished and scandalized with these murders. They looked upon these people, with some reason, as barbarians, whom the Great Spirit had devoted to self-destruction.

After the death of La Salle, Duhaut had determined to march back to the fort on the Lavaca, build a vessel, and return to the West Indies; and, before his own death, as above related, had actually returned as far as the Cenis Indians. Joutel, Anastase, and Cavalier, had formed a secret design to continue the journey to the Illinois. To lull the suspicions of Duhaut, they proposed to him to permit them to remain among the Cenis Indians. This he agreed to, but his death had changed the position of their affairs.

After the death of the chief murderer, Heins took command, and engaged with the Cenis to go with them to war. This he

did, leaving the friends of La Salle in camp till his return. After many bloody battles, he returned, and consented that the party might proceed on their journey to the Illinois. Having furnished them with a supply of ammunition and three horses, the company, consisting of seven persons—viz., Joutel, Anastase, the two Cavaliers, Tessier, De Marne, and Barthelemy—departed, leaving Heins the buccaneer, arrayed in the scarlet uniform of La Salle, in undisputed command of the remnant of the party.

Joutel and his followers, procuring Indian guides, retraced their steps as far as their former journey. Thence, pursuing a northeast course, they crossed the Red river at the Caddo village, and thence to the mouth of the Arkansas, where they found some men, stationed by De Tonti, to greet their coming, and give them such aid as they might require. Resting a few days at this place, they returned to France, by way of the Illinois and Quebec. Of this company, De Marne was drowned in Red river, and Barthelemy remained at the mouth of the Arkansas; so that only five of the colony returned to their native land.

Heins, having the goods, treasure, and uniform of La Salle, and the advantage of firearms, doubtless held sway, for a time, on the banks of the Trinity. From his turbulent and restless spirit, and his love for human blood, we may infer that he involved the Cenis in many wars with their neighbors, destroyed their love of peace and agriculture, and laid the foundation for the ruin in which that great and powerful tribe was ultimately overwhelmed.

When the Indians near the fort heard of the death of La Salle, and the dispersion of his company, they attacked the fort, which they took, and put all the remaining colonists to death, except three sons and a daughter of M. Talon, and

young Breman: these they retained as prisoners.* Thus ended the first attempt to colonize Texas.

Early in the spring of 1689, the chevalier de Tonti went at the head of a considerable force in search of the colony planted by his late friend. He probably penetrated the country as far as the Neches, but the desertion of his men compelled him to return without effecting his object.†

* The fate of those left in the fort is not very clear. The account of De Barcia is altogether too artificial. It is most probable that, of the prisoners retained by the Indians, a part or all of them were afterward reclaimed by the missionaries, and employed as interpreters. See the extract from the *Chronological Essay* of De Barcia, in a note to Prof. Shea's translation of Douay's Narrative, p. 208.

† Life of La Salle, p. 171.

CHAPTER IV.

EARLY in 1686, the marquis of Laguna, then viceroy of Mexico,* was informed, through the prize taken by the Spaniards from La Salle in the West Indies, of the French expedition; but its destination was then unknown. It is probable that, in La Salle's first expedition into the interior of Texas, the Camanche Indians obtained a knowledge of his location, and communicated it to the Spaniards. At all events, the count of Monclova, who entered on the duties of the viceroyalty in November, 1686, had immediate information of the fact. A council of war was held, to deliberate upon the matter, and to determine how they could most effectually carry out the royal exterminating order of Philip II.† A military post and settlement was established at Monclova; and Captain Alonzo de Leon was appointed to the command, under the title of governor of Coaquila.

Captain De Leon was then despatched with a military force of one hundred men to scour the country and hunt out the French.‡ The expedition left Monclova early in the spring

* Lorenzana's *Historia de Mejico*, p. 28.

† Ib., p. 29. De Onis to the secretary of state, January 5, 1818.—*American State Papers*, vol. xii., pp. 31, 298.

‡ Cevallos to Messrs. Monroe and Pinkney.—*Ib.*, p. 298. The Spanish secretary is mistaken in saying that *Monclova* sent out this expedition; for the *count de Galve* entered the viceroyalty on the 17th of September, 1688.—*Historia de Mejico*, p. 29.

of 1689, and arrived at Fort St. Louis, on the Lavaca, on the 22d of April. Two days after, he went down to the head of the bay, when he saw the wreck of the Belle. Learning from the Indians that some of the colonists were still wandering about over the country, he visited the Cenis nation.* He was received and treated by this people with the hospitality for which they were distinguished. He found here the notorious L'Archeveque and Grollet, and took them prisoners. They were sent to Mexico, thence to Spain, whence they were sent back to Mexico, and condemned to the mines.

Having completed the business of his expedition, De Leon returned to his post, and reported the facts to the viceroy: he spoke in high terms of the good disposition of the Indians, and suggested the propriety of the establishment of missions and military posts over the country. This letter, dated on the 22d of May, was laid before the council of the viceroy; and, after deliberation, it was resolved to establish a mission at Fort St. Louis. Accordingly, in 1690, De Leon was sent again, with one hundred and ten men and some friars, and established at the fort the mission of San Francisco, so named in honor of St. Francis D'Assisi. The king of Spain, having information of these proceedings, issued his orders for the pacification and reduction of Texas, as he considered it of great importance to the security of his dominions in New Mexico.

In 1691, Don Domingo Teran was appointed governor of Coahuila and Texas, with a salary of twenty-five hundred dollars per annum, and proceeded with fifty soldiers and seven

* De Onis calls them *Asimais*, and denies that De Leon found any of the French there; but the position he had taken in the discussion required, as he thought, this denial.

† Life of La Salle, pp. 175, 176. The account given by De Barcia, in his *Chronological Essay*, of the movement of Captain De Leon, is not reliable. See note to the Narrative of Father Douay, *Discovery and Exploration of the Valley of the Mississippi*, p. 208.

lay friars to establish missions and military posts. They took with them cattle, and seeds for planting; and effected settlements on the waters of Red river, on the Neches, and on the Guadalupe. But in a short time these infant colonies, as well as that at Fort St. Louis, began to decline. The Indians were hostile, the crops failed, and the cattle died; so that, in 1693, they were all abandoned. These facts were communicated to the king: he was informed of the great expense incurred, of the difficulty of controlling the Indians, and it was recommended that the settlement of the province be postponed to a time when circumstances should offer more hopes of success.*

Concurrently with the mission of San Francisco, was established on the right bank of the Rio Grande, three miles from the river, the mission of San Juan Bautista. This mission became a Spanish post of observation; it was erected into a *presidio;* and, in after-times, when travel became frequent between Mexico and Texas, was on the great thoroughfare known as the "old San Antonio road."

Thus Texas was once more without European settlers. Its abandonment was approved by the superior government in March, 1694. The post at El Paso, as being on the route to the silver-mines of Santa Fé, was still occupied; so likewise was the mission at the *presidio*, probably because of its convenience for trade with the Indians.

The Rio Grande seems to have been discovered at three different points by the Spaniards; and, without knowing it to be the same stream, the discoverers gave it as many different

* See Appendix No. 1. "Testimonio de un Parecer dado en los auttos fechos en virtud de Real cedula, en qe S. M. Manda se le informe sobre surttos abusos comettidos en la provincia de Texas en el tiempo que se expressa; y tambien de un parapho de ottro Parecer dado en los proprios auttos, uno y ottro del Senor Auditor Gral de la Guerra, Suppor. Govno. Año de 1744."—*Bexar Archives, parapho* 25, 26, MS. Señor Cevallos to Messrs. Monroe and Pinkney, April 13, 1805.

names, which are used to this day. The discoverers of the river at Santa Fé, in the north of Mexico, called it the *Rio del Norte;* at the *presidio*, on account of its great width, they named it the *Rio Grande;* and at Reynoso, where the Indians were fierce and warlike (*Indios bravos*), it was denominated the *Rio Bravo.**

The Spaniards were, however, aroused from their supineness, by the vigor of the French of Louisiana. Louis XIV. had, by a charter, dated September 14, 1712, granted to Anthony Crozot the whole of Louisiana. The boundaries in the grant were iudefinite, yet sufficiently well expressed to give Crozat a claim to the territory west as far as the Rio Grande. Crozat was a merchant. He had taken the grant on speculation, and wished to make the most of it. At his instance, Louis had appointed Lamothe Cadillac governor of Louisiana. Crozat had in view two great objects—one, the discovery of mines; the other, a profitable trade with the northeastern provinces of Mexico.† He accordingly so instructed the governor, requesting him to find an opening for his goods in Mexico, either with or without the consent of the Spanish authorities.

Accordingly, in 1714, Cadillac sent out Huchereau St. Denis,

* Testimonio de un Parecer, etc., parapho 9. Professor Shea (*History of the Discovery of the Mississippi River*, p. 18) says, "The *Rio Grande* is so called merely because some one mistook it for the great river of De Soto." The *Parecer*, above quoted, says: "Deestta provincia del Nuevo Mejico vaja el Rio nombrado *del Norte*, que veniendo derecho el sur corre immediatto à dicha capittal de Santa Fé, y al expressado Real Precidio del Passo. Despues tuerse al orientte, y cortte alguna partte de la Nueva Viscaya de donde recive el Rio de Conchos. Attraviesa luego por medio de la provincia de Coahuila pasando tres leguas mas adelantte de su Precidio de San Juan Baupttistta, clamado por ello del *Rio Grande*. Tiene alli de ancho dicho Rio como un ttirr de vala de fucil, y mas de una vara de profundidad, laque en tiempo de avenidas suele suber aesttado y medio. Conttinua siempre à orientte, y cruzando veintte leguas mas alla de la fronttera de dicho Nuevo Reyno, y de su Precidio de Serralvo, desahua con nombre de *Rio Bravo*, par tierras de Yndios Genttiles desconocidas de los nuestros."

† Gayarre, History of Louisiana, pp. 110 125.

a young man of noble family and great enterprise, upon an expedition to Mexico. He was to proceed to Natchitoches, there to form an establishment to oppose the Spaniards, if they should be in that vicinity; thence he was to proceed in the direction of New Mexico, and ascertain the practicability of opening commercial relations. He proceeded to Natchitoches, and left there a few men to form a settlement. With twelve men and some friendly Indians he continued his journey, and in August, 1714, reached the mission of St. John the Baptist on the Rio Grande. They were received with hospitality by Villeseas, the commandant of the post; and, making known the object of their long journey, were requested to wait till their business was communicated to Don Gaspardo Anaya, the governor of Coahuila, and an answer returned. The governor, for reply, sent a guard, who seized St. Denis and Jallot his friend and surgeon, and conveyed them to the capital of the province! Here they remained in prison till, by the order of the viceroy, they were conducted to Mexico, and there imprisoned. At the end of six months they were released, or, as some say, escaped, and after two years returned to Mobile, the then capital of Louisiana.* St. Denis having courted and married the daughter of the commandant of the mission of St. John, it is likely that he made arrangements for smuggling. The influence acquired by St. Denis over the Texan Indians was considerable; and when the Spaniards under Ramon, the uncle-in-law of St. Denis, established themselves at Adaes, the Indians were alike friendly with them. This all goes to sustain the assertion of Du Pratz, that the Spaniards were introduced there by St. Denis for illicit trade.

* Mr. Gayarre has made an intereresting romance of these adventures of St. Denis. — *American State Papers*, vol. xii., pp. 36 299, 316. Du Pratz, *History of Louisiana*, vol. i., p. 12.

At all events, the vigorous movements of Crozat alarmed the duke of Linares,* then viceroy of Mexico, and steps were taken to occupy the country. Captain Don Domingo Ramon and a few soldiers and friars were sent to Texas to establish posts and missions. They came with St. Denis, who acted as guide. A new mission was established in place of that of St. Francisco, but lower down on the bay of San Bernard; and another among the Adaes, a small tribe of Indians on the Arroyo Honda, and part of the great Caddo nation. This mission, protected by a military post, was fifteen miles west of Natchitoches, the Honda, a small creek, running about midway between them. The mission of Dolores was established nearer the coast, and west of the Sabine, among the Orquisaco Indians. The fort and mission of San Antonio de Valero† was located on the right bank of the San Pedro, about three fourths of a mile from the present catholic church at San Antonio; but, as a security against the Indians, and for purposes of irrigation, it was afterward removed to the San Antonio river, a noble stream, which, only three or four miles above, breaks out, full grown, from the foot of the Guadalupe mountains.

Shortly after this period, a small mission was established

* *Historia de Mejico*, p. 33: "Por Agosto de sette sienttos cattorce llego al enunciado Precidio del Rio Grande en Coahuila Don *Louis* [Huchereau] de San Denis y Don Medar Jalot con ottros dos Franceses; y trahidos à Mejico de orden del excelentissimo Senor virrey duque de Linares exivio aqui San Denis pattente del governador de la Mobila con fecha de Septtembre del año de trece, paraque veniese con veintte y quattro hombres à Texas, y comprase alli bueyes, cavallos y ottros ganados para la colonia de la Luciana suponiendo se manttenien en Texas nuestras missiones. Declaro San Denis, que havian venido en una piraqua desde la Mobila hasta Nachittos, donde havian desembarcado, y que llegados à Texas, y no enconttrado alli à los Españoles se havian vueltto los soldados Franceses, que landose solo quattro en los Texas, y que con los ottros tres havia pasado hastta dicho Precidio del Rio Grande. Expresso tambien que los Yndios Texas deceaban, volbiesen los missioneros Españoles." — *Testimonio de un Parecer*, etc., *parapho* 26, MS. There is a considerable difference in the French and Spanish accounts of this affair.

† Afterward removed to the east of the San Antonio, and called the *Alamo*.

among the Nacogdoches Indians. Its location, at that time, was below the present site of the handsome town of Nacogdoches, and near the junction of the Bañita and Nana. About the same time was located a mission among the Aes Indians, and not far from the present town of San Augustine.

Thus the year 1715 may be considered the year of missions in Texas. From this time may be dated its permanent occupancy by Spain. She had wrested it from France, the rightful discoverer and first possessor; yet, it must be admitted, she had acquired full possession. As the policy of Spain allowed no curious traveller to penetrate her territories, it is probable the French did not for some years know the extent of her trespasses; and, if they did, they had much to do in the wars then prevailing on the continent of Europe, and much in taking care of their other possessions.

Captain Don Ramon seems to have been the active laborer in the building up of these missions. He was a great favorite with the Indians; they adopted him as a son, and assisted him and his followers in their labors. The marquis de Aguago went to Texas, under the order of the viceroy, as governor-general of the New Philippines (the name by which Texas was then known), and of New Estremadura.*

While Captain Don Ramon was at the Adaes, he paid a friendly visit to the French at Natchitoches. He with his followers were received with great politeness by the commander, and treated with hospitality during their stay. This, occurring shortly after the return of St. Denis, would seem to confirm the assertion of Du Pratz, that the Spaniards had been introduced there by St. Denis, as previously observed, for purposes of smuggling.†

* American State Papers, vol. xii., pp. 36, 299.
† Ib., p. 36; Bossu, vol. i., p. 342.

The first efforts at forming settlements were humble enough. The buildings were but temporary shelters, and rude cabins constructed by vertical pieces planted in the ground, with the spaces filled up with branches interlaced and thatched. Thus were first constructed the temporary chapel, hospital, and the dwellings for the priests and officers. In a climate so mild and congenial, no great necessity existed for further immediate arrangements. A new force had to be prepared and brought into requisition to do the drudgery of more substantial improvements. The soldiers and friars came not to perform mechanical labor, but to put in operation the missionary machine by which were to be wrought out of the wild Indian tribes laborers in abundance.

The Indians, unaccustomed to such scenes, looked on with pleasure and astonishment at these rude structures. Indeed, such was their good nature, and their desire to please the newcomers, that they, at first, voluntarily assisted in the work. Small presents, kind looks, and opening hopes, were to them a sufficient reward.

Thus matters stood for some time, the Spaniards being in the quiet possession of Texas, though it was not then known by that name. The name, in fact, is involved in obscurity. The story, first published by Don Luis de Onis in 1818*—that on the visit of Alonzo de Leon to the A-Simais (Cenis) Indians in 1689, they received him with the greatest kindness, and called him and his followers "*Texas*," which in their language signifies *friends*—is, no doubt, fanciful. The country was known for many years after this period as the "*New Philippines*," and was so described in official papers; and so late as 1744, in a report made to the Spanish government of the condition of this country, the writer says that the territory on the

* American State Papers, vol. xii., p. 31.

Neches is called *Texas*.* La Harpe, in his letter to D'Alarconne, dated Nasonite (eastern Texas), July 8, 1719, calls it the province of *Las Tekas*;† and this is the first mention of the name in any works made public. It may have been the appellation of some petty tribe of Indians living in eastern Texas; or it may be of Spanish origin, and applied to the light structures of the Indians on the Neches.‡

* Bexar Archives, MS., *parapho* 21: "Cientto settentta y dos leguas di dicho Precidio de San Antonio estta el paraje nombrado propriamentte *Texas*, Asinays, o Nechas." As this was on the San Antonio road, it must have been the Mound prairie, lately occupied by Mr. Bradshaw, that was known as *Texas*, and which gave name to the entire country.

† American State Papers, vol. xii., p. 107.

‡ *Teja*, plural *Tejas*, in allusion to the covering of their tents or wigwams. I am indebted to Ch. Gayarre, Esq., for this suggestion.

CHAPTER V.

America, as a missionary field, was not, in its early settlement, a place to be desired. In some parts, where the precious metals abounded, and fortunes were readily made, the worldly-minded herald of the cross could find somewhat to tempt him; but, with this exception, it was a vast, unexplored region, but thinly peopled by a strange and degraded race, who were utterly ignorant, not only of the moral code of elevated society, but even of the rights of property. As Christianity and civilization must necessarily flourish together, the Indians had to be civilized as well as converted. They were to be taught to love God more than their hunting-grounds; to forgive their enemies, and not to scalp them. These teachings were to be the result of infinite patience, constant prayer, a living faith, an upright walk, and, as God works through instrumentalities, a previous mental cultivation. Who, then, was sufficient for these things? A new country had been occupied. Her vast prairies and woodlands, beautifully blended, lay smiling before the strangers. At that age, the missionary operations in America, with the exception of the English colonies, were carried on by the Jesuits, Dominicans, and Franciscans, the three principal orders of preachers of the Roman catholic church. These orders, though deriving authority alike from the papal see, were essentially different. The Jesuits were polished, cheerful, and

courtly; the Dominicans, as preachers against heretics, were gloomy and fanatical. From the time of St. Dominic, they found dangerous rivals in the Franciscans, with whom they divided the honor of ruling church and state until 1640, when the shrewd and learned followers of De Loyola superseded them in directing the education and politics of the Old World.

The Franciscans are a religious order founded by St. Francis d'Assisi, in 1208, at Naples. The order was distinguished by absolute poverty and the renunciation of worldly pleasures. Its original object was the care of the spiritual interests of the people, so much neglected by the secular clergy of that age. The founder prohibited his followers from possessing any property, nor were they to make learning and the polite accomplishments their study. The rule of the order, sanctioned by the pope in 1210 and 1223, destined them to beg and to preach. Responsible to no one but the pope, they had many privileges, and their numbers were soon so increased, that they filled thousands of monasteries. The rules of poverty became relaxed, and their convents produced many learned men. The popes Nicholas IV., Alexander V., Sixtus IV. and V., and Clement XIV., were from this order.

The Franciscans became divided into different sects, yet had a common general. The Alcantarines, or those who followed the reforms introduced by Peter of Alcantara, flourished in Spain, and, with the conquerors of Mexico, many of them came over to America, and founded missions and convents.* Among others, the convents of Quaretaro and Zacatecas, established early in the seventeenth century, furnished the missionaries destined to introduce to the savages of Texas the knowledge of the true God.† These fathers observed strictly the rules

* Encyclopædia Americana: articles *Franciscans, Dominicans, Jesuits.*

† Letter of Bishop Odin, of April 6, 1853. M.

laid down by their founder: they went with their feet entirely bare; a coarse woollen frock, with a cord round the waist, to which a rope with a knotted scourge was suspended, formed their common dress. Their monastic vows prohibited them from holding either real or personal property, and also from familiar intercourse with the other sex, and required an entire compliance with the rules of the order and the commands of the superior.*

In Texas, in 1715, such men could well keep their vows of poverty and self-denial. But they had before them a work to be performed, which, without hope of future reward, and a strong faith in heaven, none could have the heart to undertake. As beggars, the Indians had nothing to give, and in this avocation far outstripped their ghostly instructors! As preachers, they had almost insuperable difficulties to meet and overcome. They had to learn the language of the natives; to domesticate and civilize them; to teach them the nature of property, its value, and the mode of acquiring it. But, what was most important, the Indian was necessitated to unlearn all that he had previously acquired. His wandering life must cease; he must henceforth have a home, and a place of worship. His *manitous*, as numerous as the objects around him, must all give place to the idea of one great *Manitou*—the Creator. His passions must be subdued; his habits, manners, and his entire nature, changed.† "Nothing is more difficult," says Father

* Encyclopædia Americana, article *Monastic Vows.*

† The ingenious argument adopted by Father Mermet to convince an Indian of the existence of a God is worthy of repetition. The Indian was a *medicine-man*, and worshipped the buffalo, as his grand *manitou*. As the buffalo was not immortal, the Indian was insensibly led to admit that it was not the animal he worshipped, but the *spirit* of the buffalo, which was under the earth, and animated all buffaloes.

Mermet. Have not other animals—the bear, for instance—a *manitou* also?

Indian. Certainly.

Marest, "than the conversion of these Indians; it is a miracle of the Lord's mercy. It is necessary first to transform them into men, and afterward to labor to make them Christians."*

This work was undertaken in Texas by the patient followers of St. Francis. They had not the liberty of the Jesuits, in not being restrained by the formalities of a tedious recitation of prayers, but, under all circumstances, at oft-recurring times, were bound on their consciences to repeat them. It was an important object to keep the Indians together long enough to make an impression on their minds. But the Indian must be fed; his only means of support was by fishing, and the chase; he knew no other. To maintain him by agriculture, he must labor in the field; and this labor must be compulsory, for laziness is a leading feature in the character of an Indian. Upon such a basis, then, were laid down the rules for the government and instruction of the red man.

The establishments thus formed in Texas were known as *presidios*,† or *missions*. There was a mission at each *presidio;* but many missions were without soldiers, at least in any considerable numbers. Each *presidio* was entitled to a commandant, and the necessary officers for a command of two hundred and fifty men; though, from various circumstances, the number constantly varied, and was generally less. The troops were inferior, badly clothed, idle, and disorderly. The buildings were erected around a square, or *plaza de armas*, and consisted of the church, dwellings for officers, friars, and soldiers, with storehouses, prisons, &c. The size of the square depended on the population, the strength of the force intended to be stationed there, and also upon the extent of the district dependent on the *presidio*. Huts were erected at a short distance from the principal edifices, for the converted Indians. The unmarried of either sex were placed in separate huts, and at night locked up by the friars, who carried the keys. They encouraged chastity among the Indians, and punished its violation by public or private whipping, as the offender was a male or a female.*

Forts were erected near the *presidios*, and sometimes the church was fortified. The civil and military authority was united in the commandant, which, in some matters, was subordinate and in others superior to the ecclesiastical power. The principal duty of the military was to repel the invasion of the wild Indians, and to suppress the rebellious spirit of the converts. The Indians were well fed, clothed, and cared for; their labors were not heavy; and, in these particulars, they could not complain. But they were compelled to perform certain religious ceremonies before they could understand anything of their meaning. Sundry rules were laid down for their every motion, a departure from which was severely punished. It was this tyranny over the minds and bodies of the Indians that enfeebled and wasted them. They were willing to forego the food and raiment of the missions, for the sublime scenery of the vast prairies, the liberty of roaming unmolested over them, and chasing the buffalo and the deer. Freedom, dear to all, is the idol of the Indian. He worships the liberty of nature.

Mermet. If this be so, then men ought also to have a *manitou* which animates them?

Indian. Nothing can be more certain.

Mermet. That is sufficient for me to convict you of having but little reason on your side; for if man be the master of all the animals — if he kills them, if he eats them — then it is necessary that the *Manitou* which animates the man should also be the Master of all the other *manitous.* — *Kip*, p. 202.

* Letter of Father Marest, November 9, 1712. Ib., p. 193.

† *Presidio*, a garrison of soldiers.

* Kennedy, vol. i., p. 224, *et seq.* Forbes, in his history of California, is too severe upon the Franciscans. Compared with the cruelty of the Spaniards and Dominicans in South America and Mexico proper, the discipline of the Franciscans was tolerable.

When restrained from his loved haunts, he pines, and sickens, and dies. Had the Franciscans, like the Jesuits on the lakes, gone with their flocks on their hunting-excursions, joined them in their feasts, and praised them for their skill in the chase, they would have met with greater success. But the Jesuits possessed a twofold advantage: they had the power of dispensing with tedious and uninteresting prayers and ceremonies; and they also enjoyed the aid of the cheerful, talkative, open-hearted French:* while the Franciscans, without such dispensing power, were likewise bound to co-operate with the gloomy, suspicious, and despotic Spaniards.

We are not informed respecting the daily round of spiritual and temporal duties performed by the converted Indians of the Franciscan missions, but presume they were not very different from those described by Father Marest as practised among the Illinois in 1712. "Early in the morning," says he, "we assemble the *catechumens* at the church, when they have prayers, they receive instruction, and chant some canticles. When they have retired, mass is said, at which all the Christians assist, the men placed on one side and the women on the other; then they have prayers, which are followed by giving them a homily, after which each goes to his labor. We then spend our time in visiting the sick, to give them the necessary remedies, to instruct them, and to console those who are laboring under any affliction. In the afternoon, the catechizing is held, at which all are present, Christians and *catechumens*, men and children, young and old, and where each, without distinction of rank or

* Don Joseph de Gorraez, speaking of the intercourse of the French with the Indians in 1744, says: "Posehen en ttodas, muchos precidios, crecidos pueblos, numerosas naciones de Yndios con quienes facilmentto congenian rayandosse y pintandose como illos los rosttros hablando sus idiomas, asisttiendo à sus baylas casandose con los Yndios, y rescattando pieles por bujerias, cuchillos y armas de fuego aque son mui propensos los Yndios."—*Testimonio de un Parecer*, &c., *parapho* 13.

age, answers the questions put by the missionary. As these people have no books, and are naturally indolent, they would shortly forget the principles of religion, if the remembrance of them was not recalled by these almost continual instructions. Our visits to their wigwams occupy the rest of the day. In the evening, all assemble again at the church, to listen to the instructions which are given, to have prayers, and to sing some hymns. On Sundays and festivals they add to the ordinary exercises instructions which are given after the vespers. . . . . They generally end the day by private meetings, which they hold at their own residences, the men separately from the women; and there they recite the *chapelet* with alternate choirs, and chant the hymns, until the night is far advanced."*

If to these duties we add the sacraments and confessions, we need not be surprised that the neophytes sometimes fled from the missions, and resumed the war-whoop and the chase. At the French missions among the Indians, the apostates were won back by persuasion. Not so among the Spaniards: the troops at hand pursued them, and, if taken, they were compelled to return—when, in addition to a severe whipping, they were obliged to do penance.

The Franciscan fathers made regular reports of the success of their missions to the superior, and the latter to the general of the order. On these reports depended to a great extent the favor shown the missionaries; hence they were excited to zeal in their efforts to make converts. Not content with the fruits of persuasion and kind treatment, they made forays upon the surrounding tribes. The soldiers performed this duty. The prisoners taken, especially the young, were trained alike in the mysteries of the Christian faith and of agriculture.† To

* Kip, p. 204.

† Humboldt. Indians who did not know how to make the sign of the cross were called *Yndios bravos;* those in the missions were termed *Yndios reducidos.*

effect their training, they were divided among the older and more deserving Indians of the mission, who held them in servitude until they were of an age suitable to marry. At the proper time this rite was faithfully performed, and thus there grew up a race of domestic Indians around the missions.

To add to the strength of the missions and the number of the converts, reliable Indians of these establishments were sent out among their wild brethren to bring them in. This was sometimes done by persuasion, and sometimes by deception and force. However, they were brought to the missions, and incorporated among the learners and workmen of the fold.

When we call to mind the fanaticism and ignorance of that age, and the important fact that the Indians who remained long in the missions became greatly attached to their spiritual guides and the form of their worship, we must admit that these pioneers of religion deserved some praise. Their toils and privations evinced their faith—their patience and humility should satisfy the world of their sincerity.

Until the present century, the catholics did more for the cause of missions than the protestants; and if, a century and a half ago, they committed fatal errors in their religious enterprises, it is no more than has since been done. The fate of the aboriginal races of the New World, and even of the Pacific islands, is peculiar. A well-defined instance of any tribe or nation that has been civilized, without a total or partial destruction of its people, can scarcely be produced. This may, to some extent, be attributed to the vices introduced by the friends of the missionaries.*

However objectionable we may consider the Franciscan mode of *reducing* the Indians, it is perhaps less so than the American plan of depriving them of their lands, and then hunting them down like wild beasts.

* Dr. Rushinburger, Voyage of the Peacock, 1832; Captain Wilkes's Journal; Robertson's History of America, book viii. Dr. Robertson says that, "after the

As much of the ill success of the missions resulted from the regulations of the Spanish government in regard to the Indians, it may be well that we should refer to them. These regulations for the government and instruction of the natives of Spanish America emanated from the "council of the Indies," and were sent out for observance as laws sanctioned by the king. They were based upon the conclusion of the council that all the people of the New World were marked out by the inferiority of their minds for servitude, whom it would be impossible to instruct or improve, except continually under the eye of a master. Yet, as experience suggested the modification of these regulations, they were so altered from time to time, until 1542, when, by a decree of Charles V., the Indians were restored to a nominal freedom. A tax, however, of one dollar each was levied upon all males between eighteen and fifty years of age, three fourths of which went into the royal treasury, and the other fourth was applied to the payment of the salaries of local officers and parish expenses. They were also subject to a certain vassalage, similar to the former tenure by service in England.* This vassalage consisted in the liability of the Indian

lapse of two centuries, during which the Indians have been members of the church, so imperfect are their attainments in knowledge, that very few possess such a portion of spiritual discernment as to be deemed worthy of being admitted to the holy communion."—p. 365. But see his note, p. 181, ed. 1835, New York. The resident priest at the San José mission, in 1807, in a conversation with Captain Pike, said that "it appeared to him that the Indians could not exist under the shadow of the whites—as the nations who formed the San Antonio missions had been nurtured and taken all the care of that it was possible, and put on the same footing as the Spaniards; yet, notwithstanding, they had dwindled away, until the other two missions (*San Juan Capestrana* and *La Purisima Concepcion*) had become entirely depopulated, and the one where he resided had not then more than sufficient to perform his household labor. From this he had formed an idea that God never intended them to form one people, but that they should always remain distinct and separate."—*Pike's Expedition, Appendix*, p. 33.

* Robertson's History of America, pp. 115, 116, 357, 358. *Recop. de Leyes de las Indias*, lib. vi., tit. v.

to labor a certain number of days for his patron or the king in the fields or in the mines; and, although the time was limited in Mexico to six days in the year, yet such was the distance of this degraded people from the head of the government, such the disregard of the laws, and such the cupidity and inhumanity of the patrons and agents of the crown, that the term of service was generally evaded, and the Indians treated with great cruelty.* This labor was gratuitous; yet, in the meantime, the Indians became debtors to their patrons, and were compelled to continued service under pretence of payment: hence originated a species of servitude called *peonage*. The *peons* increased to such an extent, that the patrons made no objection to the abolition of the system of *encomiendas;* for labor was so cheap, that it cost little or nothing.

In addition to the capitation-tax levied from the Indians, they were subject to tithes, marriage-fees, and other payments, drawn from them by the church. Still further, the Indians paid large sums for the bull of *Cruzado*. This papal bull is published every two years, and grants to the purchaser an absolution for past offences, besides the privilege of eating certain prohibited articles of food during religious fasts. The eloquence and zeal of the monks were employed in the sale of these pardons, and, such was the credulity of the people of Mexico, that few failed to purchase. The price varied from ten dollars to twenty-five cents, according to the condition of the purchaser and the privileges granted.†

At the period of which we write, the clergy of New Spain were inferior to that class in Europe, in both morality and intelligence. With the exception of the Jesuits, and the higher functionaries of the church, the entire clergy of Mexico were not only destitute of the virtues necessary to their station, but were in every respect profligate. Some of them, disregarding their vows of poverty, turned merchants; others, forgetting their oaths of chastity, indulged in the grossest licentiousness. It was in vain that the civil authorities attempted to correct these abuses. The clergy held an ignorant and credulous people under their control, and charged the governors with hostility to religion. The church triumphed; and these corruptions continued to increase, until the inhabitants of Mexico ceased to venerate the monastic orders. It was then only that King Ferdinand VI. promulgated his decree prohibiting the regular or monastic clergy from taking charge of the parishes, but limited this right to the secular clergy.*

Pope Alexander VI., in 1501, granted to the crown of Spain all the newly-discovered countries in America, on condition that provision should be made for the religious instruction of the natives; and Pope Julius II., three years afterward, conferred on Ferdinand and his successors the right of patronage, and the disposal of all church benefices. These grants of the popes, made at an early day, constituted the king of Spain the head of the church, and gave him the absolute control of its vast revenues. This fact is referred to here, because of the influence it had, and still continues to have, in the revolutions of Mexico.†

Such were the rules and regulations for the government of the Indians, and such their condition, as also that of their spiritual instructors, in 1715. Of course, these regulations could

* In New Spain, or Mexico, the number of Indians was so great, that only four in the hundred were required to labor at a time. This term of service was called *tanda*. — *Robertson's History of America: note*, p. 179.

† Letter of Joel R. Poinsett, American State Papers, vol. iv., p. 326, ed. 1834. Robertson's History of America, book viii., p. 384: note 195.

* MM. Frezier, Acosta, Gentil, and others, zealous catholics, admit and deplore these corruptions. The decree of Ferdinand is dated in 1757. — *Robertson's History of America*, book viii., p. 363.

† Solarzono, *Laws of the Indies*, vol. ii., p. 498, *et seq.*

not apply to wild Indians (*Yndios bravos*), but only to the converted Indians (*Yndios reducidos*). The three classes of the inferior or working clergy consisted of—curates, or parish-priests, in the Spanish settlements; teachers of Christian doctrine, having charge of those districts occupied by the converted Indians; and missionaries, whose duty it was to go to the countries of the wild Indians, and, by persuasion and other means, to bring them under the protection of the government, and impart to them a knowledge of their Creator. The church of New Spain, in other respects, was organized as that of the mother-country, having its archbishops, bishops, deans, &c.

The ceremonies, the solemnities, and the pomp of the Roman catholic worship, were fascinating. To the natives, who never reflect, or conceive an abstract idea, the sublime spiritual truths of the gospel could not be taught. Only through the senses, by means of striking emblems, could they learn a few simple truths.*

The missionaries, while engaged in converting the wild Indians, were not unmindful of their own comfort and that of the missions. The labor of the natives was employed in agriculture, in raising stock, and in erecting large and convenient edifices, by which means the fathers were not only enabled to live agreeably themselves, but could extend the hospitalities of the missions to travellers and friends.

* Robertson's History of America, book iv., p. 150.

CHAPTER VI.

On the return of St. Denis to Mobile in 1716, another expedition was started to Mexico. Three Canadians, De Lery, Lafrèniere, and Beaulieu, had charge of it. They carried a considerable amount of merchandise. Before they reached Natchitoches, St. Denis overtook them. He had left his wife at the mission of St. John, on the Rio Grande, and wished to see her. After providing themselves with mules and horses, they set out on their march. On reaching the confines of the Cenis (A-Simais) nation, they rested a few days, and laid in a new supply of provisions. Again on their way, St. Denis left his company, and hurried on to rejoin his wife. He took with him a few travelling-companions and some goods. On reaching the mission, which had been raised to a *presidio*, his goods were seized by the Spanish authorities; and he set out for the city of Mexico, to see the viceroy, and have them restored. But the new viceroy, the marquis of Valero, who had entered upon his office on the 10th of August, 1716,* was not so favorably disposed toward St. Denis as the kind-hearted Linares had been. St. Denis was cast into prison, where he remained a month; but, at the intercession of his wife's relations, he was released, and ultimately had his goods sold and paid for. The money was paid to an agent, however, who ran off with it. St. Denis, in

* *Historia de Mejico*, p. 34.

trying to get it restored, had used some harsh and threatening language; and referred to his influence with the Indian tribes in Texas, and how he would use it against the Spaniards settled there. This coming to the ears of the viceroy, he was again thrown into prison; but, through the assistance furnished by the friends of his wife, he made his escape, traversed the country to the *presidio* of St. John, took his wife with him, and at last safely reached the capital of Louisiana.*

The remainder of his company, on reaching the *presidio*, and learning what had occurred to St. Denis, and that he had gone to the city of Mexico, were alarmed for their own merchandise. To secure it, they intrusted it to the care of the monks of St. John, and ultimately sold it on credit; but, in the meantime, hearing that St. Denis was imprisoned in Mexico, they did not wait for payment, but fled to Louisiana. Thus ended the second attempt of St. Denis to establish a trade with the Spaniards through Texas. If he was not successful, it was not for want of enterprise on his part, nor was it on account of the great virtue of the Spaniards. He did them one good service: he laid out the great thoroughfare through Texas, known as the *San Antonio road*, which, first travelled in 1714, has been, for a hundred and forty years, the great highway of travel for pleasure and business, for plunder and war.†

Crozat, having failed in his Louisiana speculations, surrendered his charter on the 13th of August, 1717; and, in the month following, the colony of Louisiana was transferred to the "Company of the Indies," controlled by the notorious John Law.‡

* Gayarre, History of Louisiana, vol. i., pp. 191, 198, 242.

† It seems that Captain Alonzo De Leon first travelled and marked out the La Bahia road, from the latter point to the then Indian town of Texas at the Mound prairie, in 1690.

‡ Gayarre, History of Louisiana, vol. i., p. 198.

In December, 1718, war was declared by France, under the regent duke of Orleans, against Spain.* The news reached the French colony of Louisiana in the spring of the next year, when hostilities to a limited extent were carried on between the French and Spanish settlements in Texas. The French government had anticipated this, by sending out the previous year some recruits for the stations and settlements. One hundred and forty-eight had been apportioned to Natchitoches, which, before then, had but a small guard.

On the receipt of the news of the declaration of war, the French immediately proceeded with such force as they could raise at Natchitoches, under the command of La Harpe and St. Denis; and, driving before them the Spaniards at Adaes, Orquizaco, Aes, and Nacogdoches, pursued them to the post of Bexar. In the meantime, the marquis de Aguayo, governor-general of New Estremadura and the New Philippines, offered his services and purse to the viceroy to repel the French. He collected a mounted force of five hundred men, and set out on his march; but the French had retreated, and, when he arrived at Adaes, they were safely in their quarters at Natchitoches. De Aguayo brought with him the parties composing three of the missions that had retreated before the French, which he re-established—namely, Orquizaco, Adaes, and Aes—leaving a force at the garrison of Nuestra Senora del Pilar, seven leagues from Natchitoches, for their protection.† The marquis then returned to San Antonio, and Captain Don Ramon, his second in command, to the *presidio* of the Rio Grande. De Aguayo engaged in the improvement of San Antonio, and laid down plans for durable missions.

* Elliot's Diplomatic Code, vol. i., p. 7.

† American State Papers, vol. xii., p. 300. *Testimonio de un Parecer, &c., parapho* 31.

In the meantime, the viceroy Valero appointed Don Martin d'Alarconne, knight of the order of St. Jago, governor of Texas. He entered upon his duties in 1718. The missionaries complained to him, after the return of De Aguayo, that there were not sufficient troops, and that the government of Texas was in every way badly provided. Alarconne, with a view to mend matters, demanded one hundred and seventy-five additional soldiers, together with money and implements.*

It seems that it was during this war, and after the return of the French expedition to Bexar, that La Harpe was relieved by St. Denis from the command of the post of Natchitoches, and sent into the interior of Texas—not so much, perhaps, for the purpose of establishing commercial relations with the Spaniards, as the building up of new settlements, and stirring up the Indians against the Spaniards.† La Harpe took post among the Nassonites, and sent a polite message to D'Alarconne. He received a reply from the marquis, stating his willingness to be on good terms with the French of Louisiana, but expressing his surprise that La Harpe should be at the Nassonite village, as that territory depended upon New Mexico. La Harpe rejoined, urging the claims of the French to the territory by reason of previous discovery and possession.‡ Nothing further

* *Testimonio de un Parecer, parapho* 29.

† War was declared by France and England against Spain in December, 1718. On the 20th of January, 1720, the king of Spain accepted and signed the quadruple alliance which, in 1718, had been entered into between England, France, the emperor of Germany, and Holland, for the purpose of guarantying to the reigning families in England and France their thrones, and settling the partition of the Spanish monarchy. So Mr. Gayarre must be mistaken in placing the correspondence between D'Alarconne and La Harpe after the treaty of peace.—*Gayarre, History of Louisiana*, vol. i., p. 263.

‡ The following is the correspondence between D'Alarconne and La Harpe:—

"Monsieur: I am very sensible of the politeness that M. de Bienville and yourself have had the goodness to show to me. The orders I have received from the king my master are, to maintain a good understanding with the French of Louisiana; my own inclinations lead me equally to afford them all the services that depend upon me. But I am compelled to say that your arrival at the Nassonite village surprises me much. Your governor could not be ignorant that the post you occupy belongs to my government, and that all the lands west of the Nassonites depend upon New Mexico. I counsel you to advise M. Bienville of this, or you will force me to oblige you to abandon lands that the French have no right to occupy. I have the honor to be, &c. "D'Alarconne."

"Trinity River, *May* 20, 1719."

Reply of the French Commander.

"Monsieur: The order from his catholic majesty to maintain a good understanding with the French of Louisiana, and the kind intentions you have yourself expressed toward them, accord but little with your proceedings. Permit me to inform you that M. de Bienville is perfectly informed of the limits of his government, and is very certain that the post of Nassonite depends not upon the dominions of his catholic majesty. He knows also that the province of Lastekas [Texas], of which you say you are governor, is a part of Louisiana. M. de la Salle took possession in 1685, in the name of his most Christian majesty; and since the above epoch, possession has been renewed from time to time. Respecting the post of Nassonite, I can not comprehend by what right you pretend that it forms a part of New Mexico. I beg leave to represent to you that Don Antonio de Minoir, who discovered New Mexico in 1683, never penetrated east of that province, or the Rio Bravo. It was the French who first made alliances with the savage tribes in this region; and it is natural to conclude that a river that flows into the Mississippi, and the lands it waters, belong to the king my master. If you will do me the pleasure to come into this quarter, I will convince you I hold a post I know how to defend. I have the honor to be, &c.

"De la Harpe."

"Nassonite, *July* 8, 1719.

was done by D'Alarconne in defending the Spanish claim; but his demand for more men, money, and implements, being refused, he resigned his office and retired.

The "Company of the Indies," having in charge the colony of Louisiana, sent out, in 1719, a thousand Europeans to people it. Among them was M. de Belisle, a gentleman of distinction. The winds and current carried the vessel on which he had embarked into the bay of Matagorda. A boat was sent ashore for water; and Belisle, with four of his companions, went in it, with the consent of the captain. As the boat had to return to the ship, these five officers went out hunting. The captain becoming impatient, and the hunters not returning, he weighed anchor and left them. Being thus abandoned, and

lost in an unknown country, they coasted along westward for several days, living upon herbs and insects. Belisle had brought a young dog from the vessel: this he gave up to his companions, to kill for food; they endeavored to do so, but were so weak, that the dog escaped from them, and disappeared. The four companions of Belisle died of starvation and despair, before his eyes; and for some days he continued to subsist on worms and insects, when at last his dog reappeared, with an opossum which he had killed. Shortly after, his dog was wounded by a wild beast, and he was compelled to kill him. Being thus left alone, he turned from the coast, and directed his course to the interior, in search of men. He found footsteps, and followed them to a river, on the opposite bank of which were some Indians engaged in drying meat. Belisle was so well assured they were cannibals, that he imagined they ate human flesh. They stripped him, and divided his clothes among them; they then took him to their village, and gave him to an old widow, who received him into her service, and treated him so kindly, that he gradually recovered his strength. He learned their language, became a warrior, and had greater privileges accorded him. After some time, a deputation from the Nassonites visited the tribe having him in charge, and, seeing him, observed in his hearing that there were men like him near their country. Without seeming to notice the conversation, Belisle inquired privately of one of the deputies as to these white people. He then made ink of soot, and wrote on his commission, which he had preserved, information of his condition, and procured one of the deputies to take it to the white people at Natchitoches, for which he would be well rewarded. The Indian, having performed his duty, delivered the paper to Captain St. Denis, who gave him many presents, and then began to cry, after the Indian manner,

in their presence. They inquired what was the matter. St. Denis answered that he wept for his brother, who was a captive among the Indians. As St. Denis was a great friend to the Indians, and a favorite with them, ten of their number volunteered to go after Belisle, and return in two moons. They were furnished with horses, arms, and a horse and clothing for the prisoner. They reached the village, and discharged their guns, which overawed the other Indians; then delivering to Belisle a letter of assurance from St. Denis, he mounted his horse, and the whole party galloped away and reached Natchitoches in safety, whence Belisle went to the capital of the colony of Louisiana. He afterward became major of New Orleans, and major-general of the marine in Louisiana.*

The Spanish claim to the north and east was indefinite. Like Louis XIV., in his grant to Crozat, they were not only ignorant of the geography of the country, and of the possessions of others, but also of what they could successfully claim as their own. After the success of the Spaniards in re-establishing their missions and military posts in eastern Texas, they determined on driving the French from their settlements on the upper Mississippi. The expedition fitted out for this purpose, in 1720, consisted of an engineer-captain as commander and conductor, a Dominican friar as chaplain, soldiers, men and women, with horses and cattle necessary to form a settlement. The party lost their route, and fell in among the Missouri Indians (the fast friends of the French), mistaking them for the Osages. It was from the latter tribe that the Spaniards expected aid in attacking the French post on the Illinois. The

* Bossu, vol. i., p. 332, *et seq.* Only so much of this narrative is here inserted as is believed to be true. Bossu was greatly attached to the marvellous, and a story never lost anything by passing through his hands. He says the tribe that held Belisle as prisoner was the Attakapas. But he is undoubtedly mistaken. It was most likely the Carankawaes; all the circumstances go to show this fact. He also represents them as cannibals. It is strange they did not eat Belisle!

Missouri chief soon discovered their mistake, but, concealing the matter, affected great friendship for the Spaniards, treated them with hospitality, and promised to march with them at the end of three days. He required this time, he said, to hold a council with his old men, and to assemble his warriors.

In the meantime, the Spanish commander distributed among the Missouris fifteen hundred muskets, with pistols, sabres, and hatchets. On the morning after, at break of day, the Indians, thus armed, fell upon the Spaniards, and butchered the whole of them, except the priest, whose singular dress did not seem to them to belong to a warrior. They called him a magpie, and amused themselves by making him ride a Spanish horse on public occasions.

Shortly afterward, to the astonishment of the French on the Illinois, the Missouris, with their chief at their head, marched into the fort, arrayed in the ornaments of the chapel and the garments of the slain! The chief wore on his naked skin the *chasuble*, and had the *paten* suspended from his neck for a breastplate; his head being crowned with feathers and a pair of horns!* Thus ended this first and last attempt of Spain to extend her empire to the north.

The patriotic De Bienville, then governor of Louisiana, was not satisfied with the position of affairs in Texas. The Spaniards had occupied too much of the territory, consistent with the claims of France. The correspondence of La Harpe with D'Alarconne was approved by the French government, and the "Company of the Indies" were ordered to take possession of Matagorda bay.†

* Bossu, vol. i., p. 150, *et seq.* This author, in giving us the above tragic account, takes occasion to remind those "officers, who, through a noble ambition, aspire to military commands, that both the theoretical and practical parts of geography ought absolutely to be understood by them."

† Gayarré, History of Louisiana, vol. i., p. 264.

In pursuance of this order, De Bienville, on the 10th of August, 1721, proceeded to send out a vessel with a suitable force to plant at the bay the arms of the king, and to build a fort. *Belisle*, having previously been a prisoner there, and acquainted with the Indian language, was appointed to the command of the twenty soldiers despatched, and La Harpe went out as commandant of the bay of St. Bernard. The order was obeyed, and a settlement formed; but, such was the hostility of the Indians, that the detachment did not long remain on the bay.*

* American State Papers, vol. xii., p. 107. Gayarré. History of Louisiana, vol. i., p. 264.

CHAPTER VII.

THE council of the Indies, being duly advised of the irruption of the French, their retreat, and the subsequent measures of De Aguayo to settle the country, induced the king of Spain to issue a royal order in May, 1721, directing the authorities in Texas not to commit further hostilities against the French, but forthwith to fortify all the important places, especially the bay of St. Bernard. Accordingly, a military post and mission were established at the crossing of the Neches; and another garrison, called *our Lady of Loreto*, was located on the bay of St. Bernard, at the place formerly occupied by La Salle. The mission of La Bahia, under the protection of this garrison, was established on the San Antonio, some thirty leagues distant.* The marquis added yet other improvements: three of the missions, that had been driven by the French to San Antonio, were located permanently on that river, which, added to the one already there, made five missions under the protection of the garrison at Bexar.

The marquis de Aguayo, before he returned to his official residence at Monclova, recommended the introduction of colonists, being well satisfied that the country could never be permanently occupied by missionaries and soldiers alone. St. Denis was still at Natchitoches, enjoying the unbounded confidence of the Indians, familiar with their language, furnishing them with arms, and disposed, at any favorable time, to light the torch of war. There were other considerations operating on the Spanish. The expenses of the garrisons alone were heavy, costing the royal treasury not less than sixty-three thousand dollars per annum; while the troops were not generally composed of Spaniards, but of the inferior classes of natives, having idle, disorderly, and turbulent habits. It was therefore better to introduce colonists, who would feel that Texas was their home, and have a lively interest in its improvement and defence, and a like interest in preserving peace with the Indian tribes.

* *La Bahia*—the bay—from the fact that this mission was dependent on the garrison at the bay for protection. Indeed, the garrison itself was afterward removed to La Bahia.

De Aguayo departed for his home in May, 1722. He left in Texas (or, as it was then called, the New Philippines) four garrisons for its defence: that is, at the Adaes mission, one hundred men; at the Neches, or Mound prairie, twenty-five;* at the bay of St. Bernard, ninety; and at San Antonio, fifty-three, making in all two hundred and sixty-eight soldiers.

A brief notice of these troops may be appropriately given. Each soldier received four hundred dollars per annum, out of which he had to pay for his clothing and provisions. What he purchased was furnished by contract, at stipulated prices, and transported on mules from Mexico. These prices were necessarily high. The greater part of the soldiers spent the

* *Testimonio de un Parecer, &c., parapho* 32. In the original this garrison is called *Texas*. It was on the Neches river; but whether at the Mound, or at Fort Teran, at the lower crossing, is doubtful. To avoid the Camanche Indians, the travelled route at that time, from San Antonio to Los Adaes, was by La Bahia, and thence to the San Antonio road at Robbins's ferry; and sometimes by the lower crossing at Liberty on the Trinity, and Fort Teran on the Neches. From all the circumstances, it is believed that the old Indian town of *Texas* was at the Mound prairie.

remainder of their pay in gaming; they then contracted debts, sold their horses and arms, and became servants to the officers —caring nothing for the dignity of their station, or the public service. They were always ready for a quarrel with the Indians, giving the missionaries more trouble than the savages themselves; and it was not without reason that the enterprising De Aguayo declared that, if colonists could be substituted for soldiers, the friars would be enabled to gain the affections of the Indians.

No sooner, however, had De Aguayo departed, than a trade again sprang up between the French and the Spaniards. The friends and relatives of St. Denis favored it. He was still at Natchitoches; his popularity with the Indians was unbounded, and his ability to raise at any time, among the Texan tribes, many thousand warriors, operated powerfully upon the fears of the Spanish garrison at Adaes. This trade was greatly favored by the removal of the capital of Louisiana from Mobile to New Orleans. The introduction of horses, mules, and cattle, from the Spanish possessions into those of the French, in exchange for the goods of the Company of the Indies, was carried on with little or no interruption.*

The Spanish authorities were jealous, and bound by the orders of their government to prevent this trade and these intrusions of the French; but the captain-general of the province resided at Monclova, many leagues from the French frontier, and the local officers were not more virtuous in those days than at present. In 1726, however, a war broke out between Spain and England, in which France took part with Spain. This produced a friendly disposition on the frontier; and while Périer, governor of Louisiana, was giving indirect aid and comfort to Spain, in stirring up the Choctaws against the English, Captain St. Denis, at Natchitoches, was increasing the contraband trade with the people of Texas.*

* Gayarré, History of Louisiana, vol. i., pp. 290, 424.

At this period, the Medina seemed to be well understood as the western limit of Texas; and, although it was called a separate province, it appears to have been under the control of the governor of Coahuila, or at least both provinces were under the jurisdiction of the same governor. De Aguayo was appointed by the viceroy, in 1719, as governor of both provinces; and so the appointments continued till 1727, when a governor was appointed for each province.†

In the spring of 1728, the Spanish government, impressed with the necessity of colonizing Texas, ordered that four hundred families should be sent thither from the Canary islands. They were to be transported in parties of ten or twelve families at a time—first to Havana, and thence to Vera Cruz, whence they were to proceed by land to Texas. The government was to support them for one year.‡ The Canary islands, lying near the coast of Africa, had been conquered by Spain in the latter part of the fifteenth century, and the Guanches, its former occupants (a race closely connected with the Berbers of northern Africa), totally extirpated. Their places had been supplied by pure Spaniards, who were distinguished for regular habits, respect for females, and a rigid adherence to the catholic faith.‖ With these advantages, it was believed that they would be good subjects, and supply the places of a licentious soldiery.

In the meantime, in anticipation of these imported citizens, and to relieve somewhat the royal treasury from the heavy ex-

* Elliot's Diplomatic Code, vol. i., p. 7; Gayarré, History of Louisiana, vol. i., p. 388.

† *Testimonio de un Parecer, &c., paraphos* 30, 41.

‡ Ib., *parapho* 33.

‖ Leopold Von Buch.

penses of the garrisons in Texas, a considerable reduction was made in the number of the forces stationed at the various forts. The post on the Neches was entirely suppressed; the force at the Adaes was reduced from one hundred men to sixty, at the bay of St. Bernard from ninety to forty, and at San Antonio from fifty-three to forty-three — thus leaving, as the entire force of the three garrisons, only one hundred and forty-three men.*

When we consider that the different Indian tribes of Texas could at that period muster a force of ten thousand warriors; that the Spaniards were by no means their favorites; that the Camanches and Apaches, and other tribes in the interior, were naturally warlike; and that the troops in the garrisons took little pains to secure their friendship — we shall see at once the bad policy of this reduction of the forces. But they relied upon the friendship of the French, the good offices of St. Denis, and an early arrival of the new colonists. St. Denis, however, was otherwise engaged. The once-powerful tribe of the Natchez had been driven from the banks of the Mississippi, and was hanging in a threatening attitude around his position at Natchitoches. They had determined to attack him; and, to prevent the Spaniards from giving him aid, had the address to stir up the Apaches to assail the post of Bexar, and thus bring on a general war between the Indians and Europeans. The Apaches, originally of the same tribe with the Camanches, were possessed of like traits of character. They occupied the country between San Antonio and Santa Fé. Their principal villages, in 1730, were about the pass of Bandera, in the Guadalupe mountains, some fifty miles from the post of Bexar. From these strongholds they made their forays, not only upon the settlement at San Antonio, but extended their depredations

* Royal order of April, 1729. — *Testimonio de un Parecer, &c., parapho* 35.

across the Rio Grande.* They had excellent horses, and were good riders; they had also firearms (supplied them mostly by the French), and used them, as well as their bows, with great dexterity. They were inveterate thieves, and exceedingly treacherous, being ever ready to treat when the fight went ill, and as ready to break a treaty when they had a hope of the least advantage.

In 1730, the war broke out; but St. Denis conducted it very differently from the Spaniards. Rallying his small force in the garrison, together with the neighboring friendly Indians, he surprised the Natchez, killing many and dispersing the remainder. The Spaniards acted on the defensive only; while the Apaches came down in parties, and committed murders and thefts with impunity.

In the meantime, there arrived at Bexar thirteen families and two single men, conducted hither from the Canary islands by order of the king. Others came from the banks of Lake Teztuco: they were Tlascalans — sturdy republicans, whose ancestors the powerful Montezumas had not been able to conquer. Others, again, came from the new settlement of Monterey. These fresh colonists, uniting, laid the foundation of San Fernando, around the present plaza of the Constitution in San Antonio. This location answered admirably for irrigation.†

This great addition to the small European population of Bexar gave an impetus to the missions, which was seen in the fact that more Indians were captured, and brought in to be civilized; and, on the 5th of March, 1731, was laid the foundation of *La Purissima Concepcion de Acuña*, which for many years afterward was a refuge for the savage and the stranger.

* Gayarre, History of Louisiana, vol. i., p. 424. *Testimonio de un Parecer, &c., parapho* 19.

† American State Papers, vol. xii., p 300. *Testimonio de un Parecer, &c., paraphos* 18, 33.

The new settlers, feeling themselves at home, and galled in person and property by the inroads of the Indians, made some incursions into their strongholds, but, at first, with no great success. In 1732, however, a more vigorous campaign was undertaken. The Spaniards met them in battle, and defeated them.* This victory gave peace and a temporary security to the colony, and substantial improvements were the result. Don Juan Antonio Bustillos y Cevallos, the governor, appeared to have at heart the welfare of the province, and, while he was prompt to chastise the Indians, he was equally zealous for their conversion.

In the first of the year 1734, Don Manuel de Sandoval was appointed governor of Texas. He was an old soldier, and had served the king for more than twenty years, rising from the rank of a cadet to that of captain of grenadiers. In 1727, he had been appointed governor of Coahuila, the duties of which office he discharged with satisfaction for seven years. This fact alone is a strong evidence of his popularity with the viceroy, as it was the policy of the superior government to change the governors of provinces at short intervals. His appointment to the gubernatorial office of Texas was one of the last official acts of the prudent, disinterested, and renowned Casa Fuerté, viceroy of Mexico.† The Apaches had again become troublesome; and the viceroy selected Sandoval, not only for his integrity, but with instructions to chastise the Indians.

Governor Sandoval immediately entered upon his duties; and, in pursuance of his instructions, made a campaign against the Apaches, and checked their depredations for some years. But, while he was engaged in his wars with the Indians, and in improving and consolidating the country under his charge,

* *Testimonio de un Parecer, &c., parapho* 19.

† *Historia de Mejico, page* 35; *Testimonio de un Parecer, &c., parapho* 41.

he became involved in a quarrel, first with St. Denis, and then with his own government, which gave him much trouble.

Among other instructions from the superior government, Sandoval was directed to keep an eye on the French, and see that they committed no trespasses; and, if any should be committed, to give notice to the viceroy before engaging in hostilities. Since 1716, the French had a settlement on the right bank of Red river, among the Natchitoches Indians, and had formed there the mission of St. John the Baptist of Natchitoches. Their buildings were so situated, that, on a rise of the river, the water ran round them and formed an island. Making known this inconvenience, they were directed by the governor of Louisiana to remove their settlement some short distance from the river, on the same side. Accordingly, in the latter part of 1735, St. Denis, who was always active about everything to which he turned his attention, commenced the rapid removal of the fort from the island, locating it a few miles farther toward the Adaes, which was some eighteen miles distant. Sandoval was at this time at Bexar, but being informed by Don José Gonzalez, his lieutenant, in command at the Adaes, of what was transpiring, he wrote to the latter, communicating his instructions, and also to St. Denis. Sandoval had no documentary evidence of the boundary of Texas on that frontier—in fact, there was none: but he represented to St. Denis that Alonzo de Leon, Teran, and Captain Don Ramon, had preceded the French in that section of the country; that Red river had been considered as the boundary between the territories of the two governments; and, as his instructions required him to refer such matters to his government, he proposed to St. Denis to suspend further labor on the new location until they could hear from their respective sovereigns; but, should St. Denis refuse this request, he would be obliged to repel him.

St. Denis, in reply, referred to the discovery of Texas by La Salle in 1685; represented that the marquis de Aguayo established the post of Adaes only in 1721, at which time he found the French settled on the island of Red river, having without, on the side of Adaes, houses, enclosures, and other possessions; that since that time neither De Aguayo nor any of his successors had opposed these establishments; that when Don Ramon visited him, in 1718, he had shown him much kindness; that the Spaniards were indebted to him for the possession of the Adaes, and the foundation of its missions; that the French were acting in behalf of the Natchitoches Indians, who were the owners of the lands on both sides of Red river; that the boundary-line between the two settlements had never been laid down, and he thought it very strange that the Spaniards should claim the entire territory to the river; and, in short, that he was acting under superior orders, which he would not disobey, and, if attacked, he would defend himself, and protest against the consequences.*

This is the summary of a correspondence which extended to August, 1736; and, in the meantime, the French continued their buildings, having erected, besides the fort, a chapel and some fourteen other buildings, on the Texan side of the place. Shortly before the close of this correspondence, however, Colonel Don Carlos de Franquis was sent to Mexico from Spain, to fill the office of governor of Tlascala; but, on his arrival, he found the office filled. Casa Fuerté had died, and Vizarron, archbishop of Mexico, who knew nothing of the merit of Sandoval, was filling the office of viceroy. As Franquis had to be provided for, Vizarron appointed him governor of Texas. Franquis reached San Antonio in September, 1736. He very soon exhibited the proud and overbearing traits of his character.

* *Testimonio de un Parecer, &c., parapho* 43, *et seq.*

Disregarding the sacred functions of the missionaries, he acted toward them in the most insolent manner. He opened and read the letters that were sent out of the province; and, to complete his tyranny, caused Sandoval to be arrested and bound in fetters, deprived him of all his papers, and, to give some color to these wicked proceedings, ordered a criminal prosecution to be commenced against him. These transactions being made known to the viceroy, and Sandoval being falsely charged with conniving at the removal of the French garrison at Natchitoches, the governor of New Leon was despatched as a special commissioner to investigate the affair. That functionary arrived in Texas about the first of August, 1737; and, after taking a summary of the evidence and proceedings, he sent Franquis to the garrison of the *presidio* on the Rio Grande. But the latter thought he could do better at court, and fled to the viceroy. As Franquis had no effects wherewith to discharge the fees and costs of the commission, amounting to something over three thousand four hundred dollars, Sandoval had them to pay. But this did not terminate the matter; for, although it often happens in courts of justice that the party who gains his suit is mulcted in the costs, yet Sandoval was not satisfied. His honor was concerned; so also was his purse. The sympathies of the Texans were on his side. They loved him for his zeal in driving off the Indians, and in building up their new country; and they hated Franquis for his despotic conduct while governor. Hence this suit became a state affair, in which all Texas was deeply interested, and in which nearly half her citizens were witnesses. But, while the two ex-governors were carrying on their lawsuit, the viceroy appointed Don Justo Boneo governor.

In 1738, Sandoval, after paying up the costs, presented to the judge his petition against Franquis, complaining of the in

justice done him in the previous proceedings. The papers were duly transmitted to the viceroy, and by him laid before the attorney-general Vedoya. These papers consisted, not only of the petition of Sandoval, but a transcript of the previous proceedings, and of such new charges as Franquis could make out. He had made several different accusations against Sandoval, who was charged with not having kept his official residence at Adaes instead of San Antonio; with not having kept a regular account with the soldiers of that garrison; with having reduced the number of paid missionaries, in order to save for himself their salaries; and also, what was most important, with conniving at the removal of the French garrison at Natchitoches.

On the 28th of March, 1740, a partial decision of the case was had. Sandoval was not acquitted of the charge of not residing at Adaes, although his presence was necessary at Bexar, in defending that post against the Apache Indians; nor was he cleared in the matter of keeping the books, although he showed that he could not keep them when he was not there. He, however, kept a memorandum of the funds received and transmitted, which exhibited a balance in his favor of more than thirteen hundred dollars. On the charge of reducing the number of missionaries, he was entirely acquitted. He was fined five hundred dollars for the first-named offences. In relation to the more serious charge of conniving at the encroachments of the French, Senor Vedoya could make no decision without further evidence on various points. Sandoval, seeing in this decree the influence of Franquis at court, and the uncertainly of the law, paid the five hundred dollars, and left the capital.

On the 14th of July, 1740, the order was sent to Governor Boneo to take testimony at Adaes, and report what distance it

was from that post to the French settlement on Red river; what houses or forts they had erected; when this was done; who was governor of Texas at that time; what diligence he had used to prevent the removal of the French; if he had neglected his duty; what he ought to have done; if, afterward, a free passage had been allowed to the French, for what reasons; had there been any negotiations for contraband trade; and any other information that would throw light on the subject in litigation.

The governor proceeded to take the testimony. He examined many old soldiers that had come out to Adaes with De Aguayo twenty years before, and proved that the Arroyo Honda and *Gran montana*, situated half way between the two posts, had always been considered the boundary between the respective crowns; that when the post of Adaes was established by the Spaniards, they found the French at Natchitoches, and in possession of the country on the hither bank of Red river as far as the Arroyo Honda; that, although Sandoval had pursued all lawful means to prevent the removal of the French, yet the Spaniards had never claimed farther than the Honda; and that as to the matter of contraband trade, notices had been set up everywhere, at Adaes, prohibiting all intercourse with the French. This evidence was overwhelming; and the attorney-general, in his opinion of November 28, 1741, entirely acquitted Sandoval. But, in the meantime, the old archbishop Vizarron had gone out of the viceroyalty, and the duke de la Conquista came into office in the month of September, 1740. Scarcely had he entered the palace, when he was besieged by Franquis; and Sandoval, who had gone to Vera Cruz, was pursued and again thrown into prison! But finally, in December, 1743, the proceedings coming up before Count Fuenclara, the new viceroy, with whom Franquis seemed not to have so much

influence as over his predecessors, he acquitted poor Sandoval, and enjoined Franquis from prosecuting him any further. In January, 1744, Sandoval was furnished with a summary of the proceedings; and a copy of the whole, filling thirty volumes of manuscript, were sent to the king of Spain!

The details of this trial are given, not only because it was the first recorded lawsuit in Texas, but because we can gather from it something of the mode of legal procedure in those days. It is also an important link in the great diplomatic controversy concerning the ownership of the country.*

Texas in 1744, after all the expenses that had been incurred, and the pains taken by the missionaries and the government, was not prosperous. Governor Boneo, with all his good intentions, was a weak man, and ill suited for pushing forward the great enterprise of settling a new country. All the efforts made had not increased the population since 1722. The withdrawal of the troops, the continual wars with the Indians, the great insecurity of life and property, the prohibition of commerce with the French of Louisiana, all tended to continue Texas a barren, isolated waste. It was in vain that the fertility of her soil, the abundance of her waters, the mildness of her climate, the excellence of her game, and her vast resources in general, were painted in bright colors to the council of the

* In the discussions of 1805 and 1818, between Spain and the United States, relative to Texas, both Cevallos and De Onis had before them this old record. Yet De Onis said, in his letter to the secretary of state, dated January 5, 1818: "It is unquestionable, from the historical series of facts, and the most unexceptionable documents, that the province of Texas extended to the *Mississippi*, and that the French never crossed the river into that district but through the sufferance or permission of the Spanish governors!" — *American State Papers*, vol. xii., p. 37. He further states, in the same letter, that Sandoval had granted permission to the French to remove their garrison; for which he was taken "under guard to Mexico, to be tried there before a court-martial — *which was carried into effect with all the rigor of the law!*" Kennedy, following De Onis, has been alike deceived. — *History of Texas*, vol. i., p. 221.

Indies: it seemed to be their policy from the beginning, to leave the province as an unsettled frontier — a barrier against the encroachments of the Europeans of the north. By a "law of the Indies,"* the governors of the colonies were forbidden to invest any amount whatever of the public funds in defraying the expenses of colonization, discoveries, or improvements, without special instructions for that purpose from the king; and these orders, when asked, were almost uniformly refused.

The European population of Texas, at this period, did not exceed fifteen hundred, which, added to a like number of converted Indians (*Yndios reducidos*), was divided mostly between Adaes and San Antonio; a few only being at La Bahia, and a small fort and mission at San Saba, which had been established out among the wild Indians for the humane reason of the friars, that it was better to civilize than to kill them. If there was a mission at all at this time at Nacogdoches, it was dependent on the post at Adaes for protection. Spain and France were now on excellent terms, and the colony of Louisiana was gradually extending its trade, but without disturbing the Spanish authorities on the frontier. The settlements on the south of Texas were making but little progress. At Monclova, the capital of Coahuila, there was a small garrison of thirty-five men; half way between that post and the *presidio* of the Rio Grande (at Sacramento, on the Sabinas), there was another garrison of fifty men; and at the *presidio* itself thirty-two more. The province of Coahuila extended from the Medina southward three hundred miles; south of that, again, was the province of New Leon, leaving along the gulf-coast a skirt of a hundred miles of country unsettled and unorganized. This long line of coast afforded abundance of rich pasturage, whither the flocks of the provinces were driven in November, and, under the care

* *Leyes de las Indias*, l. xvii., t. 1, l. 4.

of escorts and soldiers stationed to guard them, remained till the following May; but, notwithstanding all their precautions, the Indians along the coast committed frequent robberies and murders.*

The Texan missionaries kept up a regular correspondence with the parent-convents of Queretaro and Zacatecas, which, if ever published to the world, will exhibit a painful history of their trials and privations. In the ecclesiastical organization of New Spain, Texas, with Coahuila and New Leon, were attached to the bishopric of Guadalaxara.†

From the close of 1744 to 1758 we find no important event in the history of Texas. The few people living in the territory, sunk in obscurity and indolence, seem only to have been waiting events. Their lives were merely passive. It is, of course, understood, however, that the faithful missionary was doing his duty — that he was enlarging and civilizing his flock. It is also understood that the wild Apaches and Camanches permitted no opportunity for robbery or murder to pass unnoticed.

In 1758, however, a tragic scene occurred at the San Saba mission. The Indians, in large numbers, assaulted the mission, took it, and killed all, both pastors and flock, including the small guard stationed there. Tradition informs us that none were left to bear the news of the dreadful massacre. This mission had been established far beyond the then Texan fron-

* *Testimonio de un Parecer, &c., paraphos* 5, 6.

† Ib., *parapho* 7. Besides the thirty books of manuscript in regard to the suit between Sandoval and Franquis, there were forty more, giving the early history of Texas, which are doubtless now among the archives of Simancas, in Spain. Dr. Robertson, speaking of the impossibility of obtaining these records, says: "Spain, with an excess of caution, has uniformly thrown a veil over her transactions in America. From strangers they are concealed with peculiar solicitude. Even to her own subjects the *archivo* of Simancas is not opened without a particular order from the crown." — *History of America: preface*, p. 4.

tier. We have seen its benevolent object. Such a return for such love, while it calls down blessings upon the heads of the devoted followers of the cross, is enough to make one doubt whether the Indian forms a part of the human race. This fearful butchery had its effect in causing the missions in Texas to decline. In fact, they never recovered from the blow.

Efforts were made to avenge this cruel outrage. Captain Don Diego Ortiz de Parilla was despatched with a body of troops to chastise the ruthless savages; but the latter fled to their strongholds, and we have no evidence that they were ever punished.*

* Kennedy, vol. i., p. 222. In 1752, there was discovered at San Saba a silver-mine, which drew to the fort quite an increase of population. It is probable that the bad behavior of the miners toward the Indians brought on the terrible massacre of 1758. At the time of its occurrence, there was a fort, surrounding an acre of ground, under a twelve-feet stone wall, enclosing a church and other buildings. — *Holly, History of Texas*, p. 164.

CHAPTER VIII.

As the destiny of the different colonies and settlements in America depended upon the political changes occurring in the parent-countries, it will be necessary to refer to them.

Charles II. of Spain, the last sovereign of the house of Hapsburg, died in November, 1700, and by his will appointed Philip of Anjou, grandson of Louis XIV., his successor. The object of this testamentary disposition was to prevent a division of the Spanish monarchy, which had been determined two years before in a treaty between England, France, and Holland, in order to preserve the balance of power in Europe. The testamentary appointment of Charles detached Louis XIV. from the house of Hapsburg, and thus the "War of the Succession" began. After a long struggle, Philip succeeded in retaining his throne; but, by the treaty of Utrecht, in 1713, Spain was greatly shorn of her power, losing Gibraltar and a large portion of her European possessions. She was not satisfied with this treaty; and it was the ill-concealed design of Cardinal Alberoni, her ambitious minister, to reclaim the vast territories of which she had been stripped. To counteract this intention, France, England, and Holland, formed a new alliance in 1717. This alliance was confirmed and enlarged by another treaty made the following year, in which the emperor of Germany became a party. But before the close of 1718, such were

the demonstrations of Spain, that England and France both declared war against her. Finding herself alone, and all the great European powers arrayed in opposition to her, Spain in 1720 signed the alliance. But still her ambitious minister was not satisfied; he wished to restore to her these lost possessions. Alberoni was, however, degraded at the close of this year; yet the efforts of Spain to regain her territories did not cease. By confirming to the emperor of Germany his portion of the spoil, she detached him from the quadruple alliance, and engaged him to assist her in the recovery of Gibraltar.

This last-named treaty, concluded April 30, 1725, was followed by a counter-alliance between England, France, and Prussia, entered into on the 3d of September following. The impending war shortly afterward commenced.

Charles VI., emperor of Germany, had issued in 1724 a royal ordinance, by which he settled his hereditary dominions on his eldest daughter, Maria Theresa. This ordinance was known as the *Pragmatic Sanction*. One of the provisions of the treaty between Spain and the emperor was the guaranty of this ordinance by the former power. After much agitation and many treaties, that of Vienna, in 1731, between Great Britain, Holland, and Spain, guarantied the pragmatic sanction, and restored a seeming peace to Europe. France agreed to it in 1738; but, in 1740, Charles VI. died, and Maria Theresa succeeded to his crown, by virtue of the ordinance so well guarantied by Europe. The elector of Bavaria, however, now set up his claim to the empire, and a general war ensued—Spain, France, and Sardinia, supporting the elector; and England, Russia, and Poland, the empress Maria. The elector was declared emperor in 1742, under the title of Charles VII.; he died in 1745, and was succeeded in the imperial office by the duke of Lorraine, husband of Maria Theresa, as Francis I.

This war of the *Pragmatic Sanction*, however, ended only by the peace of Aix-la-Chapelle, in 1748; but Spain was a gainer by the contest, having recovered Naples, Sicily, and Parma.

In none of the previous treaties, however, had England and France settled the boundaries of their American possessions. This, in 1755, gave rise to a war between them, which was carried on with great activity in the English and French colonies in America. It was the school in which our revolutionary fathers learned their first lesson of independence. The relations existing between France and Spain, since the elevation of Philip of Anjou to the Spanish throne, drew the latter into it. The contest continued until the peace of Paris, in February, 1763; it was most disastrous to France, and to some extent injurious to Spain.* At the close of 1761, France was so greatly weakened and exhausted by the war, that she directed her minister to inform the court of Spain of her inability to give protection to the colony of Louisiana, and to solicit aid from Spain in furnishing it with supplies, and in preventing the English from obtaining its possession. The activity and progressive enterprise of the English colonies were well known to Spain and France; and one of the principal arguments used by the French embassador, in this application, was, that Louisiana was the only barrier between the English and the Spanish possessions south of it. But Spain was slow in action, and the war grew daily more disastrous to France. At length, on the 3d of November, 1762, France ceded Louisiana to Spain, *not from the pure impulse of his generous heart*, as is recited in the royal act of Louis XV., but to prevent it from falling into the hands of the English. By the treaty of peace in the following February, France ceded to England Canada, Nova Scotia, and in fact all her continental possessions in North America.

* Encyclopædia Americana, articles *Spain, France.*

Henceforth the line of boundary between Spain and England, commencing at the source of the Mississippi river, was to run down the middle of that stream to the river Iberville; thence with that stream and Lakes Maurepas and Ponchartrain to the gulf of Mexico; Spain also ceding Florida, *and the navigation of the Mississippi to be free to the subjects of both England and France.** This last concession was of the utmost importance to the possessions of England, and subsequently to the United States.

The reader of history is not unacquainted with the utter indifference with which the sovereigns of the Old World transferred their colonies in the New. The colonists, however much they may have loved their sovereign, their country, and her institutions, were bought, sold, or given away, without their consent, and often without their knowledge. So, in this case, the act of cession by which Louisiana was transferred to Spain was kept secret for more than eighteen months after its execution! That portion of the province, however, which had been ceded to England, was delivered to her in the fall of 1763.

By this arrangement, France had lost a vast territory; but Spain had removed her landmarks, and acquired what she had not before, a well-defined boundary on the north. Her new neighbors, however, were lining the left bank of the Mississippi with forts, settlements, and adventurers. A people had there obtained a foothold, which, with the advantage of a right to navigate the Mississippi, were destined to be troublesome.

We can trace all these results—the loss to France of her American possessions, and the loss to Spain of a passive power between her possessions and the Anglo-American colonies—to the overthrow of the house of Hapsburg, and the accession of the Bourbons to the throne of Spain. To accomplish the latter

* Gayarre, History of Louisiana, vol. ii., p. 91, *et seq.*

object, Louis XIV. was willing to break a solemn treaty with England and Holland. This treaty was formed to *preserve the balance of power:* the result was, the overthrow of that balance of power, and the building up a new power in America, which, forcing a separation from the parent-country, has far outstripped all others in noble institutions and progressive energy.

The doctrine of the "preservation of the balance of power" among the European states has resulted in more wars, produced a more fearful devastation of human life, and a greater waste of treasure, than all other causes combined!

The accession of Louisiana to the crown of Spain was hardly *desirable* to that government. She knew the troublesome and restless spirit of the English colonists, and seemed to anticipate evil from their proximity. However, the king, to oblige his cousin of France, accepted the gift. And, as the posts along the old frontier were no longer necessary, the troops at Adaes and Orquisaco were shortly thereafter withdrawn.* But the new addition of territory to the Spanish crown required a reformation of frontier defences. Accordingly, the marquis de Rubi was sent over from the mother-country to examine into the condition of the defences of New Spain, and report his opinion thereon. After making the examination and report, a new series of posts was established, forming a *cordon militaire* from Sonora to the gulf of Mexico. In this new arrangement, however, but two posts were allowed in Texas—that is, at San Antonio and La Bahia. The missions, moreover, were not broken up, but remained dependent upon the forces at these posts for incidental protection.

The Spanish government never looked upon Louisiana as altogether her own property, nor did she treat it as a legitimate appendage of the crown; and while the king instructed D'Ulloa, the first Spanish governor of Louisiana, that there should be no change in the administration of its government, he also directed that its affairs should not be controlled by the council of the Indies, but that they should pass through the hands of the minister of state.*

* American State Papers, vol. xii., p. 300.

Nevertheless, the principal obstructions to the commerce between Texas and Louisiana were now removed, and the two provinces thereby alike benefited. Texas had, it is true, but little to sell; yet, as the neighbor of Louisiana, she was, to some extent, the merchant of that colony and the internal provinces of Mexico. She had, of her own production, horses, cattle, and sheep: with these articles of trade she supplied the Louisianians, in exchange for manufactured goods. The precious metals sent from Chihuahua, Coahuila, New Leon, and even from New Mexico, passed through her territories to New Orleans, as the nearest wholesale market, in exchange for the various manufactures imported thence from the parent-state. These transfers were made on mules, travelling generally in caravans, with a guard deemed sufficient to protect them from the Indians.

Had the Spanish government permitted a free trade between her colonies and other countries, their prosperity would have been greatly hastened: towns and marts of trade would have sprung up on the Texan coast; and Galveston, instead of remaining an uninhabited island even up to the date of the Texan revolution, would, long before, have grown to be a considerable city.† But the policy of Spain was barbarous and exclusive. The trade of her colonies was regulated and controlled by a

* Gayarre, History of Louisiana, vol. ii., p. 158.

† Galveston island, first discovered by the colony of La Salle, was known as the island of *St. Louis;* but, about the year 1800, it was called *Galvezton*, in honor of Don José Galvez.

tribunal known as the *Casa de Contratacion*, which was established at Seville. The colonists were prohibited from the manufacture of most of the articles which could be furnished by the mother-country, and also from the cultivation of the vine and the olive! All their exports and imports were required to be conveyed in Spanish vessels. They were not permitted to trade with the colonies of other nations; nor were they allowed to trade with each other, except to a very limited extent: no person was permitted to trade with them under severe penalties!* All this had a tendency to prevent the growth of the Spanish colonies, and to keep them dependent on the mother-country for the necessaries of life. It had a further and stronger tendency to exasperate the colonists against a parent so unfeeling and despotic. The prospect before them was indeed gloomy. The enterprising colonist saw himself deprived of that hope which alone makes life tolerable. He found himself on a soil blessed with unusual fertility, which he was not allowed to use, except for a limited purpose. If to this we add the significant fact that, under the Spanish rule, none but native-born Spaniards could enjoy the important offices in the colonies, we may well conclude that the cup of their oppression was full, and that they required only a favorable occasion to throw off a yoke so galling.

The trade between Spain and her colonies in America was at first carried on by a convoy of ships called *galleons*, which made one voyage annually; but they were discontinued in 1748, and registered vessels introduced in their stead. After the acquisition of Louisiana, the necessity of a more frequent and direct intercourse between Spain and her colonies caused the introduction of regular monthly mail-packets, which sailed from

* *Recopilacion*, lib. ix. tit. 27. Robertson's History of America, book viii., p. 354.

the mother-country to Havana, whence the mails were despatched to the different provinces. In addition to this facility of intercourse, by an ordinance of the kind-hearted Charles III., the trade of the West India islands belonging to Spain was, in 1765, thrown open to the other Spanish provinces.* Yet the advantage gained by Texas in these ameliorations was small and indirect. Her seacoast was a *terra incognita*. A chance vessel of the buccaneers may have strayed into Copano, or Galveston bay, for the purpose of concealing a prize; but Texas had no maritime trade. New Orleans and Vera Cruz were her only ports. For the growth of Texas, and most of the provinces of New Spain, they were indebted to the contraband trade carried on with great activity by the English, French, and Dutch. It amounted to at least one third of the exports and imports, and had this advantage, that it paid no duties. It was the natural result of the "oyster policy" of Spain; and, as a question in ethics, it rests upon the same principle with that other yet-undecided point, whether it be lawful to slay a tyrant.

The population of Texas, in 1765, can not be accurately ascertained. The chief settlements were at Adaes,† San Antonio, La Bahia, and perhaps a few at Nacogdoches, Orquisaco, and Mound prairie. In the two first-named places there were hardly five hundred inhabitants, exclusive of converted Indians. The whole European population of the province did not, perhaps, exceed seven hundred and fifty, to which may be added a like number of domiciliated Indians. The trade with Louisiana, including that which passed through Texas, did not exceed sixty thousand dollars per annum.‡ Estimating her

* Niles's History of Mexico, p. 81.

† M. de Pagés, of the French navy, who visited Adaes in 1768, describes it as then consisting of forty houses, a church, and a Franciscan mission. He says he obtained nothing there to eat but *tortillas*. — *Prairiedom*, p. 29.

‡ Gayarre, History of Louisiana, vol. ii., p. 353.

trade with the provinces of New Spain at twice that amount, the entire annual commerce of Texas at that period, including what passed through her territory, was not over one hundred and eighty thousand dollars. It may be safely estimated that one half of this amount merely passed through her territory. This would reduce the total sum of her exports and imports to ninety thousand dollars per annum.

The acquisition of the vast territory owned by the French, from the gulf of St. Lawrence to the river Iberville, had given to the Anglo-American colonies an impulse which hastened the already-rapid development of their power. It was not perhaps so much the oppression of which they complained, as the love of liberty, that moved the English colonists to independence. For this, they had become exiles from the Old World, and had endured unparalleled hardships in the New; and, to obtain this, they now took their first steps. But it is not our province to detail these memorable events, further than as they are connected with our subject.

As in the approach of a great storm, the heavens, except in the direction whence it is coming, gradually become clear and tranquil, so, during the few years preceding the American Revolution, nations adjacent and connected with England or with her colonies seemed to enjoy that quiescence. France looked on with mingled hopes and fears. She was still haunted with the idea of the "balance of power." England had grown too great, and her old enemy would gladly see her stripped of her richest possessions. Furthermore, it would be to France a sweet revenge for the misfortunes of the "Seven Years' War." On the other hand, the colonies were all republican: the disease might become infectious, and ultimately drive the king from his throne. But the French people were with the colonies, and they prevailed.

Spain was more delicately situated. Her vast possessions in America, seeing a successful revolt of the English colonies, would doubtless follow the example. On the other hand, Spain wished to recover Gibraltar, Jamaica, and Florida; and such a war would afford her a good opportunity to embark in the enterprise. Besides, she was governed by the Bourbons, and, of course, bound to the same destiny with France; she also thought that England was too powerful. Yet, under all these considerations, Spain was timid; and while France was secretly fanning the flame of revolution, the Spanish government was in favor of mediation, of peace.

In the meantime, the people of Texas, few in number, and poor, were quietly pursuing their daily pleasures and toils. The missions were not very successful in the conversion of Indians, yet the establishments were well sustained. The aboriginal tribes were in constant wars. The powerful nation of the Cenis were already driven from their ancient home on the Trinity. The Nassonites, too, were disappearing before the migrating tribes driven by the Europeans from the valley of the Mississippi. The Indians on the coast were less disturbed, because their lands were less desirable. Thus we see the general movement of the different races: the Anglo-Americans crowding westward, and driving before them the aborigines; the latter expelling other native tribes; the Indians passing through the Spaniards, but these latter also retreat before the English. Statesmen and philosophers have all fallen short of the truth in their predictions as to the progress of the dominant race. It has outstripped their largest calculations.

The annexation of Louisiana to the Spanish possessions, while it enabled Spain to dispense with her military posts on the eastern frontier, likewise afforded her an opportunity to build up Nacogdoches. Many persons of politeness and means

were induced to emigrate from Louisiana to that point. Thus the old missionary station became a town, and, being in the neighborhood of an active commerce, the place soon acquired considerable wealth, and a trade of its own. This emigration occurred about the year 1778.* Captain Gil y Barbo, the first commandant of Nacogdoches, was a man of enterprise. Besides an arsenal and barracks for the soldiers, erected on the hill west of the Bañita, he laid the foundations of the old stone house, which still survives as a monument of his industry.

About the same time, the garrison was finally removed from St. Bernard's bay, and located at La Bahia, where a considerable town sprang up.

* Kennedy, vol. i., p. 229. Colonel Forbes's Notes, MS.

CHAPTER IX.

During the American Revolution, Texas was quiet. She was safe from danger. Her harbors were unknown; her poverty offered no temptation for pillage; her scattered population could afford no recruits. Yet, when Spain declared war against England in 1779, and Don José Galvez, then governor of Louisiana, engaged in active hostilities, the province of Texas contributed her mite of soldiers for his armies, and joined with Louisiana in rejoicing over his victories at Natchez, at Fort Amity, Fort Charlotte, Mobile, and Pensacola.* But the treaty

* Don José Galvez was a remarkable man. He was the son of Don Mathias de Galvez, viceroy of Mexico. He was born in the city of Malaga, in Spain, and held, under the king, the honorable posts of intendant of the army and member of the supreme council. In 1765, he was appointed visiter-general of New Spain, which office he discharged with such fidelity, that in 1768, he was appointed to the council of the Indies. In 1777, he was made governor of Louisiana. In the Revolution, his sympathies were with the United States; and when the king of Spain informed him that he was about to commence hostilities, he joined with the people of Louisiana in the joy which the news imparted. He prosecuted the war with great vigor, and recovered for the king the whole of Florida, taking eight hundred of the enemy prisoners. This was an effectual aid to the United States. For these important services he was appointed brigadier-general; afterward captain-general of Louisiana; then, in addition, captain-general of Cuba; and finally, upon the death of his father, in 1785, he was created viceroy of Mexico. A more able and enlightened representative of the king had never occupied the viceregal palace. He facilitated the administration of justice, established intendancies for the protection of the Indians, and effected a general reformation in the government. He was exceedingly popular with all classes, but especially with the natives, and well deserved that his name should be perpetuated in that of the chief town and island of Texas. — *Historia de Mejico*, p. 39; *Bunner's History of Louisiana*, p. 145, *et seq.*; *Niles's Hist. of Mexico*, p. 84.

of peace, in 1783, put an end to the triumphs of Galvez, and transferred to the United States all the territory east of the Mississippi as low as Fort Adams, and north of the thirty-first parallel of latitude, to the Chattahoocha river; thence down that stream to the junction of Flint river; thence to the head of the St. Mary's river, and down the same to the sea. This treaty also provided that the navigation of the Mississippi, from its source to the gulf of Mexico, should for ever remain free and open to the people of Great Britain and of the United States.* Thus a door was opened to the egress of the people of the Union. But Spain did not so regard it; and, as early as June, 1784, Don José Galvez, of the "Department of the Indies," made known to the United States, through the Spanish agent, that Spain was not bound by the treaty of limits made between the former and Great Britain; that both sides of the Mississippi, as well as the navigation of that stream below the thirty-first parallel, belonged to Spain, until she chose to grant them in whole or in part; and that vessels of the United States navigating that stream would be exposed to process and confiscation.† Here began a controversy, which, as will be seen, continued long, and ended in important results. La Fayette, then in Paris, undertook an informal negotiation. He proposed that Spain should cede New Orleans to the United States, or at least make it a free port. But in March, 1785, the marquis informed the Continental Congress that the first-named proposition was impossible; and, as to the second, he could obtain no positive answer.‡

* Elliot's Diplomatic Code (treaty of September 3, 1783), vol. i., p. 237. This boundary was also agreed to by Spain (see treaty of October 27, 1795, ib., p. 391).

† Diplomatic Correspondence, vol. i., p. 135, *et seq.*

‡ Ib., vol. i., pp. 336, 421, 444, 445, 455. At that time, Spain had no minister near the government of the United States. Senor Gardoqui, her first minister, did not arrive till the following May. — *Diplomatic Correspondence*, vol. vi., p. 72.

The Congress had taken strong ground on the subject. So early as June, 1784, they had resolved that our ministers should negotiate no treaty with Spain by which they should relinquish or cede, in any event whatever, the right of the citizens of the United States to the free navigation of the Mississippi from its source to the gulf of Mexico. At the close of the American Revolution, Spain and the United States were good friends, and sincerely so. The former had done much to achieve that independence which the Union enjoyed. General Don José Galvez, then a powerful personage at the court of Madrid, was warmly devoted to the United States. Through his influence, his uncle, Don Diego de Gardoqui, was appointed minister to the new republic. The Spanish government had also manifested its good will by releasing from slavery in Algiers many of our citizens who had been taken by the corsairs. Galvez and Gardoqui sailed in the same vessel to Havana — the latter on his way to the United States, the former to take charge of his captain-generalcy of Cuba. Gardoqui was empowered to treat of boundaries, &c., but directed to consult Galvez.*

Under these circumstances, so auspicious, it might be inferred that the boundary-line, and also the navigation of the Mississippi, could be speedily settled. The territory and the rights claimed by the two powers had but lately come into their hands; neither of them, therefore, could treat it as an heir-loom. To understand the points at issue, let us refer to facts.

The commerce of the Mississippi river had rapidly increased, even during the Revolution; but after its close, the trade on the great stream had become indispensable to the new settlers on its upper tributaries, and they were not the people to surrender a right resting upon a law of nature.† It became

* Diplomatic Correspondence, vol. vi., pp. 65, 79, *et seq.*

† La Fayette, in his letter to Jay, dated Paris, October 15, 1787, says he could

necessary to the existence of the Union that this right should be preserved; but, as Spain owned both banks of the lower Mississippi, she claimed the right to its exclusive use: and the simple right of navigation to the ocean would have been impracticable without also a place of deposite.

In regard to boundaries, it will be remembered that, in the treaty of 1762, Spain had ceded Florida to England; that, in the treaty of January 20, 1783, that province was retroceded to Spain; but, in the treaty of November 30, 1782, between England and the United States, the former ceded to the latter all the territory east of the Mississippi down to the thirty-first parallel of latitude; whereas Spain claimed, as part of Florida, conquered by her arms, all the territory at least as high up as Natchez, and the settlement around that place.* The treaty of November 30, 1782, being anterior to that between England and Spain, the latter being an ally of the United States, and the disputed territory being within the chartered limits of Georgia, clearly gave the United States the best right.†

What was the object of Spain in thus contesting so strongly the right of the United States to this territory north of the thirty-first parallel of latitude, and the joint use of the Mississippi river? The answer is found in the correspondence between the French embassador at Madrid and his government. "The cabinet of Madrid," says he, "thinks it has the greatest interest not to open the Mississippi to the Americans, and to disgust them from making establishments on that river, as they

never submit to the idea of giving up the navigation of the Mississippi; that it belonged to the United States by the law of nature, and to concede it to Spain would be inconsistent with the character of the American Union. — *Diplomatic Correspondence*, vol. i., p. 455.

* Oliver Pollock to John Jay, June 3, 1785. — *Ib.*, vol. vi., p. 79; *American State Papers* (*confidential*), vol. x., p. 132.

† See the entire correspondence in the tenth volume of American State Papers, and the sixth volume of Diplomatic Correspondence.

would not delay to possess themselves of the commerce of New Orleans and Mexico, whatever impediments should be opposed to their progress, and that they would become neighbors the more dangerous to Spain — *as, even in their present weakness, they conceive vast projects for the conquest of the western shore of the Mississippi.*" He further adds that "Spain is decided to make the savages a barrier between her possessions and those of the Americans."*

The discussion of these questions continued between the United States and Don Diego Gardoqui until the adoption of the federal constitution in 1787, neither party being willing to give ground. In the meantime, the settlers in the present states of Kentucky, Tennessee, and Mississippi, were taking the matter into their own hands. Such men as George Rogers Clark, James Wilkinson, Thomas Green, and William Blount, had determined, at all events, to remove the Spaniards. It was in vain that the federal government endeavored to restrain them. They replied, in language not to be misunderstood — "If the United States did not open to them the navigation of the river, they would do it themselves!"†

In the meantime, Washington had become president, and Jefferson secretary of state. England had gone to war with revolutionary France; and the French people having beheaded their king, Spain was induced to join England in the league against them. England, jealous of the rising commerce of the United States, restrained Spain from making concessions to the latter. But the victorious arms of France drove Spain from her alli-

* American State Papers, vol. x., pp. 185, 186.

† During the early part of this discussion, Mr. Jay, who had charge of it on the part of the United States, was rather disposed to give way on the question of navigation. The news soon spread over the western country. The people flew to arms; and it became necessary, to prevent a war, that Jay should return to his first position. A public declaration was also made by Congress that they would *never* abandon this right of navigation.

ance with England, and a change of ministry occurred at Madrid: Manuel Godoy, the "Prince of Peace," became the mainspring of Spanish politics. Spain and France now formed an alliance; and the latter power, willing to oblige the United States, and to assist in building up a rival commerce to that of Great Britain, aided in forming a treaty. Spain at last yielded, but wished the United States to guaranty her American possessions. This the latter declined. Nevertheless, the treaty of 1795 was agreed to and signed. It made the thirty-first parallel of latitude the southern boundary of the American Union, and confirmed the right of her citizens to the navigation of the Mississippi. It also provided that, for the space of three years, Spain would permit the citizens of the United States to deposite their merchandise and effects at New Orleans; and if she did not think proper to continue this privilege longer, she would then assign them another place on the banks of the river of equal utility as a place of deposite.*

The Spanish settlement at Natchez, meanwhile, had opened and kept up an intercourse with Texas, through Natchitoches. This road had become familiar to many besides the Spaniards. On their return, they would make known to the Americans at Natchez the advantages of the trade in Texas, the surpassing beauty and richness of the country, the abundance of the game, and the thousand other attractions to adventurers. All these recitals, so novel to the pioneers who had marched to the extreme limits of the United States on the Mississippi, excited in them a curiosity, a love of adventure, and a desire to see the Texan region, which the dangers incident to the journey served only to increase.

The Indians in Texas had again become troublesome. The

* Treaty of San Lorenzo el Real (October 27, 1795). — *Elliot's Diplomatic Code*, vol. i., p. 390.

Franciscan fathers had not met with the desired success in civilizing them; nor were the forces at the posts sufficient to overawe them. In fact, it is not improbable that the missionaries would have succeeded better without the soldiers: so little does the arm of God need an arm of flesh to propagate his gospel! Such was the daring impudence of the Camanches, that the troops at the Alamo were compelled for safety, in 1785, to remove their tents within the mission walls. This venerable mission, the second in Texas, deserves some consideration.

It was first founded in the year 1703 by Franciscans of the apostolic college of Queretaro, in the valley of the Rio Grande, under the invocation of San Francisco Solano. Here it remained for five years, but for some reason was removed to a place called San Ildephonso, where it seems to have remained till 1710, at which time it was moved back to the Rio Grande, and reinvocated as the mission of San José. Here it remained under the guidance of the good father José de Soto till the 1st of May, 1718, when, on account of the scarcity of water, it was removed to the west bank of the San Pedro, about three fourths of a mile northwest of the present parish-church of San Antonio.* Here it remained, under the protection of the post of San Antonio de Valero, whose name it assumed, until 1722, when, on account of troubles with the Indians, it was once more removed, with the post, to what is now known as the *Military Plaza*. The main square, or *Plaza of the Constitution*, was formed in 1730 by the colonists sent out at the request of De Aguayo. The establishment around the Military Plaza was

* Bexar Archives, MS. I am indebted to my friend F. Giraud, Esq., for these data in regard to the *Alamo*. He has a more accurate and critical knowledge of the old history of Texas than any person in the state. "The baptisms and other rites are said, in the 'Book of Baptisms,' &c.," observes Mr. Giraud, "to have been performed in the parish of the Pueblo of *San José del Alamo*, a name which I am inclined to think was never adopted by the people generally." See Appendix No. 4.

properly called *San Antonio de Bexar (Vejar)*, while the town on the east of the church was known as *San Fernando*.

In May, 1744, the people, tired of the lawsuit between the ex-governors Sandoval and Franquis, laid the foundation of the church of their old mission, where it now stands unfinished, as the *church of the Alamo*. It had been seeking a resting-place for nearly half a century, and it was time that it should find one. From this period until 1783 it was still known and conducted as the mission of *San Antonio de Valero*. In the meantime, the number of Indians under its charge increased, and, as they became civilized, were settled around the mission, thus forming a town on the east side of the river. The company of San Carlos de Parras was stationed there for the protection of the town and mission. It enjoyed a separate organization, and had its own *alcalde*, and place of worship. But, about this last-named period, the place ceased to be a missionary station. All the Indians brought in for conversion had for some time previously been taken to the missions below the town—perhaps the better to secure them against its corrupting influences; so that, having no further missionary work to perform, San Antonio de Valero became an ordinary Spanish town, and the old missionary church of the Alamo became a common parish-church. On the 2d of January, 1793, the bishop of Monterey directed the church-records of the mission to be passed to the curate of San Antonio de Bexar. Accordingly, it was done the ensuing August, by Father Lopez, the last of the noble followers of St. Francis that had labored as a missionary in the Alamo. And, on the 10th of April, 1794, Don Pedro de Nava, governor of Chihuahua, whose jurisdiction also extended over Texas, secularized all the missions within the two provinces; by which all the temporalities of the missions were taken out of the hands of the friars, and delivered to the

civil officers of Spain. The people of the missions, however, were not left destitute; for, by the same decree, the mission-lands were divided among them, and titles given to each man.

The Adaes, after the abandonment of that post by the Spanish troops, continued to languish till 1790, when it was broken up and deserted, and the inhabitants removed to San Antonio, where places were assigned them on the east bank of the river, north of the Alamo; and titles were also extended to them of the irrigable lands between the Alamo ditch and the river. This spot is still known as the *Labor de los Adaeseños*.

The reforms introduced by Galvez, and the general increase of commerce in the Mexican gulf, had called the attention of the public authorities to Aransas bay. Copano had been for some time a place of landing, principally for smuggling-vessels. To watch these illicit movements, the mission of *our Lady of Refuge* was located on Mission river, some ten miles above Copano, in the direction of La Bahia. But little progress, however, was made, either in the conversion of the Indians or in building up the mission. A corporal with a guard was stationed there, and, instead of assisting in the work, took possession of the comfortable quarters erected by the father and his Indian flock; and instead of remaining in front of the mission, to guard it, took shelter under its pickets; and, instead of aiding in the instruction of the Indians, were imparting to them what they ought not to know.*

The mission at La Bahia had met with some success. It served at least as a settlement, and a place of defence. The fathers were kind to the Indians, which treatment met with no bad return. This was evinced in after-years, when the latter, flying from the Anglo-Americans, took refuge at La Bahia.

* Bexar Archives, MS. Letter of Brother Antonio de Jesus Garavita to Don Manuel Minoz, governor of Texas, March 14, 1799.

Such was the situation of Texas toward the close of the last century, and but little in advance of what it had been seventy-five years earlier.

But the American Revolution had changed the face of things. A spirit was invoked that could not be allayed: it was one of liberty of thought and action — of inquiry and progress. It soon [illegible] its way to Texas. It came first in search of wild horses, of cattle, and of money; it came to see and admire; it came to meet dangers and contend with them; it came to say that no people had a right to shut their doors and deny the rights of hospitality; it came to diffuse itself wherever it went. It was in vain that it was resisted by old organizations and systems — it must be heard. It was in vain that the conventional code of nations was pleaded — they required a new code. The shock was rude, but useful, and the result good for the world.

Just at the close of the eighteenth century, Texas and Mexico suffered a serious loss in the death of Don José Galvez, their excellent viceroy. Such was his popularity in New Spain, and such the tyranny of the parent-government, that in 1797 the people rose up to the number of one hundred and thirty thousand, and proclaimed him king of Mexico. Galvez preferred his loyalty and honor to his ambition, and, mounting his horse, rode out among the mob, attended by his guard, and dispersed them, crying, "Long live his catholic majesty Charles IV.!" A like pronouncement occurred in a distant part of the country. He sent against the disaffected ten thousand troops, and dispersed them, having four of the ringleaders beheaded. For all this, Galvez received the applause of the Spanish court — and shortly after was poisoned! He was too much beloved in New Spain to be relied on as a servant of such a tyrant.*

* Pike, Appendix to Part III., p. 49.

CHAPTER X.

PHILIP NOLAN had been engaged in trade between San Antonio and Natchez since the year 1785. This trade was not legitimate, but was perhaps winked at by the Spanish authorities. In October, 1800, he started on another expedition into Texas, having with him a company consisting of twenty men. Among them was Ellis P. Bean, then a young man seventeen years of age.* Nolan had, in a previous journey, procured from Don Pedro de Nava, commandant-general of the north-eastern internal provinces of Mexico, a passport; yet, as the present expedition was well known at Natchez before he set out, Vidal, the Spanish consul at that place, entered his complaint before Governor Sargent and Judge Bruin, asking that the company be arrested and detained. Nolan was brought before these authorities, and, having exhibited his passport, he was permitted to proceed.† The company crossed the Mississippi at Walnut Hills (*Nogales*), and took a westerly course for the Washita. In the meantime, Vidal the consul sent an express to the Spanish commandant at Washita to stop them. They had travelled some forty miles from the Mississippi, when they met the Spanish patrol of fifty men. These, seeing No-

* See Bean's Memoirs, Appendix No. 2.

† Winthrop Sargent was appointed governor of the Mississippi territory in 1798, and Peter B. Bruin one of the judges of the superior court. — *Valley of the Mississippi*, vol. ii., pp. 342–344.

lan's determined movements, gave way and let the company pass. Nolan, avoiding Fort Washita, continued his journey west, without any road, and without seeing any person. Occasionally they halted to kill provisions and refresh themselves. Before they reached Red river, three of the company (Mordecai Richards, John Adams, and John King) strayed off and got lost, but subsequently returned to Natchez. After hunting for them some days, the company resumed their journey. They passed around the head of Lake Bistineau and crossed Red river, four miles from which they came to a Caddo village, where they met with a kind reception, and obtained some fine, fresh horses. In six days more they crossed the Trinity, and immediately entered upon an immense rolling prairie, through which they advanced till they came to a spring, which they named the *Painted spring*. This they did because at its head there stood a rock, painted by the Camanches and Pawnees, in commemoration of a treaty of peace once celebrated at the spring by those tribes. In the vast prairie around them they could find no other fuel than dried buffalo-dung. These animals, though once numerous there, had left, and for nine days the company were compelled to subsist on the flesh of *mustang* horses. By this time they reached the Brasos, where they found plenty of deer and elk, some buffalo, and "wild horses by thousands." Here they built an enclosure, and caught and penned about three hundred head of mustangs. At this place they were visited by two hundred Camanche Indians, and, upon invitation, the company went with them to visit their chief, Necoroco, on the south fork of Red river, where they remained a month. During they stay they were visited by other tribes, and made many friends. They returned at length to their old camp, accompanied by an escort of the natives, who managed to steal eleven head of the domesticated or gentle horses of the

company, and, in fact, all they had that could be employed in capturing mustangs.*

The company at this time consisted of Captain Nolan,† five Spaniards, eleven Americans, and one negro. As they could do nothing without their horses, Captain Nolan, E. P. Bean, Robert Ashley, Joseph Reed, David Farro, and Cæsar the negro, volunteered to go after them. They went on foot, and, after a march of nine days, found four of the horses, under the care of as many Indian men and some women; the other horses, the Indians said, had been taken on a buffalo-hunt by the balance of their own party, eight in number, and that they would return that evening. They further stated that the one who had stolen the horses was a one-eyed Indian, whom they would know by that mark. In the evening the Indians came in, bringing the horses, and an abundance of meat. The whites tied the one-eyed thief, and guarded him till the morning; they then took from him provisions for their journey, and returned to their camp in four days.

While they were here, resting themselves preparatory to en-

* Bean's Memoirs, p. 13, MS. Colonel Bean informs us here of a custom of the Camanches. Once a year, in the new moon in June, they assemble at the residence of their *great* chief, on the Salt fork of the Colorado, where he causes all their fires to be extinguished, and furnishes each sub-tribe with new fire for the next year. Each one then supplies himself with rock-salt, and the hunting-parties go out in a different direction to hunt on new ground for the following season.

† The following letter by General Wilkinson, written in cipher to Governor Gayoso de Lemos, may throw some light upon a suspicion that Nolan's expedition was connected with the subsequent mysterious conduct of the writer:—

"NATCHEZ, *February* 6, 1797.

"This will be delivered to you by Nolan, who, you know, is a child of my own raising, true to his profession, and firm in his attachments to Spain. I consider him a powerful instrument in *our* hands should occasion offer. I will answer for his conduct. I am deeply interested in whatever concerns him, and I confidently recommend him to your warmest protection.

"I am evidently your affectionate

"WILKINSON."

"*Es copia.* M. GAYOSO DE LEMOS."—*Annals of Congress.*

gaging in the chase of mustangs, a troop of one hundred and fifty Spaniards, sent out by Don Nimesio Salcedo, commandant-general of the northeastern internal provinces, attacked their camp. About one o'clock at night, on the 22d of March, 1801, they came upon the outpost, consisting of one American* and five Spaniards, engaged in guarding the horses, and took them prisoners. The enemy immediately surrounded Nolan's camp, but remained quiet till day broke. The tramping of the horses aroused the Americans, then consisting of only twelve persons, who, seeing the danger, prepared for defence. They had built a square enclosure of logs, to keep off the Indians, in which they slept. At break of day the Spaniards commenced their fire, which was returned from the log-pen. In ten minutes Captain Nolan was killed by a ball in the head. Bean then assumed the command, and continued the fight. By nine o'clock, A. M., two more of the Americans were wounded. The Spaniards had brought with them on a mule a swivel, with which they fired grape. At this time, Bean proposed to his men to charge on this piece of artillery, but the majority opposing, it was not done. It was next proposed to retreat, which was agreed to. Each one filled his powder-horn, and the remaining ammunition was placed in charge of the negro Cæsar. They left the enclosure, and soon gained a small creek. While here, engaged in fighting, Cæsar and one of the wounded men stopped and surrendered. The Americans continued the retreat half a mile without further loss, though under a constant fire from the enemy on both sides. Here Bean and his party took refuge in a ravine, and for a short time the fight ceased. At length the enemy began to close in upon the ravine, but were soon driven back. About two o'clock in the afternoon,

* As the Mexicans use the term *Americanos* to designate the people of the United States, its English synonym will be so employed in this work.

the Spaniards hoisted a white flag. An American, with the Spaniards, was appointed to hold a parley with Bean. They said all they desired was, that the Americans would return to their own country, and cease to come among the Indians in Texas.

The Americans agreed to do this; and a treaty was made, in which it was stipulated that both parties should return to Nacogdoches in company—the Americans not to surrender, however, as prisoners, but to retain their arms. They soon reached the Trinity, which was overflowing its banks. Bean, who was naturally expert in contrivances, soon had constructed of a dry cottonwood-tree a small canoe, and managed to carry over all the Spanish troops, leaving behind their arms and commander.

The American leader now proposed to his men to throw the arms into the river, start the commander over, and again march for the prairies; but, relying on the promise of a speedy return to the United States, they declined doing it. In a few days they all reached Nacogdoches, where they remained a month, waiting for an order from Salcedo, at Chihuahua, to return home.

But, instead of their expected liberty, the Americans were severally put in irons and marched off to San Antonio. Here they were kept in prison three months; they were then sent to San Luis Potosi, where they remained incarcerated for sixteen months. The prisoners, being without clothes, thought of means to procure them. Bean and Charles King gave themselves out as shoemakers, and were permitted to work at their prison-doors, by which means they earned some money. Then they were started off to Chihuahua. Arriving at Saltillo, they were handed over to another officer, who treated them with more humanity; he took off their irons, and permitted them,

at places where they would stop, to walk about and look at the buildings.*

As we shall again hear of these prisoners, and especially of Bean, we will not at present follow them in their sufferings, but return to other events of more importance.

Notwithstanding the Spaniards at Natchez were required, by the treaty of October, 1795, to surrender that place to the United States within six months after the exchange of ratifications,† yet under various pretences they refused to do it. The true reason was, that, from the depredations committed on American commerce by France, they expected a war between these two powers; and as Spain was in alliance with France, she wished to hold these posts above the thirty-first parallel of latitude as a protection to her possessions at New Orleans. Ultimately, however, partly by force and partly by agreement, the Spanish garrison was withdrawn, and the territorial government of Mississippi organized.

The French government had long desired to recover the possession of the colony of Louisiana, and had so informed the king of Spain. In October, 1800, the two governments entered into a *secret treaty*, by which the French republic engaged on its part to procure for the infant duke of Parma, a grandson of Ferdinand VII. of Spain, an augmentation of territory sufficient to raise the population of his estates to one million of inhabitants, with the title of king; this augmentation to consist of Tuscany, or the three Roman ecclesiastical provinces, or any other Italian provinces that would form a rounded estate. And the Spanish monarch engaged on his part to recede to the

* Bean's Memoirs, p. 23, *et seq.*, MS. This, the first conflict between the people of the United States and Mexico, in which twelve men contended with some success for nine hours against one hundred and fifty cavalry, was calculated to make an *impression* on the people of Mexico not to be forgotten.

† Elliot's Diplomatic Code, vol. i., art. ii., p. 392.

French republic, six months after the latter had complied with her engagement, the province of Louisiana, with the same extent that it then had in the hands of Spain, and had while in the previous possession of France, and such as it then ought to be in conformity with the treaties subsequently concluded between Spain and other states.*

This treaty was unknown for some time in the United States; and, in fact, when the minister of the latter power applied to Spain to purchase the island of New Orleans, he was informed that Spain had already transferred it to France, and that the United States must negotiate with that republic for such territory in that quarter as they wished to acquire.†

The peace of Amiens, contracted on the 25th of March, 1802, between Great Britain, France, Spain, and Holland, was seized upon by the Spanish governor of Louisiana, as a pretext for violating the treaty between Spain and the United States, in closing the port of New Orleans, without appointing any other suitable place on the Mississippi as a deposite for American commerce.‡ The news of this interdict produced considerable excitement among the people on the upper tributaries of this great river. The subject was immediately laid before Congress by President Jefferson. It was believed, however, that this interdict of the Spanish authorities at New Orleans was without the knowledge or approval of the king of Spain; and so it afterward appeared, as the king disavowed the act, and caused the port of New Orleans to be reopened.

* Elliot's Diplomatic Code, vol. ii., p. 197.

† American State Papers, vol. xi., p. 62.

‡ See the proclamation of Governor Morales, dated October 16, 1802.—*American State Papers*, vol. iv., p. 483: Boston, Thomas B. Waite, third ed., 1819. Dr. Monette (*Valley of the Mississippi*, vol. i., p. 543) seems to have been misled in placing this occurrence in the time of the elder Adams's administration. The troops sent to the mouth of the Ohio were to operate against Spain as the ally of France, in case of a war with the latter power.

The object of France in repurchasing Louisiana is not certainly known, though it is believed to have been done with a view to sell it to the United States, and thus raise a fund to carry on her wars. At that time, Spain was completely under the control of France, and was compelled to oblige her in the cession of this noble province. Yet it is believed, as a part of the history of that transaction, that there was a secret understanding between the two powers that France should not transfer Louisiana to the United States. However this may be, the want of money on the part of France, and the fact that on the 14th of March, 1803, hostilities had again commenced between her and Great Britain, hastened a sale. The United States, having learned through Spain that France had the disposal of the province, sent instructions to Messrs. Monroe and Livingston, the American embassadors at Madrid and Paris, to purchase, not the whole of Louisiana, but only the island of Orleans and Florida. The great men of the United States did not, at that day, see any necessity for acquiring that vast territory on which has since grown up so many noble states, and given homes to so many millions of inhabitants. But fortune did more for the young republic than her own statesmen: Bonaparte would sell it *all* together.* Just as the American minister arrived in Paris, there appeared in a London paper a proposition that the British government should raise fifty thou-

* "M. Talleyrand asked me this day, when pressing the subject, whether we wished to have the whole of Louisiana. I told him, no; that our wishes extended only to New Orleans and the Floridas; that the policy of France, however, should dictate.

"PARIS, *April* 11, 1803."

"PARIS, *May* 13, 1803.

"We found, as we advanced in the negotiation, that M. Marbois was absolutely restricted to the disposition of the *whole;* that he would treat for no less portion, and that, of course, it was useless to urge it. On mature consideration, therefore, we finally concluded a treaty on the best terms we could obtain for the whole."—*Messrs. Livingston and Monroe to the Secretary of State* (*Elliot's Diplomatic Code*, vol. ii., p. 533, *et. seq.*)

sand men and take New Orleans; also, in reference to the troubles in the United States concerning the navigation of the Mississippi, and the probabilty that they would endeavor to purchase the country, it was intimated that some two millions of dollars had been distributed among the high officers of France as bribes. Bonaparte, then first consul, saw these articles, and determined, on the one hand, that the province should not fall into the hands of the English; and, on the other, that Marbois, whose integrity was unquestionable, and not Talleyrand, should conduct the negotiation. The treaty was soon made and ratified.* Spain had, ever since the secret transfer of the province to France, kept the possession; and, when informed of the sale to the United States, was indignant. She could not deny that France had paid the consideration agreed upon. The duke of Parma had, by treaty, been placed in possession of Tuscany, and declared king of *Etruria*. Yet the secret understanding was violated; and, what was of the most consequence, the barrier between the United States and her American possessions was removed, and a claim would be presented by the former to all the country east of the Rio Grande. Spain therefore protested; but, overawed by Bonaparte, she withdrew her protest, and gracefully declared that she did so out of good feeling toward the United States.†

The ceremony of the delivery and transfer of the territory of Louisiana from Spain to France, and from the latter to the

* Elliot's Diplomatic Code, vol. i., p. 109. April 30, 1803.

† American State Papers, vol. v. Letter from Don Pedro Cevallos to Mr. Pinkney, February 10, 1804. Annals of Congress (eighth Congress, first session), p. 1,268. Pinkney's letter to the secretary of state, dated Madrid, August 2, 1803: "He [Cevallos] said that, in the cession of Louisiana by Spain to France, there was a secret article that France should never part with Louisiana, except to Spain; that if she (France) should ever wish to dispose of it, Spain should always have the right of pre-emption: from which he argued that France had not the right to make such cession without the consent of Spain."

United States, took place in December, 1803, in the city of New Orleans.*

In the debates in the United States Congress, on the question of the appropriations to pay the purchase-money for Louisiana, we can perceive the germ of a sectional controversy between the north and the south, which has since assumed an importance hardly consistent with that patriotic feeling which should exist between the distant portions of a great confederacy. Some of the arguments and predictions of the members in that discussion are interesting:—

SAMUEL WHITE (senator from Delaware): "As to Louisiana, this new, immense, unbounded world, if it should ever be incorporated into this Union—which I have no idea can be done but by altering the constitution—I believe it will be the greatest curse that could at present befall us; it may be productive of innumerable evils, and especially of one that I fear even to look upon. Gentlemen, on all sides, with very few exceptions, agree that the settlement of this country will be highly injurious and dangerous to the United States. . . . . Louisiana must and will become settled if we hold it, and with the very population that would otherwise occupy part of our present territory. . . . . And I do say that, under existing circumstances, even supposing that this extent of territory was a desirable acquisition, fifteen millions of dollars was a most enormous sum to give."†

JAMES JACKSON (senator from Georgia): "The frontier people are not the people they are represented; they will listen to reason, and respect the laws of their country; it can not be their wish, it is not their interest, to go to Louisiana, or see it settled, for years to come. The settlement of it at present

* American State Papers, vol. v., p. 19, *et seq.*
† Annals of Congress (eighth Congress, first session), p. 33.

would part father and son, brother and brother, and friend and friend, and lessen the value of their lands beyond all calculation. If Spain acts an amicable part, I have no doubt myself but the southern tribes of Indians can be persuaded to go there. It will be advantageous for themselves: they are now [1803] hemmed in on every side; their chance of game decreasing daily; ploughs and looms, whatever may be said, have no charms for them; they want a wider field for the chase, and Louisiana presents it. Spain may, in such case, discard her fears for her Mexican dominions, *for half a century at least. . . . . In a century*, sir, we shall be well populated, and prepared to extend our settlements; and that 'world of itself' [Louisiana] will present itself to our approaches."*

URIAH TRACY (senator from Connecticut): "We can hold territory; but to admit the inhabitants into the Union, to make citizens of them, and states, by treaty, we can not constitutionally do: and no subsequent act of legislation, or even ordinary amendment to our constitution, can legalize such measures. If done at all, they must be done by universal consent of all the states, or partners to our political association. And this universal consent, I am positive, can never be obtained to such a pernicious measure as the admission of Louisiana—of a world, and such a world!—into our Union. *This would be absorbing the northern states, and rendering them as insignificant in the Union as they ought to be, if, by their own consent, the measure should be adopted.*"†

JOHN RANDOLPH (representative from Virginia): "Is not the country west of the Mississippi valuable, since it affords the means of acquiring Florida from Spain? He had no doubt of the readiness of Spain to relinquish Florida . . . . for a very

* Annals of Congress (eighth Congress, first session), p. 41.
† Ib., p. 58.

small portion of the territory which we claimed in virtue of the treaty under discussion. . . . . This boundary would embrace within the limits of Louisiana some very valuable dominions of Spain, including the rich mines of St. Barbé, and the city of Santa Fé, the capital of New Mexico. On the other hand, in virtue of her settlement of the Adaes, Spain might claim the country as far east as the river *Mexicana* [Sabine], and to the highlands dividing the waters of the Del Norte river from those of the Mississippi. . . . In settling this important barrier, there were ample materials for the acquisition of Florida, still retaining to ourselves all the country watered by the Mississippi."*

These indications of public sentiment at that day show that the northern states could not see with patience the power and population of the Union extending westward; that even the friends of the west had no adequate conception of the future growth of that country; and that the strongest friends of the measure only wanted the region west of the Mississippi as a trading-capital with which to purchase Florida of Spain. Mr. Jackson thought "a century" hence would be soon enough to think of settling Louisiana. Half that century has gone by, and the settlements are on the Pacific! In all growing countries, the people are ahead of their statesmen; in countries declining, it is believed to be the reverse.

No sooner, however, had the United States begun to realize the great fact that they were owners of Louisiana—and, as a part of it, Texas—than they began to inquire into the geography and capabilities of their new purchase. Accordingly, early in 1804, the committee on commerce and manufactures, in Congress, were instructed to inquire into the expediency of an exploration of the country. A year previous, Clark and Lewis had been despatched up the Missouri; but the Arkansas,

* Annals of Congress (eighth Congress, first session), p. 486.

Red river above Natchitoches—in fact, the great southwest—were unknown to the statesmen of the United States. The above-named committee, in their report, speak of Adaes as the "capital of the province of Texas, and situated on the river Mexicana"*—when there was not at that time, perhaps, a single person in the place, and had not been for fourteen years!

The republic, however, had no sooner got fairly seated in her southwestern capital, than questions arose between her and Spain touching the boundaries of Louisiana, both on the east side and on the west. President Jefferson, by his proclamation, had declared the bay and river of Mobile a district for the collection of duties. Spain protested against this,† and a collision seemed at hand; but, to avoid it, a special embassy, consisting of Messrs. Monroe and Pinkney, was despatched to Madrid to treat with the Spanish government, not only on the subject of the eastern and western boundaries, but likewise on other differences between the two countries. The instructions to the American ministers proposed that Spain should relinquish the Floridas, in consideration of which all that portion of Texas lying between the Sabine and Colorado rivers should remain neutral ground, not to be settled or granted by either power for —— years; and the United States to pay to Spain a sum not exceeding two millions of dollars, out of which the amount due from the latter to American citizens should be deducted. Such were the instructions of the 15th of May, 1804. The number of years in which the above-named country should be a *neutral ground* was not to exceed twenty, at the end of which time the two powers were to adjust the boundary by another treaty. But, on the 8th of July following, the Ameri-

* Annals of Congress (eighth Congress, first session), p. 1124. Report of March 8, 1804.

† Proclamation of May 20, 1804.—*Ib.*, p. 1234. Also, letter of the marquis de Casa Yrujo.—*Ib.* (eighth Congress, second session), p. 688.

can ministers were instructed to propose the territory between the Colorado and the Rio Grande as the *neutral ground.** The discussion, which extended over five months, resulted in nothing! The history of the first settlement of Texas by France and Spain, and of the subsequent occupancy of the country by both nations, was as fully discussed as the slender materials before them would permit.†

Spain was at that period still under the influence of France. Manuel Godoy, a soldier of fortune, was omnipotent at the court of Madrid, and equally obsequious to Bonaparte. The latter, having an eye upon Spain and her possessions in America, became warmly enlisted in her behalf.

In the meantime, Spanish troops were gathering in Texas, and moving toward the disputed boundary on the west of the Mississippi. The soldiers and inhabitants having been withdrawn from the Adaes, the nearest settlement in Texas to Louisiana was Nacogdoches. When the Spanish authorities in the former province learned of the transfer of the latter to the United States, they assumed a jealous and exclusive conduct, forbidding intercourse, and endeavoring, in anticipation of the adjustment of a boundary-line, to extend their authority as near to the Mississippi as possible.

In 1805, Colonel Freeman, a gentleman of science, who had been despatched by the president to explore Red river, was arrested by the Spanish troops, and sent back. About the same time, three other Americans, named Shaw, Irvine, and Brewster, were taken prisoners within twelve miles of Natchitoches, and conducted under a guard to San Antonio. Again, several slaves, decoyed away by Spaniards, and escaped from

* Annals of Congress (eighth Congress, second session), pp. 1338, 1346.

† This valuable historical correspondence may be found in the twelfth volume of "American State Papers," and in the Appendix to the "Annals of Congress" (eighth Congress, first session).

Louisiana, had sought and found an asylum at Nacogdoches.* Again, at a village of the Caddoes, a short distance above Nachitoches, the American flag was displayed. The Spanish troops directed the Americans to take it down, which the latter refused, whereupon the troops tore it down themselves. And, yet again, Lieutenant Zebulon M. Pike, of the United States army, having been ordered to explore the sources of the Mississippi, became lost, and was arrested, taken to Chihuahua, and deprived of his papers. These were some of the results of Spanish non-intercourse—of the royal exterminating order of Philip II. In addition to these specific cases of interruption, there was manifested a general disposition to do mischief, and encroach upon the United States, along the whole frontier, from the seacoast to the extreme settlements and trading-posts up Red river.

These ancient settlements on the Red river, and along the frontier, require some consideration. The first settlement above Natchitoches was made at the mouth of Boggy river, on the east bank of Red river, in 1750, by a trading-company, under the direction of M. François Hervey, who had a permit for that purpose from the governor of Louisiana. This point, near the lower boundary of Lamar county, is about five hundred and forty miles above Natchitoches, by the course of the river. The company not prospering, Hervey removed, some two years after, forty miles lower down, to the ancient Caddo village, on the Texan side of the river. Here he engaged in trade, being joined by Sergeant Beson, who went there with some ten or a dozen soldiers under his command. They built a fort, which they named *St. Louis de Carloretto*, erected a flag-staff, and mounted two small pieces of artillery. Several French families settled there, and cultivated corn, tobacco, and garden-

* American State Papers, vol. v., pp. 144, 145.

vegetables. This was in Red river county. A creek in that county perpetuates the name of this worthy commandant. He was succeeded in the command by the elder Grappe, and the latter by Sergeant Closo. This detachment and settlement continued there until about the year 1770, when, Louisiana having passed into the hands of Spain, no attention was paid to the settlers, and their little colony ceased to thrive. In the meantime, their children had been growing up without education or the advantages of society. To remedy this, although the country was fertile and pleasant, and capable of becoming rich and populous, they broke up the place, and removed to the vicinity of Natchitoches.

About the time of the erection of Fort St. Louis, a settlement was made at Yattasse Point, on Bayou Pierre, about seventy miles above Natchitoches, under the direction of M. Verge, who carried on an extensive trade with the Carankawaes, Keechies, Yattassees, and other Texan Indians.*

At about the period these settlements were formed on Red river, Captain Bourne, the commandant at Natchitoches, established a trading-house on the south side of the Sabine, some fifteen miles distant from the river, and about one hundred and thirty miles northwest of Natchitoches. This place, known as the *Dout*, seems to have been removed to the east bank of the Sabine, near its head, and located in a prairie, where the remains of the fort could be seen for many years after.

All these settlements made by the French, being followed by the "family compact" of the house of Bourbon, were permitted to take their course. And in this condition they were found by the Americans when Louisiana came into their hands. The United States desired that they should remain *in statu quo* until the two nations could agree upon a boundary. But the

* American State Papers, vol. v., p. 125, *et seq.*

policy of Spain was different. She regretted the loss of Louisiana; and her high functionaries—for instance, the baron de Bastrop and the marquis de Casa Calvo—reported, wherever they went, that the disputed territory would soon be in possession of the Spaniards.* This, among the uninformed, produced considerable effect.

Spain was at this time really hostile to the United States. Her ships-of-war had ravaged their commerce to an alarming extent in both the Mediterranean and West India seas.† She had levied a tax of twelve per cent. upon the commerce of Mobile river;‡ and was engaged in a constant pilfering warfare along the boundary-line at Fort Adams. To sustain herself against the forces she expected would be opposed to her, to repel these assaults upon the Union, she was strengthening her posts by reinforcements. Four hundred Spanish troops were ordered from Havana to Pensacola, three hundred more to Baton Rouge, and eight hundred to Texas.‖ The United States, not wishing to commence an aggressive war, were nevertheless determined that the Spanish forces should not cross the Sabine river. Accordingly, orders were given by the secretary of war, on the 20th of November, 1805, to Major Porter, commanding the American troops at Natchitoches, to prevent such aggression.§

The new governor of Texas, Don Antonio Cordero, arrived at Nacogdoches in the first days of October, 1805, having with him two companies of one hundred and ten men each. Five other companies had reached San Antonio, and were to advance east. Two other detachments, of about fifty men each, were stationed, one at Matagorda and another above the mouth of the Trinity, near the present town of Liberty, where they

* American State Papers, vol. v., pp. 102, 148.
† Ib., pp. 52, 92. ‡ Ib., p. 96. ‖ Ib., p. 95. § Ib., vol. x., p. 493.

fortified themselves with pickets.* One of the companies that came with Governor Cordero to Nacogdoches was despatched to reinforce the station above the mouth of the Trinity.† A small detachment, under the command of Ensign Gonzalez, was sent forward to the old post at Adaes, where he took his position. Another detachment was sent down in the vicinity of Opelousas, to patrol that country. Fortifications were raised at Nacogdoches, and the place provisioned and put in a state of defence. Three companies were stationed at Spanish Bluff (a few miles below Robbins's ferry), on the east bank of the Trinity.‡ But the object of Spain was, not only to obtain military possession of the country in dispute, but to settle it. Several hundred families came into Texas by way of San Antonio; and a large number, that shipped from Spain for Matagorda, put in at the Canary islands.‖

In addition to these arrangements, the old San Antonio road was put in order; and guards were stationed at each of the crossings of the Trinity, Brasos, and Colorado. Previous to this period, the travel upon the above road was small. The Spaniards, to avoid the Indians, went by La Bahia; thence on the La Bahia road to the old road at Robbins's ferry. Besides, most of the travel was for contraband purposes: hence, new roads, called *contraband traces*, were best known and most used.

The station at Spanish Bluff was made a general storehouse for the army of operations. A large number of beeves and

* The station near the present town of Liberty was called *Arkokisa*, the Indian name of the river. The troops and supplies for this station came by La Bahia, and marked out the route known as the *Atasca sito* road — so termed from its boggy location.

† American State Papers, vol. v., p. 146.

‡ This place was known by the name of *Trinidad*. *Spanish Bluff* is used in the text because it is the only name by which the site is now known.

‖ American State Papers, vol. v., pp. 148, 149.

horses, and a considerable magazine of flour were collected there. Several of the new settlers had established *ranches* on the east bank of the river, and had the benefit of a priest to watch over their spiritual affairs.

With these troops and immigrants, came over to Texas, on a pastoral visit, Don Primo Feliciana Marin, bishop of New Leon, to whose diocese the province of Texas appertained. He placed the affairs of the church in order, and made a circumstantial report of its spiritual condition.*

At the very commencement of the difficulties between Spain and the United States, the viceroy of Mexico, Itturgaray, and Salcedo, the commandant-general of the northeastern internal provinces, held a consultation, and determined, and so ordered that, if the Americans crossed the Arroyo Honda, their forces should attack them. With this view, Simon D. Herrera, governor of New Leon, was appointed to take command of the troops in the field; and Antonio Cordero, governor of Texas, the second in command. Herrera was a native of the Canary islands, and had served in the infantry in France, Spain, and Flanders. He had travelled in the United States during the presidency of General Washington, and entertained a high veneration for his character. He possessed a thorough knowledge of men, was engaging in his manners and conversation, spoke the French language with fluency, and likewise a little English. Altogether, he was a polite gentleman, of affable demeanor, and an ardent lover of liberty. He had married an English lady at Cadiz, by whom he had several children.

Governor Cordero, whose residence was at Bexar, was a gentleman of considerable learning, and spoke the Latin and

* American State Papers, vol. xii., p. 38. The bishop also visited Natchitoches, and was treated by Captain Turner, then in command there, with the respect due to his profession. — *Pike's Expedition: Appendix*, p. 4.

French languages fluently. He was an old soldier, and one of the officers sent out from Spain, in 1772, to discipline the Mexican troops, and carry out those reforms recommended by Don José Galvez. He was popular as a governor, and, though he had never married, knew as well how to please as the governor of New Leon.*

* Pike's Expedition, pp. 268, 269.

CHAPTER XI.

On the receipt of the order of the secretary of war, of the 20th of November, 1805, Major Porter made known to Governor Cordero, at Nacogdoches, the limit beyond which he could not pass, and required of him an assurance that the Spanish troops would not cross the Sabine. The governor answered the letter on the 4th of February, 1806, refusing the assurance demanded. In the meantime, however, on the 1st of February, Major Porter despatched Captain Turner, with sixty men, to the Adaes, to compel any Spanish force he might find there to withdraw beyond the Sabine; but directed him to avoid the spilling of blood, if it could be prevented. Captain Turner reached the Adaes before noon on the 5th. The Spanish patrol having given notice of Turner's approach, he found their men in some confusion. They saddled, mounted, and formed. A conference was held; and, after a good deal of altercation, Ensign Gonzalez consented to retire beyond the Sabine, and Captain Turner gave him three hours to prepare to march. He begged for time to hunt his horses, but was informed that he could send back two or three of his men for them; so he set out on his march. The next day Captain Turner advanced toward the Sabine, and, three miles from the Adaes, overtook the Spanish ensign, who excused himself from proceeding on account of his lost horses. Captain Turner, not wishing to

trust him further, took his written promise to retire beyond the Sabine.*

The Spanish authorities, on receiving intelligence of this expulsion, hastened their preparations to march to the disputed point. Governor Herrera, with his quota of thirteen hundred men from New Leon, and Governor Cordero, with a smaller force, advanced to the Sabine, and crossed that river about the first of August, 1806. Colonel Cushing, then in command at Natchitoches, addressed Governor Herrera a letter, warning him that if he did not retire beyond the Sabine, he would be considered an invader of the territory of the United States. This letter reached Herrera at the plantation of Mr. Prudhomme, a few miles only from Natchitoches. On the next day (August 6th), Herrera replied, charging the government of the United States with usurping the territory of Spain, but stating that his orders were not to break the good understanding which subsisted between the two countries.

In the meantime, Governor Claiborne had called out the militia of Louisiana, and reached Natchitoches with a considerable reinforcement about the 25th of August. He likewise addressed a letter to Governor Herrera, in which he enumerated many evidences of an unfriendly feeling on the part of Spain toward the United States, and assured him that, if he persisted in his aggression on the east of the Sabine, he might

* Annals of Congress (ninth Congress, second session), p. 914. This document is worth recording: —

"At the Adaes, *February* 6, 1806.

"I, José Maria Gonzalez, ensign, commandant of his most catholic majesty's troops on this side of the river Sabinas, hereby have agreed with Captain Edward D. Turner, captain in the United States army, to return all said troops of his catholic majesty to the other side of the said river Sabinas, as soon as my horses will permit it, or in five days, or at farthest six, and to take my march this day; and I also oblige myself not to send any patrols on this side of the river Sabinas. "J. M. Gonzalez, *Ensign.*

"Witness, John D. Duforest."

readily anticipate the consequences. Governor Herrera replied on the 28th of August, denying and excusing the charges of unfriendly feeling on the part of Spain.

By this time, General James Wilkinson arrived with additional forces at Natchitoches, and assumed the command. On the 24th of September, he addressed to Governor Cordero a final and decisive letter, and, in a tone which could not be misunderstood, demanded the immediate withdrawal of the Spanish troops to the west side of the Sabine. This letter was directly transmitted to General Salcedo: but, in the meantime, the Spanish forces fell back to the right bank of the Sabine, where they took their position; and, on the 22d of October, General Wilkinson set out on his march from Nachitoches, and established his quarters on the left bank of that river. The two armies being separated only by the stream, and the commander on each side acting under positive orders from his government, seemed to render a conflict unavoidable. Herrera called a council of war, laid before them the orders of the viceroy and the commandant-general, and asked their advice. They were unanimous in the opinion that they should commence a predatory warfare, but avoid a general engagement. Herrera, in opposition to this view of the council, entered into an agreement with General Wilkinson, that, until the question of boundary between the two governments was settled, all the territory between the Sabine and the Arroyo Honda should be a *neutral ground*, not to be occupied by either party: and thus a conflict was avoided. The agreement was approved by both governments, and General Herrera actually received the thanks of the viceroy for his conduct in the affair!*

The fortunate conclusion of this campaign, together with the

* Annals of Congress (ninth Congress, second session), p. 913, *et seq.* Pike's Expedition, p. 270.

fact that Spain recognised the doctrine that the flag protected the cargo, to which may be added the fearful war then ravaging Europe, produced a temporary calm in the relations between this power and the United States.

The expedition of Captain Zebulon M. Pike, of the United States army, has been referred to. Under instructions from President Jefferson, he had been successfully engaged, between the 9th of August, 1805, and the last of April, 1806, in exploring the sources of the Mississippi river. In the middle of July, of the latter year, he set out again, under orders from General Wilkinson, to make certain friendly arrangements with the Camanche Indians, and to explore the Arkansas and Red rivers.* The company consisted of twenty-three persons, among whom was Dr. John H. Robinson, a gentleman of science, who, though not belonging to the army, joined the expedition as a volunteer.

While the party had been making preparations at St. Louis to depart, information of the intended expedition was conveyed by the Spaniards at that place to Captain Sebastian Rodriguez, commandant at Nacogdoches, by whom it was transmitted to Governor Cordero, and thence to the seat of government; and an expedition was immediately set on foot to intercept Pike. It was placed under the command of Lieutenant Don Fecunda Malgares, and consisted of one hundred dragoons of the regular service, and five hundred mounted militia. They set out from Santa Fé with more than two thousand horses and mules, and six months' provisions. They descended Red river six hundred miles, and then passed over to the Arkansas, making friends of the different tribes of Indians, and giving to their chiefs commissions, medals, flags, horses, and other presents. They also arrested and took with them on the route all the

* Pike's Expedition, pp. 107, 108, 111.

American traders they found, left them on the river above Natchitoches, and returned to Santa Fé in October, without having met Captain Pike, who did not cross their path until they had returned.*

Captain Pike, in this expedition, appears to have been misled in endeavoring to follow the trail of the Spaniards, and got lost. He, however, made his way to the Rio Grande, where his party was found by the authorities of New Mexico, about the beginning of the year 1806, and conducted to Santa Fé.† Here they were treated kindly by Governor Allencaster, but deprived of important papers, and then sent under an escort to General Salcedo, the commandant-general, at Chihuahua.‡ After some detention, Captain Pike and a portion of his company were despatched to Natchitoches, by way of San Antonio, accompanied by an escort.

On his return to the United States, Captain Pike published a journal of his expedition, with a copious appendix, giving a description of the country, the inhabitants, their manners, and love of independence, together with an account of the mines, productions, and resources, of the different provinces. This work came before the American public at a time when Spain had fallen, and the crown of her sovereign was at the disposal of Bonaparte. It imparted to the adventurers in the United

* Pike's Expedition, p. 142.

† At Santa Fé, Captain Pike found Solomon Colly, one of the men captured with Bean. He was kept at Santa Fé as a prisoner. As the captain was leaving, Colly came to him, with tears in his eyes, and requested him not to forget him when he returned to the United States. — *Ib.*, p. 218.

‡ Captain Pike also found at Chihuahua David Farro (or Fero), another of Bean's men. He had formerly been an ensign under Pike's father. The meeting was affecting. Farro, confined at St. Jerominie, had escaped, to have an interview. Captain Pike promised to do for him what he could, divided with him his purse, and they separated. — *Ib.*, p. 240. The old negro Cæsar, of Bean's party, was also living there. Captain Pike found him extremely communicative and useful. — *Ib.*, p. 247.

States new ideas and, excited in them a sympathy for the creoles of Mexico — who hated the French sincerely — which sympathy they desired only an occasion to manifest, by an invasion of New Spain.

At the close of 1806, Texas was in a more flourishing condition than it had been previously. The introduction of new settlers, the marching and display of so many troops, the presence of so many distinguished generals, and the introduction from Louisiana of considerable wealth, brought in by the immigrants hither in consequence of the transfer of that country to the United States — all these causes seemed to impart life and cheerfulness to the province. The regular military force in Texas was little short of a thousand men. Four hundred of these were stationed at Spanish Bluff, the contraband crossing of the Trinity; a hundred more at Robbins's ferry, on the same river; a hundred more at Nacogdoches; and nearly four hundred at San Antonio.*

At Nacogdoches, the commandant Rodriguez had been removed and sent to Chihuahua for trial, for visiting Natchitoches with the marquis de Casa Calvo; and Don Francis Viana was appointed in his place. The latter was an old veteran — one of the officers sent out from Spain with Colonel Cordero. He was a man of great frankness, but gave his opinions too freely for promotion.† He, however, kept a good watch over the king's interests.

In spite of guards and prisons, and even the fear of death, several Americans had settled along the San Antonio road, on both sides of Nacogdoches, and exhibited their nationality in the opening of productive farms. Among them, Messrs. Barr and Davenport, who had come to Texas toward the close

* Pike's Expedition: Appendix, p. 34.
† Ib., p. 275.

of the last century, had a settlement two miles east of the Angelina; they also carried on business in the town; and, after the cantonment of the troops at Spanish Bluff, they established an extensive cattle-ranche on the east of the Trinity, below Robbins's ferry.

Society at Nacogdoches, though not extensive, was good. Dinners, dances, and other social parties, were common and agreeable. The commandant, Captain Herrera, and Colonel Davenport, were the leading men. They kept up a correspondence with the United States, took newspapers, and toasted the king and the governor of Texas. The town then contained about five hundred inhabitants.

At the Spanish Bluff a considerable town was growing up. Many Mexican families had removed there; and the eastern slope of the Trinity valley, for some miles above and below the town, was covered with cattle and horses. The spiritual interests of the people, under the guidance of Father José Angel Cabaso, were duly carried for.*

There was a guard stationed at the Brasos — as there was at all the large rivers — and, what was of most importance, a ferry-boat, probably the only one in Texas.

San Antonio was in a flourishing state. True, the buildings were mostly mud-houses, yet the place was extensive. The troops were stationed on the east side of the river, near the Alamo, in the new parish of Valero, then under the care of Father Clemente Delgado. The old town had a separate curate. The missions below the town, having been secularized, were all unoccupied, except that of San José. These old missions, the work of other days, had long been the seat of hospitality, of refuge, and of prayer; but they had survived the brains that conceived and the hands that reared them, and

* Pike, p. 273.

stood, in 1806, as they still stand, in silent majesty, surveying the changes around them. Let no Vandal innovator disturb their solid proportions; but let them go down to the future, as monuments of the faith of the Franciscan fathers, and the works of their neophytes!*

The population of Texas was, at this time, about seven thousand, of which some two thousand lived in San Antonio. This population was made up of Spaniards, creoles, and a few French, Americans, civilized Indians, and half-breeds. Their habits were wandering, the most of them being engaged in hunting buffaloes and wild horses. The former furnished them meat; with the latter they carried on a contraband trade with Louisiana. To check in some degree this rambling life, Governor Cordero restricted the hunting of buffaloes to a particular season of the year, and obliged every family to cultivate a certain quantity of land.

Society had been greatly improved in San Antonio by the officers of the army as well as the new settlers. Among the leaders of fashion and polite manners were, next to the governor, Father M'Guire, Doctor Zerbin, Captain Ugarte and his lady, and Colonel Delgado. These attended to the hospitalities of the town, and introduced among the inhabitants a suavity of manners and a fondness for social intercourse which served much to make San Antonio by far the most pleasant place in Texas. Too much time, however, was spent at cards. Yet at the governor's *levée* in the evening, or on the public square after supper, where the people, from the chief magistrate down, joined in the Mexican dance, there was great cheerfulness, elegant manners, and much interesting conversation.†

The people, with the exception of a few foreigners, were

* Pike: Appendix, p. 32. Bexar Archives, MS.
† Ib., p. 265, *et seq.*

strictly catholics—the most of them zealously and sincerely so. A scene between Captain Pike and Father Guerra, at Albuquerque, as illustrative of this point, is too interesting to be omitted here. "We were received," says the captain, "by Father Ambrosia Guerra in a very flattering manner, and led into his hall; thence, after taking some refreshment, into an inner apartment, where he ordered his adopted children of the female sex to appear, when they came in by turns, Indians of various nations, Spanish, French, and finally two young girls, who, from their complexion, I conceived to be English. On perceiving that I noticed them, he ordered the first to retire, many of whom were beautiful, and directed these to sit down on the sofa beside me. Thus situated, he told me that they had been taken to the east by the Tetaus [Camanches], passed from one nation to another, until he purchased them, at that time infants, but they could recollect neither their names nor language; but concluding they were my countrywomen, he ordered them to embrace me, as a mark of their friendship, to which they appeared nothing loath. We then sat down to dinner, which consisted of various dishes, excellent wines, and, to crown all, we were waited on by half a dozen of those beautiful girls, who, like Hebe at the feast of the gods, converted our wine to nectar, and with their ambrosial breath shed incense on our cups. Some time after the cloth was removed, the priest beckoned me to follow him, and led me into his *sanctum sanctorum*, where he had the rich and majestic images of various saints, and in the midst the crucified Jesus crowned with thorns, with rich rays of golden glory surrounding his head; in short, the room being hung with black-silk curtains, served but to augment the gloom and majesty of the scene. When he conceived my imagination sufficiently wrought up, he put on a black gown and mitre, kneeled before the cross, and took hold

of my hand, and endeavored gently to pull me down beside him. On my refusal, he prayed fervently for a few minutes, and then rose, laid his hands on my shoulders, and, as I conceived, blessed me. He then said to me, 'You will not be a Christian — oh, what a pity! oh, what a pity!' He then threw off his robes, took me by the hand, and led me out to the company smiling; but the scene I had gone through had made an impression on my mind too serious to be eradicated until we took our departure, which was in an hour after, having received great marks of friendship from the father."*

The Indians, overawed by such a display of military force, had been quiet for some time. Along the San Antonio road none were to be found, except the Tonkawas, who numbered some six hundred warriors. They had lodges on the right bank of the Guadalupe and on the Brasos. They were miserably poor, and badly treated. Upon the evacuation of Louisiana by the Spaniards, many of the Indian tribes, still wishing to be under their jurisdiction, followed them over to Texas. Among these may be named the Alibamons (*Alabamas*), once a powerful nation residing on the banks of the river that bears their name, who have retreated and wasted away before the white race, until a small remnant of less than a hundred, including a kindred tribe, the Cushattas, are now surrounded on the banks of the Trinity, where they must shortly expire.

The principal commerce of Texas in 1806 was with Mexico, by way of Monterey and Monclova, and with New Orleans, by way of Natchitoches — the last being contraband. Their neighbors on the south had made some progress. The new province of *Santander* (now Tamaulipas) had been organized; and the capital of the same name (now San Fernando) was located forty miles from the gulf, and ninety miles south of the Rio

* Pike, p. 222: Journal of March 7, 1807.

Grande, on the Conchos river. The country between that river and the Rio Grande being excellent for pasturage, some flocks and herds of horses, cattle, and sheep, were found scattered over it.

The population of Coahuila had in the meantime increased to seventy thousand, of which Monclova had thirty-five hundred; but Parras and Santa Rosa were each more populous. The *presidio* numbered about twenty-five hundred, mostly Indians, civilized at the four handsome missions erected there. The government kept here a powder-magazine for the supply of Texas.

The town of Paso del Norte was in a flourishing condition. It had numerous vineyards, which, producing fine wines, supplied New Mexico, Chihuahua, and even Coahuila. It also produced excellent wheat and other small grains. About two miles above the town, the authorities had constructed a bridge across the Rio Grande, which formed the great passway from New Mexico. From this bridge a canal was cut to the town, which irrigated all the farms below. In addition to this, immense flocks of sheep were raised here, and annually driven to the markets. Don Francisco Garcia, a wealthy merchant and planter; Don Pedro Roderique Rey, the lieutenant-governor; Father José Prado, the curate; and Captain Allencaster, the brother of the governor of New Mexico, were among the leaders of taste and good society in this place of luxurious living.

When we speak of society in Texas, at the beginning of the present century, allusion is made to the Spaniards, many of whom had come from the polite cities of the mother-country, or from the viceregal palace in Mexico. The priests generally were men of good classical reading, as were many of the officers in the regular service. These set a good example of taste

and elegance, which, of course, produced its imitative effect on the creoles and civilized Indians. Thus was the fierce temper of a frontier life guided and moderated; and the people, having no care of politics, passed their leisure time in playing at games, in dancing, and in conversing, mostly upon one of the subjects of money, women, or horses.

On occasions of religious festivals, so frequent in every Roman catholic country, all ranks of the people participated with a hearty good will, though not always to their own edification, or to the credit of the church.

CHAPTER XII.

Don Francisco Miranda was the first advocate and martyr of freedom in Spanish America. His grandfather was once governor of the province of Caraccas, where he was born. In 1783, he visited the United States, and drank deep of the spirit of the American Revolution. He travelled over a good part of Europe on foot. In 1789, he was at St. Petersburg; and, though strongly pressed by the empress Catherine II. to enter her service, he felt an irresistible impulse that led him to join in the wars of France. Here he became attached to Petion, who had him sent on a mission to England, and gave him the appointment of major-general. After engaging in many battles in Belgium and Holland, he barely escaped falling into the hands of Robespierre, then of the directory, and again of Bonaparte. He devoted his time and great talents to the destruction of the Spanish power in America. It is not necessary further to trace the eventful history of his life, than to refer to the fact that he started an expedition in 1806 from New York to Central America, and then another in 1810, both of which were unsuccessful. Miranda had the countenance of Pitt in his expeditions: but it is equally true that the United States, although sympathizing deeply with their oppressed brethren under the Spanish yoke, afforded no aid and took no part in

Miranda's movements. The positive declarations of Presidents Adams and Jefferson on this point should be satisfactory.*

From the close of the American Revolution there were many choice spirits in Mexico, who were impatient for an occasion to achieve their independence. But the great mass of the people had been too greatly oppressed, and were too ignorant, at once to grasp and comprehend the great idea of civil liberty. They had a dim view of it only, which made them restless. The prospect of a war between the United States and Spain, from the year 1801 to 1806, excited the sympathy between the people of the United States and the Mexican creoles. From this grew up a correspondence, an understanding, between them, that at the outset of such a war the adventurers of the American Union were to invade Mexico, and join the creoles in sustaining their independence. At the head of this party in the United States was Aaron Burr. It was Burr's intention, in the event of such a war—then deemed almost certain—to establish an independent government in Mexico; and there is little doubt that, in this enterprise, he had the promised co-operation of General Wilkinson. To prepare for this state of things, and be nearer the scene of action, Burr had contracted for a large quantity of land on the Washita, and doubtless intended to make it his headquarters. In the event of there being no war, it is probable that Burr himself had but a confused idea of the course he would pursue. Perhaps, in the language of Commodore Truxton (who was a witness on Burr's trial), he would be on the frontier, and ready to move whenever a war took place. Burr may have intended to invade Mexico at all events—in fact, it is likely that he did—but his

* This charge against the United States, of a violation of her neutrality, is made by Mr. Foote, in his "History of Texas," vol. i., chap. vii. Encyclopædia Americana, article *Miranda*.

arrest, and the treaty between Wilkinson and Herrera, put an end to all his plans.*

Burr was descending the Mississippi, and on the 17th of January, 1807, surrendered himself at Bayou Pierre, with nine boats and a hundred men, "a majority of whom were boys, or young men just from school." Thus ended his enterprise, but not its effects.

Burr was brought to trial; the whole Union was aroused, and information eagerly sought. The public mind was directed to Burr, to his supposed plans, and to the country he proposed to invade. The adventurers of America were studying the geography of Mexico and of Texas. The creoles of Mexico, groaning under an oppression—the more galling because they saw their neighbors of the United States free and happy—had also commenced the study of geography and the art of free government.

The victories of Bonaparte had placed continental Europe at his feet. So early as 1805 he had formed the design of

* Burr's Trial; Annals of Congress (ninth Congress, second session), p. 1008. There is something mysterious in the conduct of General Wilkinson in the hasty conclusion of the agreement with Herrera, his sudden departure for New Orleans, and his immediate action in regard to Burr and his partisans; but, above all, in sending Captain Walter Burling to Mexico. Captain Pike, in his journal of the 20th of April, 1807 (he was then at Chihuahua), says: "We this day learned that an American officer had gone on to the city of Mexico. This was an enigma to us inexplicable, as we conceived that the jealousy of the Spanish government would have prevented any foreign officer from penetrating the country; and what the United States could send an authorized agent to the viceroyalty for, when the Spanish government had, at the seat of our government, a *chargé des affaires*, served but to darken the conjectures. The person alluded to was Mr. Burling, a citizen of Mississippi territory, *whose mission is now well known to the government.*" It appears, from Davis's Memoirs of Burr (vol. ii., p. 400), that the object of Captain Burling was to procure from the Spanish government a large sum for Wilkinson's services in arresting the designs of Burr. Burling must have obtained a passport from the governor of Texas; and this matter must have been arranged on the banks of the Sabine, at the time they agreed upon the *neutral ground*.

placing one of his family on the throne of Spain; and, in acquiring that country, he expected also to obtain possession of her American colonies, then numbering at least fifteen millions of inhabitants. It was for this reason, and with this view, that he took part with Spain in her controversy with the United States touching the boundaries of Louisiana.* As he had formed the design to acquire the Spanish-American colonies, he wished them as large as possible. Executing with celerity and without scruple his plans of aggrandizement, he invaded the Spanish territory. A domestic quarrel in the royal family favored his designs. Charles IV. was a weak and helpless monarch; he was ruled by his wife, and she by her favorite, Manuel Godoy, known as the "Prince of Peace." Between the two latter there was said to be an intimacy not creditable. Spain saw it, and Ferdinand, the king's son, saw it; but the king did not: hence a quarrel between Godoy and Ferdinand. The king and Queen took part with Godoy. In this unhappy state of their affairs, Bonaparte was called in to decide between them. He did so by sending both parties into a more honorable banishment than they deserved, and took possession of their kingdom. This was ratified by the treaty of Bayonne, on the 5th of May, 1808; and shortly thereafter, Joseph Bonaparte ascended the Spanish throne.† The inhabitants of Spain did not long submit to this summary transfer of their government. Early in June following, the war commenced between the French and the Spanish patriots. The latter were directed by *juntas*, or revolutionary committees, acting with little concert or system, but with desperate valor. While this contest was raging in Spain, the news was received in Mexico of the

* American State Papers, vol. xii., pp. 49, 97, 98.

† This imperial robbery of Napoleon has been elegantly decorated by Mr. Abbott. Had it been on a smaller scale—the act of a private individual—Mr. Abbott would have been among the first to denounce it as a great crime.

overthrow of the house of Bourbon, and the usurpation of the Bonapartes. This was immediately followed by emissaries from Joseph Bonaparte and the different Spanish juntas, each asking and claiming the allegiance and support of the Mexican people. Here was a fine opportunity for an escape from European bondage. They were released from their oath of fealty to Charles IV.; and the parent-country was so involved in war at home, that, with union and concert, the Mexicans could easily have achieved their independence.

In the last days of July the news of the rising of the Spanish patriots against King Joseph Bonaparte reached the city of Mexico. The native Spaniards and official authorities in Mexico, with the exception of the viceroy Iturigaray, were willing to acquiesce in the order of the council of the Indies, transferring the American colonies to Bonaparte; but the viceroy and the natives of Mexico opposed it. Among the revolutionary juntas in Spain, that of Seville was the most prominent. The emissaries of this junta demanded that Mexico should adhere to the Bourbon family. These were followed by the agents of other juntas, each claiming the control of the colony.

In this distracted condition of their affairs, the people of Mexico proposed to the viceroy what had never been proposed before in that country—the call of a convention, or governing junta of delegates from the people. The viceroy was about to comply with a request so reasonable, when the Spaniards, fearful of a popular assembly, and of the loss of the offices—for they held them all—formed a conspiracy against him; and, at midnight, on the 15th of September, 1808, seized his person, and committed him to the prison of the Inquisition.* All this was approved by the junta of Seville, who appointed the then archbishop of Mexico as viceroy. As he was a person of great

* Niles's Mexico, p. 133.

mildness, and much venerated by the Mexican creoles, dissatisfaction was allayed.

But the Mexican patriots were again aroused by the removal of the archbishop, and the intrusting of the government, for the time being, to the "Court of Audience." This court was the exponent of genuine Spanish despotism, and justly abhorred by all liberal men in Mexico. In the meantime, the victories of Napoleon in Spain had overturned and dispersed the junta of Seville, thus offering to the people of Mexico another honorable and bloodless opportunity of being free. If they did not accept it, they thereby proved themselves unworthy of a destiny so exalted.

The junta dispersed at Seville again reappeared at Cadiz, and sent out Don José Venegas as viceroy. He exhibited his dislike for the native Mexicans by conferring all his favors upon the European Spaniards. He also stationed his most reliable forces at the disaffected points, thus showing his disposition to rely upon the sword for success in keeping Mexico in subjection to the junta from which he derived his power.

By this time the torch of revolution had been lighted over the whole of Spanish America. England had at first encouraged and taken part in the revolt of the different provinces: but when the war broke out between France and the Spanish patriots, Great Britain formed an alliance with the latter;* while Napoleon, finding he could not secure the colonies for himself, took part in favor of their independence.

Before the arrival of the viceroy Venegas, Don Miguel Hidalgo, a curate of Dolores in the province of Guanaxuato, a great friend to the native Mexicans, and withal a man of good sense and gentle manners, had raised the standard of revolt. The Indians, longing to avenge the atrocities of Cortez and the

* January 14, 1809.

oppressions of so many years, flew to his aid. He was joined by several companies of the royal troops, and marched to the city of Guanaxuato, his army increasing daily. He took the place with little opposition, and, what was most important to him, he replenished his military chest with five millions of dollars taken from the treasury of the city.

The town of Queretaro, equal in importance to that of Guanaxuato, was in favor of the revolution; and, to prevent it from falling into the hands of Hidalgo, the viceroy, toward the last of September, 1810, sent General Cadena, with three thousand troops, to defend it. He also organized several corps of *guerillas;* but without effect. The revolt became general; and Hidalgo, after providing himself with munitions, and putting in some sort of order the immense host of creoles, Indians, and mestizoes, that followed his standard, set out on his march for the capital.

The Spanish junta, in October, 1809, had decreed terms of conciliation to be submitted to their revolted colonies. These were—that the colonies should have an equal representation in the national *cortes;* that their American and Asiatic colonies should enjoy a free trade; that the king's monopolies should be suppressed; that the working of the quicksilver-mines in America should be free; that native Americans should be equally eligible with European Spaniards to all offices in church or state; that, to prevent disputes as to the meaning of this last proposition, there should be an equal number of each of the two classes; and, to fill them, there should be a consultive junta in each province to make nominations.* These propositions were presented to the Mexican people on the 23d of September, 1810. But they came too late. Hidalgo was at the head of an enthusiastic army; he had sufficient supplies,

* Niles's Colombia, p. 44.

had thrown aside the gown and breviary for the sword, and wished a solution of the questions at issue at some point nearer the capital. On his march he overthrew all opposing forces; and it appeared that he would have no difficulty in making himself master of the city. Venegas had only two thousand troops for its defence. Cadena was supposed to be at Queretaro, and Calleja at San Luis Potosi—both too distant to afford relief. At this crisis, Venegas applied the spiritual weapon, which, among a superstitious people, never fails to have its effect. Hidalgo and his adherents were solemnly excommunicated. The revolted chieftain, who had too much sense to be overawed by such fancies, replied. But not so with his ignorant followers. The prestige of victory had departed. He marched to the suburb of the city, but the next day set out on his retreat.

In the meantime, the forces of Cadena and Calleja, having made forced marches to relieve the capital, united, and attacked and defeated Hidalgo, first at Aculco, then at Guanaxuato, and again on the 11th of January, 1811, not far from Guadalaxara. The latter retreated to Zacatecas, and then to San Luis Potosi. He was pursued by Calleja, and continued his retreat, intending to pass Saltillo, and make his way into Louisiana, there to remain until his affairs should be more propitious. But General Salcedo, commandant of the northeastern provinces, had sent out a force to cut him off in that direction; while Arredondo, in command of a Spanish force, was close upon his rear. In this critical position, Hidalgo was betrayed by Don Y. Elisondo, one of his own officers, at Acatita de Bajan, on the 11th of March, 1811. Many of his followers were executed on the spot; others were put to death wherever found. Hidalgo was taken to Chihuahua, and put to death on the 27th of July. Among his adherents, Colonel Delgado was

apprehended at San Antonio, executed, and his head stuck on a pole at the crossing of the river between the Alamo and the town. Another, Bernardo Gutierres, effected his escape, and took refuge at Natchitoches. The names of some of Hidalgo's followers in the last days of his career are here mentioned, because of the important parts played by them in subsequent transactions in Texas.

The territory lying between the Arroyo Honda and the river Sabine, which had been left as neutral ground by the agreement between Wilkinson and Herrera, had become the rallying-point and refuge of a large number of desperate men. Many had removed there with their families, and established permanent residences. They made war upon all enemies, and, like the buccaneers, lived upon the fruits of their trespasses. They were more particularly partial to the Mexican traders, who brought horses and specie from the interior to exchange for merchandise at Natchitoches. These they preferred as victims, because they could rob them with the greater impunity. They had a regular organization, their headquarters, outposts, and whatever else of contrivance they deemed necessary to carry out their objects. The Spanish authorities had done what they could to suppress them. Twice had the military forces of the United States entered the territory, and drove them off, burning their houses and fixtures.* They were not to be thus driven away.

On one occasion, a number of Mexican traders, loaded with silver, had reached Salitre prairie, on the west bank of the Sabine, on their way to Natchitoches. A small Spanish force was stationed at this point, for the protection of trade, as well as to prevent adventurers from passing over to Mexico. They sent to Major Wolstoncraft, then commanding at Natchitoches,

* American State Papers, vol. xi., p. 306.

for an escort to guard the traders across the neutral ground. The request was granted, and a small guard was despatched under the command of Lieutenant Augustus W. Magee.* The traders were brought safely as far as La Nan, a small creek west of the Adaes. At this point the creek made a bend in the form of a horseshoe, the convex side being toward Natchitoches. The freebooters of the neutral ground, thirteen in number, had stationed themselves opposite the bend, on both sides of the road, having the creek between them and the road.

When the traders had all passed into the bend, and just as Lieutenant Magee and his guard, who were in front, were crossing the creek, the robbers advanced and fired. Magee, seeing himself overpowered, fled with his guard to Natchitoches; and the poor traders were relieved of all their valuables, and sent back to Salitre prairie. For the time, the money taken was concealed by the leaders of the gang under the bank of the creek, and they repaired to their several homes to await what would follow. The amount taken was so large, that it could not pass unnoticed. The next day, Magee, having been reinforced, returned to make search for the robbers. He met two of them going into Natchitoches, and, recognising them, took them into custody. As legal proceedings at this period were not much regarded, they were tied to trees and whipped, with a view to make them disclose their associates. Failing in this, a live coal of fire was passed along their naked backs; but still no disclosure could be obtained. They were then taken to

* Lieutenant Magee was a native of Massachusetts. He graduated at the military academy on the 23d of January, 1809, and received the appointment of second lieutenant in the regiment of artillery, which he held at the time here referred to. — *Register of Officers and Graduates of the U. S. Military Academy*, by Captain Cullum, p. 58. Magee, stationed at Natchitoches, had caught the spirit of the Wilkinson school. The entire emigration from the United States to Louisiana was full of it.

Natchitoches, and delivered into the hands of the civil authority for trial.*

During the time of these occurrences, Colonel Bernardo Gutierres arrived at Natchitoches. He formed an acquaintance with Magee, and they had together many long conferences. Magee was young, bold and romantic in his disposition, and drank with eagerness the marvellous tales of Bernardo. As republican revolutionists of Mexico had in view a federative system like that of the United States, Magee had conceived the idea of conquering Texas to the Rio Grande, and building up a republican state, with a view of ultimately adding it to the American or the Mexican Union as circumstances should admit. He informed himself fully of the geography and resources of Texas, of the distracted condition of Mexico and Spain, and made his arrangements with consummate skill and secrecy. It would be necessary to have the aid of the Mexican population of Texas; and this would require the use of the name of Bernardo as commander-in-chief. It would also be necessary to have the aid of the freebooters of the neutral ground: this Magee engaged himself to secure. It would likewise be requisite to have as auxiliaries the Texas Indians: these could be obtained through John M'Farland and Samuel Davenport, both Indian agents, and decided republicans. And finally, it would be necessary to have supplies: Colonel Davenport had the wealth and disposition to serve as quartermaster and contractor to the army.

The arrangements all being completed, proposals were pub-

* These two men were convicted, and sentenced to imprisonment for a number of years. When enlistments were wanted for the war with Great Britain, they were offered a pardon if they would enlist. One of them, White, accepted the offer; the other, ———, remained till his time expired, reclaimed his booty from La Nan, took it to Georgia, invested it in negroes, reformed his manners, and afterward emigrated as one of the first colonists of Texas, where he died a few years since much respected. — *Narrative of Captain M'Kim*, MS.

lished, in the name of Don Bernardo Gutierres, for raising the "Republican Army of the North."* The publication promised to each volunteer forty dollars per month, and a league of land to be assigned him within the boundaries of the new republic.† Magee saw the leaders of the freebooters, and notified them to repair in June, 1812, to the rendezvous at the Saline on the east side of the Sabine river. He himself visited New Orleans, where he obtained a few supplies, and engaged some young men of respectable character to join him.‡ Having arranged these matters, he returned to Natchitoches.

To carry out the plan agreed on, Bernardo repaired to the rendezvous on the 14th of June. His force there amounted to one hundred and fifty-eight men. They were of the neutral ground, and could not be conquered. They were ready and able to do anything that the same number of men could do. It was understood that Magee should remain yet longer at Natchitoches, and forward supplies and recruits; and, in the meantime, the force at the Saline was to cross the Sabine at Gaines's ferry, drive the enemy before them, and halt at the Spanish Bluff on the Trinity for further orders.

Bernardo and his men set out about the middle of June, crossed the river, attacked the Spaniards at Salitre prairie, and, after a running fight of about an hour, drove them away. In this fight the Americans lost two killed and three wounded; the loss of the enemy was not ascertained. The Spaniards

* "*El exercito Republicano del Norte mandado por elson Gral en Jefe Don Bernardo Gutierres.*" So reads the caption of the original quartermaster's account, certified by General Toledo, and now before me. The history of this campaign, where other authorities are not referred to, is taken from the manuscript narrative of Captain James M'Kim, an old citizen of Texas, who joined Bernardo at the Sabine, and continued in the service till the close of the war.

† This was the origin of the *league* head-rights afterward granted in Texas.

‡ Breckenridge's Memoirs, quoted by Mrs. Holly in her "History of Texas," p. 304.

retreated and fortified the hill overlooking the town of Nacogdoches on the east. The Americans being in close pursuit, the breastwork was hastily constructed, and composed in part of bales of wool intended for the Louisiana market. When the Americans came in sight of the breastwork, they charged upon it, and the enemy fled. The former did not even get a fire at them; and when they took possession of the works, the Spaniards were flying through the town, and without any considerable halt continued their retreat to the Spanish Bluff. The Americans sent off the wool taken on the hill to Natchitoches to purchase supplies, and continued the march. Their numbers were continually increased by reinforcements forwarded by Magee. The contractor, Colonel Davenport, was also indefatigable in procuring and despatching supplies.* The fort at the Bluff, occupied by about four hundred Spaniards, was evacuated on the approach of the Americans. The latter took possession, and found also there a large supply of provisions and ammunition. Here they waited for reinforcements. Magee, on the 22d of June, 1812, resigned his commission, preparatory to leaving the United States; and, after making his arrangements, and collecting his friends and the recruits just arrived, he set out for the headquarters of the invading army. He left behind him Captain James Gaines at the crossing of the Sabine, to forward recruits and maintain the communication with the advanced forces.

The Americans remained at the Bluff till about the middle of October. The Spaniards in the meantime were not idle. His excellency Don Manuel de Salcedo, governor of Texas,

* There is charged in Colonel Davenport's account the freight of twenty mule-loads of flour and salt from Natchitoches. These were doubtless part of the supplies laid in by Magee at New Orleans; and, with the exception of some thirty or forty *fanegas* of corn-meal, there was no other breadstuffs furnished by the contractor.

with the aid of the late governor, Colonel Cordero, and Simon Herrera, governor of New Leon, were collecting such of the royalists as could be spared from the service in the interior of Mexico, and fortifying La Bahia and San Antonio. Don N. Arredondo, for his services in the capture of Hidalgo, had succeeded Don Nimisio de Salcedo as commandant of the north-eastern provinces.* But the civil war in Mexico had not terminated with the death of Hidalgo. Morelos, another priest, had raised the standard of independence in the southern provinces of the viceroyalty; and Victoria was conducting the war with some success in the vicinity of Jalapa. The republicans, though driven from place to place, still kept up an organization, and a junta, whose orders were implicitly obeyed. The infamous Calleja had become the general butcher of Mexico; blood and desolation followed his march. Morelos, after a great and bloody battle, fought at Tixtla on the 19th of August, 1811, had laid siege to the strongly-fortified town of Acapulco with a part of his army, but with the main body took possession of Quautla Amilpas, about seventy-five miles from the capital, where he was besieged by Calleja.

It will be remembered that we left Ellis P. Bean and his companions in prison at Chihuahua in 1803. They remained here in confinement five years, a part of the time in irons. Bean obtained leave to go to New Mexico; but on the way was again arrested and brought back, and, with his companions, was ironed and confined. Some days afterward they were notified that it was the order of the king of Spain that every fifth man of them should be shot. As there were but nine of them, the order was so construed that only one should suffer. Accordingly, a drum, a tumbler, and dice, were brought into the prison. They were to commence at the oldest, and

* Niles's Mexico, p. 148.

the dice being put in the tumbler, each one had a throw. The lowest was to suffer. Bean, being the youngest, threw last. When it came to his turn he threw five, the lowest throw being four. The unfortunute victim was executed. The next day, Bean and four of his companions, in heavy irons, were started off to Mexico. The other three were set at liberty. Arriving at Salamanca, some two hundred miles from the capital, the former made a halt. Among the crowd of Mexicans gazing at them appeared a ladylike woman, who quietly approached Bean and asked him privately if he did not wish to make his escape, saying she would set him free. She then suddenly left him. Señora Maria Baldonada—for such was her name—was the young wife of a rich old husband. She came the second time to see Bean, and urged him to place himself under her direction. Before she left him, she made him agree to come and see her at her house. Accordingly, the next morning, Bean obtained permission to go with one of the guard into the town. Having learned the residence of his fair visiter, he procured accommodations at a drinking-house near by for his sentinel, and went in. The lady informed Bean that her husband, whom she did not love, was at his silver-mine, and would be absent two weeks. In that time she represented that they could safely make their escape; that she would furnish money and horses, and fly with him to the United States, and live with him there. She had become fascinated with him, and trusted in his honor that he would not afterward abandon her for another woman. She said also that she had married her old husband against her will, in order not to displease her parents. Bean, although greatly smitten, and grateful for these marks of affection, expected his liberty when he should reach Mexico; and, not wishing to leave his companions, he declined the offer. He told her, however, that when he should be set free, he would

return without delay to see her. At parting she gave him a package, with a request that he would not open it until he reached the end of that day's journey. So he bade her adieu. Bean, with his companions, were hurried off; and, as the lady had requested, he opened the package that night. He found in it a gold ring, some money, and a letter from her full of the most touching sentiments.

The captives were marched to Mexico, and thence to Acapulco on the Pacific, where they were imprisoned. Bean was locked up in a separate cell; his four companions were placed in another. Here he was denied all intercourse with his fellow-prisoners; and, excepting the person who brought him his daily allowance of water, beef, and bread, and an occasional glimpse of the sentinel as he passed the grate of his cell-door, he saw no human being. The tedious hours of confinement were relieved in some degree by taming and feeding with flies a white lizard which he found in his prison.

One day he learned from a sentinel that one of his companions had become sick, and had been sent to the hospital. It occurred to him that he too would find relief in getting ill and going there. So he gave notice that he was sick. The physician came, and, Bean having prepared his pulse by striking his elbows against the floor, was declared a patient, and sent to the hospital. Here, in addition to his irons, his legs were put in the stocks. His allowance of food was also greatly reduced, his meat for a day consisting of a chicken's head! On one occasion he inquired of the priest who ministered to him, why he could not get something else than the head and neck of a chicken. The reply was, that he might eat that, or go to the devil! This so excited Bean, that he threw his plate at the shorn head of the friar, and cut it badly. For this offence, Bean had his head put in the stocks for fifteen days. This

confinement brought on a real fever, from which he suffered so much, that, on recovering, he was glad to be marched back to his cell.

Bean was reconducted to prison by a guard of two soldiers; and, on the way, it occurred to him that he would try to make his escape. So, still having on hand some of the money given him by the Señora Baldonada, he invited the guard into a drinking-house, and, after they had drank, he called for more liquor, and requested one of them to step with him into the garden in the rear of the house. When they had got to the farther side of the garden, Bean called the soldier to admire a little flower. As the latter stooped down to look at it, Bean seized him by the throat, and told him to surrender his sword, or he would take his life. The sword was given up; and Bean told him that he was going off, and asked him to go with him, but the soldier was unwilling. Bean gave him a dollar, and directed him to go to the town, get the worth of it in bread, and bring it to him at the graveyard on the outskirts of the town. Bean then left him, and, before the latter could give notice to the officer at the fort, was in the woods, when he filed off his irons with the steel he used in striking fire. He concealed himself till night, when he returned into the town to lay in a stock of provisions. Here he found an English sailor, through whose means he got on board a vessel, and was secreted in a water-cask. Just before the ship sailed, he was betrayed by the cook (a Portuguese), retaken, and placed again in his cell, where he remained eighteen months longer in solitary confinement!

Hearing an officer speaking one day of having some rock blasted, Bean informed him that he was a proficient in that business. This information caused them to put him at it. In a few days after he had been engaged in blasting rocks, he

succeeded again in making his escape. He travelled at night, concealing himself in the daytime; and for several days beat along the coast northward, when he was retaken, and brought before the governor of the castle of Acapulco. After fearful threats on the part of that functionary, in reply to which Bean told him to do his worst, he was chained to a large mulatto criminal, the latter being promised an abatement of a year of his term of punishment if he would take care of his yoke-fellow. He was also authorized to whip Bean if he became insubordinate. They had not been long together, before Bean gave the mulatto such a beating, that he prayed for a separation. It was granted, and Bean was sent back to his cell, to keep company with the white lizard: it seemed to be the only live thing that had any sympathy for him, and this feeling was fully reciprocated.

Bean was "a hard case;" and the governor of the castle of Acapulco wrote to the viceroy that he could not be answerable for him. The latter, in reply, sent an order for his removal to the king's possessions in Manilla. While awaiting a vessel, the revolution broke out. The prisons of New Spain had been emptied for recruits. Bean was the only one left at Acapulco. The Spanish authorities knew his worth, but doubted his faith. One day an officer questioned him on this point. Bean told him he would gladly serve the king if permitted. His irons were knocked off, a gun and sword placed in his hands, and he became a soldier. At that time the republican forces were some three hundred miles distant.*

Bean performed his duties very well for a couple of weeks, when, a favorable opportunity offering, he went over to Morelos, carrying with him a considerable number of the royalists. He continued with Morelos, growing daily in his confidence,

* Bean's Memoirs, MS.

and displaying great courage; he was infinite in his resources, providing provisions and ammunition for the troops, and in leading forlorn hopes.

When Morelos proceeded with the main division of his army to occupy Quautla Amilpas, he left Bean (then holding the rank of colonel) in command of the forces besieging Acapulco. Morelos was driven from Quautla with considerable loss, but was more fortunate in other places. About the close of the year 1812, Colonel Bean took the town of Acapulco, with the garrison, and the governor of the castle who had treated him with so much cruelty. At this time the whole of New Spain was engaged in deadly strife. An indiscriminate slaughter seemed to follow every victory. Whole towns were razed to their foundations, and entire provinces were made desolate! The long pent-up wrath of four millions of Indians, and the fierce barbarity of the usurping Spaniards, were turned loose upon a country romantic and lovely by nature, but wasted and ruined by a cruel oppression.

CHAPTER XIII.

FROM what has preceded, it will be seen that the time for a successful invasion of Texas was propitious. The Spaniards were not able to prevent it, and the people of the province were not opposed to it. The Franciscan friars in Texas kept up a regular correspondence with the parent-convents at Queretaro and Zacatecas. The latter, ardent friends of the revolution, inspired the former with their views. The spiritual advisers of the Texan population had no difficulty in directing their views and feelings.

There were very few able-bodied men east of the Trinity who did not join the Americans at the Bluff. On the arrival of Magee, and after the principal forces were collected, they were organized. Magee was elected colonel, and, in fact, commander-in-chief; although, for prudential considerations, Bernardo was nominally called such, with the title of general. Kemper was chosen major, and other regimental officers were appointed. Before the army left the Trinity, Captain James Gaines, commanding the Mexicans east of that river, joined with his forces. The troops, nearly eight hundred in number, set out on their march, taking the La Bahia road. They continued the march without interruption till they had crossed the Colorado, when the advance captured some of the Spanish spies. They learned from them that Governor Salcedo was in command at La Bahia,

having been informed that they would attack that place; that he had marched out with fourteen hundred troops, to lie in ambush at the crossing of the Guadalupe. This information, confirmed by other circumstances, induced Magee to change his route, which he did, crossing the Guadalupe below the old road. He made a forced march, and reached La Bahia before day on the 14th of November.* There were but one hundred and sixty Spanish troops in the fort. They surrendered with little opposition, and the "Republican Army of the North" marched in, raised their flag, and found themselves in possession of an abundance of military stores and the Spanish military chest. They found in the fort sixteen pieces of artillery of all calibres; among them, those brought to San Bernardo, by La Salle, in 1685. The military chest enabled them to pay to each of the troops all back dues. This, with the abundance of provisions on hand, made them contented.

Three days after, Salcedo, burning with rage in being so deceived, marched up to the fort and assaulted it with his entire force. The Americans did not wait, but sallied out of the fort, and drove him back, with a small loss on both sides. Finding that victory was not so cheap, the Texan governor repassed the river, and prepared for a regular siege. He divided his forces into four divisions, and placed one on each bank of the San Antonio above and one on each bank below La Bahia. The Americans were not idle. They erected a bastion of earth on each side of the fort, on which they mounted the guns they found in the fort, and also the three six-pounders they had brought with them. Salcedo had fourteen pieces of different calibres, which he used as he could.

* Narrative of Captain M'Kim, MS. In the accounts we have of this war, there is a great discrepancy in dates. The quartermaster's account is considered most reliable.

During the three or four weeks in which the two armies occupied these positions, Salcedo made three assaults on the fort. The Spaniards were receiving constant accessions of strength; the Americans none. Previous to the last assault, for some unknown cause, a cessation of hostilities for three days had been agreed upon. During this time the officers of the two armies extended to each other the civilities due among gentlemen. Colonel Magee, by invitation, dined with Salcedo in the quarters of the latter. Between them an agreement was made, which, from the facts above detailed, can not be understood. Magee had agreed with Salcedo that the fort should be delivered up, the Americans to return home without their arms, but to be supplied on the march with provisions by Salcedo.

Magee returned to the fort, paraded the troops, announced to them what he had done, and took the vote of approval by asking those in favor of it to shoulder arms. The treaty was unanimously voted down. The republicans were indignant, and manifested it by striking the butts of their pieces against the ground. Magee, confounded by this act of disobedience, retired to his tent, leaving the troops on parade. The confusion was great. Major Kemper, the next in command, went for Bernardo. He kept close in his quarters, signed all the necessary papers, and ate hearty dinners, but, like Mohammed's coat, was brought before the army only on trying occasions. He took sides with the troops, and advised that the agreement should not be regarded. In the meantime, a flag from Salcedo brought a note to Magee. It was delivered to Bernardo, and he read it to the army. It reminded Magee of his honor; that the hour had passed when the fort should have been surrendered, and it was not done. The flag was sent back without an answer.

Shortly afterward, Salcedo made a furious assault upon the

place, took the town, and advanced to the walls of the fort. The Americans, thrown into disorder by recent events, and without a commander, seemed not to act with their usual vigor. But, rallying under Kemper, the next in command, they sallied out and attacked the Spaniards, drove them from the walls, and then out of the town, continuing the fight till darkness put an end to the contest. The Spanish loss in this affair was about two hundred; the Americans lost but few. Magee had not left his quarters during the battle. That night, shortly after twelve o'clock, he died, and, it is said, by his own hands.*

The next morning, the Spaniards sent in a flag, asking a cessation of arms for one day, that the dead might be cared for; which was granted. The Spaniards continued the siege, without making any further attack, until about the 12th of March, 1813, when they abandoned their position and retreated to San Antonio. They, however, stationed spies down the river, to watch the movements of the Americans.

Major Kemper was promoted to the rank of colonel, and commander-in-chief *de facto*, and Captain Ross was chosen major. A council of war was held, at which it was resolved to obtain reinforcements and march on San Antonio.† Captain M'Farland was despatched to the Lipan and Twowokana Indians for aid. An express was also sent to Nacogdoches, to the commandant Guadiana, to forward in haste all the recruits to be had there. The volunteers from Nacogdoches, one hun-

* Captain M'Kim's Narrative. More light is needed in regard to the conduct of Colonel Magee from the time of his interview with Salcedo until his death. Though a young man, he acted with prudence and foresight in getting up and conducting the expedition. Notwithstanding the officers of the United States were vigilant in preventing troops from marching from Louisiana to make war in Mexico, yet the affair was so well managed, that, although it was known that the enterprise was on foot, it was extraordinary to see two of those engaged in it together at any one time. — *Letter of John Dick, U. S. District Attorney for Louisiana; American State Papers*, vol. xi., p. 302.

† Breckenridge's Memoirs of Travel.

dred and seventy in number, soon arrived. Twenty-five Cooshattie Indians, of the old missions, also joined them. With these additions, the Americans set out on their march up the left bank of the San Antonio, and crossed the Salado, a small creek emptying into that river, about the 28th of March. Here they were joined by Captain M'Farland with three hundred Lipan and Twowokana warriors.

The viceroy Venegas, notwithstanding he was sorely pressed by the republicans at home, found an opportunity for throwing reinforcements into San Antonio. Salcedo, receiving information of the advance of the Americans, sent out his troops to form an ambush. The whole regular force, consisting of fifteen hundred men, and about a thousand militia, were placed under the command of the officer who brought on the reinforcements —he having solicited it, and pledged his sword and his head to the governor that he would kill and make prisoners the whole of the republican army! The latter consisted of eight hundred Americans, under Colonel Kemper; one hundred and eighty Mexicans from Nacogdoches, nominally under Colonel James Gaines, but really led by Manchaca, a rough, uneducated, but strong-minded Mexican of Texas; and three hundred and twenty-five Indians. The Americans, expecting a conflict, had prepared for it. They marched in order of battle. The left wing, under the command of Major Ross, moved in front; the right, under Kemper, was in the rear. A select corps of riflemen, under Captain Luckett, acted as flankers on the right. The American left was protected by the San Antonio river, along the bank of which they marched.

About nine miles from San Antonio there was a ridge, of gentle slope, dividing the waters of the San Antonio and the Salado. The side of this ridge next to the San Antonio, from the crest to the road, consisted of prairie; the side bordering

the Salado was covered with *chapparal*, a species of thick underwood. In this chapparal the Spaniards were lying in ambush. They were discovered by the riflemen, who were marching on the crest of the ridge, and who opened a fire upon them. They immediately formed, and presented themselves to the American army about four hundred yards below. The Spanish line, in the centre of which were twelve pieces of artillery,* crowned the crest of the ridge for three quarters of a mile.

The Indian auxiliaries were placed in front of the American lines, to receive the charge of the Spanish cavalry, until suitable dispositions could be made to charge in turn. At the first onset, they all fled, except the Cooshatties and a few others: these withstood two other charges, in which they lost two killed and several wounded. By this time the Americans had formed at the foot of the ridge, having placed their baggage-wagons in the rear, under the protection of the prisoners they had taken at La Bahia! The charge was sounded, and orders given to advance to within thirty yards of the Spanish line, fire three rounds, load the fourth time, and charge along the whole line. The order was obeyed in silence, and with a coolness so remarkable, that it filled the Spaniards with terror. The Americans had greatly the advantage in ascending the hill, as the enemy overshot them. The Spaniards did not await the charge of their adversaries, but gave way along the entire line, and then fled in the direction of San Antonio. They were pursued and killed in great numbers; and many who had surrendered were cruelly butchered by the Indians. When the Spanish commander saw his army flying, and that the day was lost, he turned his horse toward the American line, and rushed into their ranks. He first attacked Major Ross, and then Colonel Kemper; and, as his sword was raised to strike the latter, he

* M'Kim. Breckenridge says six pieces.

was shot dead by William Owen, a private in Captain Joseph Taylor's company.

In this great Texan battle, there were nearly a thousand of the enemy slain and wounded, and a few taken prisoners; though the inhuman conduct of the Indians greatly reduced the number of those captured.*

The next day the Americans pursued their march to the borders of the town of San Antonio, and sent in a flag, demanding the surrender of the place and garrison. Governor Salcedo asked till morning to make his arrangements for the capitulation of the place. A second flag was sent in, notifying him that, if he and his staff did not immediately proceed to the American camp, with the flag, they would storm the town. Salcedo with his staff, fourteen in all, complied with this demand. The governor approached Captain Taylor, and presented him his sword. Taylor referred him to Colonel Kemper; the latter declined to receive it, but referred him in turn to General Bernardo Gutierres. This was too much: Salcedo stuck his sword into the ground in front of Bernardo, and left it there! The latter took it up. The Spanish troops, stores, arms, and military chest, were all surrendered. The Americans marched into the Alamo, and released seventeen of their countrymen whom they found there imprisoned, put arms in their hands, and placed them in the ranks of the "Republican Army of the North." The spoils were distributed. Each man in the army received his wages, a gratuity of fifteen dollars, a suit of clothes, and an order for two horses or mules out of the public *caballada*. The Indians were supplied with two dollars' worth of vermilion, together with presents of the value of

* It is a little remarkable that the locality of this engagement, known as the battle of *Rosalis*, can not be identified. We have the accounts of Navarro, Kennedy, and M'Kim. As the latter was in the battle, his account was preferred.

a hundred and thirty dollars, and sent away rejoicing.* The Spanish soldiers taken as prisoners were set at liberty. Some joined the ranks of the republicans, and the rest repaired to their homes. Salcedo and his staff were permitted the liberties of the town on their parole of honor.

About the first of April, 1813, General Bernardo (who, being among his own people, had begun to assume a little more authority) ordered the army to be paraded, and read to them what he affirmed was a letter informing him that two vessels, at Matagorda bay, were about to sail to the United States, and stated that he considered it safest to send Salcedo and his staff to New Orleans, there to remain on their parole until the war was over. This proposition was acquiesced in by the troops; and that evening the governor and his suite started on their march, under the guard of a company of Bexar Mexicans commanded by Captain Delgado. They were taken about a mile and a half below the town, to the point of a small ridge that runs down to the river; and there, on the east bank of the stream, the prisoners were stripped and tied, and their throats cut! Among them, besides Governor Salcedo, were the brave and accomplished ex-governors Herrera and Cordero.† The

* Colonel Davenport's account, MS.

† Foote's "Texas and the Texans," vol. i., p. 188. Colonel Navarro gives a somewhat different account of this affair. He says: "Some of these assassins [Delgado's company], with brutal irony, whetted their knives upon the soles of their shoes in the presence of their victims! .... The day following the assassination, I myself saw this band of murderers, led by their commander, Antonio Delgado, halt in front of the government-buildings. I myself heard them inform Bernardo Gutierres that the fourteen victims had been put to death." The following is the list furnished by Colonel Navarro:—

Spaniards: Manuel de Salcedo, governor; Simon de Herrera, governor of New Leon; Geronimo Herrera, lieutenant-colonel; Juan de Echeverria, captain; José Groseochia, captain; Francisco Pereira, captain; José Mateos, captain; Juan Ignatio Arambido, captain; Gregoria Amado, lieutenant; Antonio Lopez, citizen.

Mexicans: Miguel de Arcos, captain; Luis, his son, lieutenant; Francisco, his son, ensign; Juan Caso, lieutenant.

Gutierres, in a manifesto published at Monterey, in 1827, denies having or-

next morning, the Americans, discovering that Delgado and his company were back in their quarters, suspected some treachery. The American officers, having their honor pledged for the safety of these victims, caused Delgado to be arrested and tried. His defence was, that Colonel Delgado and General Bernardo, having been engaged under the banner of Hidalgo, when the latter fell, were making their escape to Louisiana; that Colonel Delgado — who was his father — was taken and executed by Salcedo in San Antonio, and his head exposed on a pole, as the Americans saw when they marched into the town; and that for this reason General Bernardo had given him permission to put the prisoners to death. Upon this statement, Captain Delgado was released, and Bernardo himself brought to trial. He made the same defence as the former, with this addition, that the younger Delgado had implored him on his bended knees thus to avenge his father's death. The tribunal, however, found Bernardo guilty of treachery and barbarity, and deposed him.

Before this occurrence, Bernardo had been a mere cipher; now he had assumed authority, and in a manner so barbarous, that the American officers had become disgusted with the service. Colonel Kemper, Major Ross, and others, left the army and returned home; but their places were supplied with new recruits,* the fame of preceding victories having drawn many adventurers to San Antonio.

After the departure of the above-named officers, the troops, intoxicated with success, and being without the restraint of any lawful authority, abandoned themselves to great excesses. But, while thus revelling in almost every species of dissipation,

dered the execution of these men, and charges it upon the Mexican junta which he had assembled at San Antonio to try them. Ex-Governor Cordero, it will be seen, is not in Navarro's list.

* Breckenridge; Foote, vol. i., p. 191.

they were surprised by a new army sent against them by the viceroy. It was commanded by Don Y. Elisondo, the same renegade who had betrayed Hidalgo to the royalists. The army which he led consisted of about fifteen hundred regulars, and a like number of irregulars picked up in the internal provinces. They first surprised, killed, and dispersed the guard who were out grazing the American *caballada*. They also took the horses. The republicans, on receiving this intelligence, were in confusion, and without any controlling head. The Mexican influence was too strong to neglect Bernardo, and yet the Americans could not safely trust him. Manchaca was a man of great vigor, and had extensive influence among his people, but was ignorant of all the high qualities necessary for the command of an army. Of the American officers who remained, Captain Perry was highest in rank, and perhaps the most worthy. At all events, he had the chief command in fact, and Bernardo was nominally reinstated for the occasion.*

Elisondo did not march directly into San Antonio, as he might have done, but pitched his camp about half a mile from the graveyard of the town. The Americans having decided on their plan of attack, double sentinels were placed on guard, no one was permitted to pass in or out of the place, and all the artillery except four field-pieces was spiked.

The Spaniards had meanwhile thrown up two bastions, with a curtain of four hundred yards between them. This work crowned the summit of a ridge of gentle ascent, near the river Alazan, a branch of the San Pedro, behind which the enemy were encamped.

* Captain M'Kinl's Narrative, MS. It must not be understood that Bernardo was without abilities, or deficient in many good qualities. He was a man of cultivated mind, of good sense, had seen much of the world, and had some refinement — but he was a *Mexican*. When the Americans found it necessary to reinstate him, in order to get the hearty co-operation of his own people, they sent a deputation, consisting of Captains Perry and Joseph Taylor, to wait on him. — *Ib.*

At ten o'clock at night, June 4, the Americans marched out of the town. They moved by file, and in the most profound silence, until they approached sufficiently near to hear the enemy's advanced guard. Here they sat down, with their arms in their hands, until they heard the Spaniards at matins. Orders were given that, on notice, the Americans should charge. This notice was to be given by a check from the right of each company, and in silence. The signal was given, and they all marched forward with a firmness and regularity becoming veteran soldiers. The enemy's pickets were surprised and taken prisoners. The Americans advanced to the works, mounted them, hauled down the Spanish flag, and ran up their own tricolor, before they were discovered by the Spanish camp. This was just at the dawn of day. The Spaniards, thus aroused, fought gallantly, and drove the Americans back from the works. The latter rallied, retook them, and charged into the Spanish camp, using only the bayonet and spear. The slaughter was terrible. At length, after some hours of hard fighting, the Spaniards, fairly pushed off the field, turned and fled, leaving a thousand dead, wounded, and prisoners. The Americans lost forty-seven killed, and as many more wounded, who afterward died of their wounds.

The Spaniards who escaped, fled with their commander to the Rio Grande, and the Americans returned to San Antonio, where, having no further use for General Bernardo Gutierres, they dismissed him from the service. This act was doubtless done at the instance of the American officers, who feared further dishonor and treachery. The family of Bernardo had come on to San Antonio after the battle of the Salado (or Rosalis), and remained there with him. On being dismissed the second time, he retired to Natchitoches.*

* Bernardo hung about the "neutral grround" until 1816, when he went to New Orleans. On the successful issue of the Mexican revolution, he had a command at San Carlos. Colonel Bean, in his Memoirs, says that at San Carlos, on the 28th of June, 1825, "I found Don Bernardo Gutierres, with about four hundred troops, in command of the place. He was my old friend, and I was very glad to see him, as my horses and mules were giving out, and my money also; but, to my misfortune, I found him very poor, and unable to help himself." In 1830, Bernardo was keeping a small saddlery-store at Guerrero.

Don José Alvarez Toledo was by birth a Cuban, of a distinguished Spanish family.* He had formerly been a member of the Spanish cortes in Mexico, but was banished on account of his republican sympathies.† He had been for some time in Louisiana, aiding in forwarding recruits to San Antonio, and was duly advised of the progress of the war in that quarter. In July, 1813, he set out in person for the scene of hostilities.‡ He arrived shortly after the final departure of Bernardo. His fame as a distinguished republican Spaniard had preceded him, and the troops and people of San Antonio went to meet and escort him in. He was welcomed with much pomp, and immediately elected commander-in-chief of the republican army of the north.‖

General Toledo at once organized a governing junta, and went to work to restore order to the civil government of Texas. Suitable alcaldes and other officers were appointed, and for a few days law and order seemed to reign in San Antonio.

But these days of sunshine were destined to be few. The republican rangers brought intelligence that another Spanish army was approaching. The fugitives from the late disastrous affair under Elisondo had communicated to General Arredondo, commandant of the northeastern provinces, the news of the defeat. The latter united his own forces with such of the rem-

* Holly's Texas, p. 307.

† Foote, vol. i., p. 191.

‡ In Colonel Davenport's account there is this item, incurred at Spanish Bluff, about the 23d of July: "*Por 75 lib.s de balas de orden de el son Gral Toledo sog.r recebo acomp.o No.* 41, $23,3½." — *MS.*

‖ Captain M'Kim's Narrative.

nant of Elisondo's army as he could collect, and set out on his march for San Antonio. On the south of the Medina he threw up a breastwork: it was in the form of the letter <, with the apex in the road, and the open end in the direction of San Antonio. His entire force consisted of about four thousand men. Six hundred of these were thrown forward four hundred yards in advance of the breastwork, and intended as a decoy. The breastwork itself was concealed by an artificial chapparal, formed of bushes set up in front of it, and giving the appearance of a natural growth.

Toledo immediately marched out to meet the enemy. His force consisted of eight hundred and fifty Americans, under Perry and Taylor, and about twice that number of Mexicans, commanded by Manchaca. The latter was said to be envious of the distinction shown to Toledo, and was consequently insubordinate. This was perhaps the cause of a fatal mistake on the part of Toledo in separating the Americans, by placing them on the two wings, with the Mexicans in the centre.

When they met with the Spanish advance, the battle commenced. The Spaniards, after firing a round, abandoned their artillery, and made a feigned retreat, flying through the apex of the breastwork. The centre of the republicans advanced rapidly, and the wings followed. Toledo, seeing the ambush when it was too late, ordered a retreat. The left wing obeyed the order; but the right wing refused, crying out that "they never retreated!" The centre, far in advance of the wings, was already exposed to a deadly fire from its front and flanks. Had the order to retreat not been given at all, or had it been given earlier, the day would not have been lost. The enemy's cannon mowed down the republicans with fearful havoc. The Americans on the right performed prodigies of valor; even after the few survivors of the centre had fled, they continued

the fight. They could not, however, obtain possession of the breastwork, and in the effort were nearly all cut to pieces. Only those that obeyed the order to retreat were able to get away from the field of battle. The fugitives continued their retreat, the Spanish cavalry pursuing, and butchering without mercy all whom they could overtake. At Spanish Bluff, on the Trinity, the enemy took seventy or eighty prisoners. These they marched to an island of timber at the then forks of the San Antonio and La Bahia roads, where they dug a long and deep grave, laid a piece of timber across it, and, after tying the prisoners, set them by tens on the timber, and shot them. Only ninety-three Americans succeeded in reaching Natchitoches. Among them were Colonel Perry, Captain Joseph Taylor (badly wounded), and Captain Bullard, who had acted as aid to Toledo during the battle. Thus ended the disastrous war of 1812 and 1813.*

The victorious party in Texas pursued with vengeance every friend of the republican party. The town of Trinidad, at Spanish Bluff, was utterly desolated. Those of the inhabitants who did not make their escape were cruelly butchered at a hill a few hundred yards west of Robbins's ferry, known as the *Loma del Toro*, or Bull's hill. The republicans of Nacogdoches fled to Louisiana. The survivors of the *neutral ground* returned to their old haunts, and formed a nucleus around which subsequent revolutionists might rally.

General Toledo, as the head of the republican party in Texas, planted his standard on the left bank of the Sabine, at

* It will not be deemed surprising that we have no detailed account of the important events of the Gachupin war, when we remember that during the same period there was a war in the United States, and also one in Mexico. The public mind was thus drawn away from the military movements in Texas. It is more than probable that the war between the United States and Great Britain, by drawing into its vortex the adventurous spirits of the southwestern states, saved Texas from a successful revolution in 1813.

the old Saline near Gaines's ferry, and invited thither whosoever chose to engage in the war.*

Two days after the battle of the Medina, which was fought on the 18th of August, 1813, General Arredondo, having his wagons loaded with wounded and dying, marched in triumph into San Antonio. Here commenced a scene of barbarity which that place had never before witnessed. Seven hundred of the peaceable citizens were seized and imprisoned. Three hundred of them were confined during the night of the 20th of August in one house, and during the night eighteen of them died of suffocation. From day to day the others were shot, without any form of trial! The cruelty of the Spanish commander went even further. He had a prison for females. It occupied the site of the present postoffice of San Antonio, and was tauntingly called the *Quinta*. Here were imprisoned five hundred of the wives, daughters, and other female relatives, of the patriots; and, for being such, they were compelled daily to convert twenty-four bushels of Indian corn into the Mexican cakes called *tortillas*, for Arredondo's army. After thus having satisfied his appetite for blood and revenge, the royalist commander found an opportunity, about the first of September, to collect and bury the bones of Salcedo and his staff. By this time, Elisondo, who had proceeded as far as the Trinity in pursuit of the fugitives, returned, driving before him on foot the widows and orphans of those he had there slain. The property of the patriots was all confiscated.†

* Foote, vol. i., p. 192.

† Colonel Navarro's account, as furnished me by F. Giraud, Esq. In 1822, Governor Trespalacios, in crossing the Medina, on his way to Bexar, passed over the battle-field of the 18th of August, 1813. It was strewn with human bones. He had them collected, and buried with military honors. On a large oak he placed a tablet with this inscription: "HERE LIE THE BRAVES WHO, IMITATING THE IMMORTAL EXAMPLE OF LEONIDAS, SACRIFICED THEIR FORTUNES AND LIVES, CONTENDING AGAINST TYRANTS." — *Navarro.*

CHAPTER XIV.

FROM 1808 to 1815, Spain had no diplomatic intercourse with the United States.* The gigantic policy of Napoleon had, for the time, blotted her out from the list of nations. It will be remembered that she still held possession of East Florida, and claimed West Florida, as also Texas; while the United States likewise claimed the two latter provinces by virtue of the purchase of Louisiana. While Spain was thus overwhelmed at home, her possessions in America were either in a state of open revolt, or subject to fall into the hands of any of those powers with whom the mother-country was at war.

The people of West Florida assembled in convention at Baton Rouge, on the 26th of September, 1810, declared their independence, and transmitted their declaration to the United States, requesting to be taken under their protection.† The Congress of the Union having authorized President Madison, on the happening of certain contingencies, to take possession of the country, he accordingly issued his proclamation, and, on the 27th of October following, directed Governor Claiborne to annex West Florida to the then territory of Orleans,‡ which was done.

By the joint resolution of Congress of the 15th of January,

* American State Papers, vol. xi., p. 54.

† Ib., vol. vii., p. 482, *et seq.* ‡ Ib., p. 480.

1811, the president was fully empowered, in the event of an attempt of any foreign power to occupy any part of East Florida, to take possession of the same for the United States.* We have already seen what was done in Texas. In Mexico, the war still continued. The vigorous conduct of Calleja, who for his services had been appointed viceroy, had rendered the royal cause victorious over the entire country, with the exception of Guanaxuato, Valladolid, and Zacatecas. Morelos, however, summoned a congress at Chilpanzingo, which published a declaration of independence. But the political movements in Europe, on which the ability of Spain to support her cause in Mexico depended, had become more favorable. Bonaparte, at the close of 1813, was compelled to restore the Spanish crown to Ferdinand VII.;† and, by the treaty of April 11, 1814, the former renounced the sovereignty of France, and retired to Elba. This enabled Spain to concentrate her forces against her rebel colonies.

In the meantime, Toledo had temporarily left his headquarters at Gaines's ferry, and was engaged in the United States collecting forces, arms, and assistance, for the prosecution of the war in Mexico. The Mexican Congress had sent Manuel Herrera as commissioner to the United States, to represent the interests of the Mexican republicans. He brought with him blank commissions, which, unfortunately, he distributed to persons of every character and nation.‡ Generals Toledo and Humbert, however, succeeded in raising a small force, together with supplies of ammunition and provisions, which they transported to El Puente del Rey, between Vera Cruz and Jalapa. This place was fortified by the republicans. Morelos, hearing of this arrival, and being sorely pressed by the royalists, set

* American State Papers, vol. xi., p. 391.
† Treaty of Vallençay, December 8, 1813.
‡ American State Papers, vol. xi., p. 56.

out on his march to join Toledo; but on the way he was captured and shot.* With the death of Morelos, the revolutionary cause languished for some years.

Notwithstanding this ill success, efforts were not wanting, in the southwestern portion of the American confederacy, to get up a campaign against Texas. Many of the leading republicans of Mexico, being compelled to fly their country, took refuge in the United States. Their condition and recitals naturally increased the sympathy felt for their cause. The peace of Ghent gave leisure to the adventurers of the latter country, and their attention was turned to Texas. True, this province had again fallen into the hands of Ferdinand VII.; but, in the various disputes and collisions between the United States and Spain, the people of the former had acquired a thorough contempt for the house of Bourbon. The triumphs of Bonaparte had broken the charm of idolatry which had so long hung over this corrupt and imbecile line of kings. Indolence and intermarriages had deprived them of energy, liberality, and wisdom; and, though they still held the nominal sovereignty of New Spain, their power had departed for ever.

It was through the influence of the Mexican clergy, who were directly dependent upon Spain, that the first effort at revolution failed. It needed, then, only a diversion of that influence to rekindle the flame, and consume the last vestige of European authority in Mexico.

Those most influential in getting up a second invasion of Texas were José Alvarez de Toledo, Julius Cæsar Amazoni, Vincent Gamble, John Robinson, Romain Very, Pierre Soemeson, Bernard Bourdin, and Colonel Perry. All these, except the last-named, were indicted in the United States district court of Louisiana, in 1815, for a violation of the neutrality of the

* Niles's Mexico, p. 149.

Union.* This had a tendency to check their movements. But Colonel Perry, though vigilantly watched, made his way, with a few followers, through Attakapas, to a point two leagues west of the Sabine, where they assembled more. From this point they embarked for the coast of Mexico, but adverse winds compelled them to return.†

Perry was a bold, active, and persevering officer, and not easily discouraged by misfortune. He had shown this by remaining at San Antonio after the treachery of Gutierres; and, notwithstanding his narrow escape at the battle of the Medina, his privations in the retreat, and the difficulty of raising and providing for troops, he still persevered in his intentions against Mexico. As his movements are connected with the first occupation of Galveston island, it will be necessary to refer to it.

From the discovery of the island in 1686, by the colony of La Salle, until 1816, it had remained unsettled. A few roving Carankawaes occasionally resorted to the western end of the island for the purpose of fishing, but there were no human habitations on it. In fact, there is reason to believe that, since 1686, it has more than doubled in extent, by the recession of the waters of the gulf. In the beginning of the year 1816, it was covered with long green grass, on which fed herds of deer. It also abounded in serpents, from which it was called, by the pirates of the gulf, *Snake* island.

Some of the piratical vessels of Barrataria had sailed into Galveston bay, and made known the capacities of the harbor. Don José Manuel Herrera, the minister of the Mexican patriots to the United States, learning from them that it would answer his purposes, took steps to have it occupied. Accordingly, he sailed to the island on the first of September, 1816, taking with him Don Luis Aury, who, as commodore of the

* American State Papers, vol. xi., p. 307. † Ib., p. 305.

fleet of the republics of Mexico, Venezuela, La Plata, and New Grenada, commanded a squadron of twelve or fifteen small vessels. On the 12th of September, a meeting was held, and a government organized. Aury was chosen civil and military governor of Texas and of Galveston island. He took the oath of fidelity to the republic of Mexico; the several branches of public administration were arranged, the republican flag was raised, and Galveston declared a part of the Mexican republic. From this time until the 20th of October the minister and the commodore were engaged in completing their system. Among other provisions was one permitting Governor Aury, if he should deem it necessary, to change his residence to Matagorda, or any other more suitable place.*

The vessels of Aury were immediately sent out as privateers to cruise against Spanish commerce; and so active and energetic were they in this business, that they completely swept the Mexican gulf of the shipping of the mother-country. The proof of this fact is to be found in the numerous complaints laid before the government at Washington by the minister of Spain.

But Galveston was likewise to be the rendezvous of a force to operate by land. Xavier Mina, a native of Navarre, who had distinguished himself in the peninsular war against the

* American State Papers, vol. xii., p. 424; vol. xi., p. 345. Luis de Aury was from New Grenada. He entered as a lieutenant in the navy of the republic, on the 9th of June, 1813. On the 10th of August, 1816, he was appointed commandant-general of the naval forces of New Grenada stationed at Carthagena. To his generosity and intrepidity hundreds of men, women, and children, were indebted for their safety at the memorable siege of that city, when with three small vessels he broke the line of the royalist squadron of thirty-five sail, and thus escaped the hands of the cruel Morillo. This was on the 6th of December, 1815.—*Ib.*, vol. xii., p. 410. The collector of New Orleans, in his official letter of August 1, 1817, says: "The establishment at Galveston was recently made there by a Commodore Aury, with a few small schooners from Aux Cayes—manned in a great measure with refugees from Barrataria, and mulattoes." He does Aury injustice by confounding him with the Lafittes, as the facts will show

French, being compelled to leave his country, fled to England, whence, with fifteen officers, mostly Spanish, he sailed for the United States. He seems to have brought with him a considerable amount of funds. At all events, on the 27th of September, 1816, with three vessels, containing about two hundred troops, together with arms, ammunition, and military stores, he sailed to Port-au-Prince, with the view of emancipating Mexico. General Toledo, hearing of the arrival of Mina at Baltimore, proceeded to that city to consult with him. A despatch from Don José Feurtes, the confidential minister of the Spanish government at Havana, had been intercepted by the patriots, from which they were informed that Spain would not transfer the Floridas to the United States. On this intelligence they based their intended operations. The two generals were to meet at Port-au-Prince, and from that point make a combined attack upon the Floridas, wrest them from Spain, establish there a free government, and make them the asylum of the unfortunate emigrants from New Grenada and Venezuela, who, obliged to fly their country, were perishing in the West Indies; and, when the new government should be established, ask its incorporation with the American Union. Such was their plan, and, in accordance with which, Mina had sailed for the place of rendezvous. Two causes prevented its execution: Mina was partly wrecked in a storm; but, what was of most importance, Toledo deserted him, and went over to the king of Spain.*

This sudden change of affairs produced two results: it caused Spain to agree to the cession of the Floridas to the United States; and Mina to sail to Galveston, for the purpose of co-operating with Aury and Colonel Perry. Mina arrived

* Don Vicente Pazos to President Monroe. American State Papers, vol. xii., p. 402, *et seq.*

at Galveston on the 24th of November, 1816.* Texas at this time was in a deplorable condition. San Antonio, prostrated and ostracised by the war of 1812–'13, was nearly deserted;† the people of Nacogdoches, fugitives from their homes, were wandering on the frontiers of Louisiana.‡ In the entire province there were not more than two hundred Spanish troops. Galveston alone, so lately occupied, seemed to be in a prosperous condition — prosperous, because fed by the industry of Governor Aury's privateers. Unfortunately for Aury, he had taken into his service some men of bad character, who did not confine themselves to depredations against Spanish commerce. Three or four American vessels, engaged in a lawful trade, became victims to their cupidity. Governor Aury had on the island his court of admiralty, in which he sat as judge. Among the prizes taken were many Spanish slavers. The slaves were brought into Galveston. It became a question of some importance what to do with them. The new government had no use for them; there were no purchasers for them in Texas; it would not do to return them to the enemy; and it was a violation of the laws of the United States to introduce them there.‖ The latter alternative, however, as most profitable and convenient, was adopted. There were two modes of transferring these captive negroes into the United States: one by water, through the bayou La Fourche; the other by land, from Point Bolivar to Bayou Bœuf and Alexandria. The Barratarians, who had engaged in the service of Aury, undertook the former mode. They were well acquainted with all the outlets of the Mississippi, and likewise with the inhabitants of La Fourche. Those of Louisiana wishing to purchase would repair to Gal-

* Kennedy, History of Texas, vol. i., p. 291.
† American State Papers, vol. xi., p. 346. ‡ Bean's Memoirs.
‖ Letter of Vicente Pazos. American State Papers, vol. ii., p. 416.

veston, the mouth of the Sabine, or Calcasieu, and engage the lot they wanted, which were afterward driven to them by night. Those introduced by land were purchased by companies, brought to a customhouse-officer in Louisiana, and denounced as imported Africans. They were then sold under the law by the marshal, repurchased by the company, who as informers obtained half of the purchase-money, and by them resold to the planters. The price of negroes at Galveston was a dollar per pound, or, on an average, one hundred and forty dollars per head.*

The rich and valuable prizes brought into Galveston supported the establishment handsomely. The troops and officers were regularly paid at the end of every month. Provisions and munitions of all kinds were readily procured from New Orleans. General Bernardo Gutierres, as agent at Natchitoches, was promptly supplied with funds.† The government of Aury kept up a regular correspondence with the patriots in Mexico, through the port of Nautla.

The chiefs at Galveston consisted of Aury, military and civil governor of Texas, with a command of three or four hundred men, besides his privateers; Colonel Perry, stationed at Bolivar point, with about one hundred men; and Xavier Mina, with some two hundred more. Each of the commanders, ambitious of distinction, and bound to obedience by no superior authority, manifested more or less jealousy of the others. The object of the latter two was to invade Mexico, but in this project they did not have the hearty co-operation of Aury. Nevertheless, preparations were made for the invasion. In March, 1817,

* Letter of John J. Bowie to De Bow's Review, 1853. The three Bowies—Reson, James, and John—made sixty-five thousand dollars in this trade. On one occasion, in 1818–'19, a lot of negroes escaped from James Bowie, on the route to Alexandria. They were perhaps taken off by the Indians. He pursued them to the upper waters of the Colorado, but the Indians became so hostile, that he returned without effecting his object.

† American State Papers, vol. xi., p. 346. Kennedy, vol. i., p. 293.

one of Aury's privateers captured a Spanish vessel from Tampico, and from its correspondence learned of the defenceless condition of Soto la Marina, a town standing on an elevation, on the left bank of the Santander, about sixty miles from the mouth of the river. The three commanders immediately determined to take possession of that place. Accordingly, on the 6th of April, they sailed, with their entire naval and military force,* and the town fell into their hands without opposition.

It is proper here to remark that, in this expedition, Colonel Perry disclaimed the authority of Aury, and placed himself under the command of Mina. Aury, after landing the force, disgusted with what he chose to call the insubordination of his co-ordinate chiefs, left them and returned.

General Arredondo, commandant-general of the northeastern internal provinces, receiving intelligence of this invasion, took measures to raise a large force for meeting it. Mina, after fortifying and arming his position at Soto la Marina, was ready to march into the interior, his force consisting of only three hundred men. Colonel Perry, after declaring that the force was too small to effect anything, and that to advance would end in their destruction, determined to abandon the expedition. He did so, taking with him about fifty of his men.†

General Mina, although left with so small a force, was in no wise discouraged, and set out on his march. On the 8th of June, 1817, he gained a victory, at Valle de Mais, over four hundred cavalry. At Peotillos, on the 14th, he defeated an army of seventeen hundred men; but in this last battle his loss in killed and wounded was fifty-six. On the 18th, he took Real de Rinos with its garrison of three hundred men; and,

* Letter of Vicente Pazos. American State Papers, vol. xii., p. 409.

† Kennedy, vol. i., p. 296.

after various successes and reverses, he was defeated and captured by General Orrantia, at Venadito, on the 27th of September, 1817, and by order of the viceroy Apodaca was shot at Remedios on the 11th day of November.*

We will now return to Colonel Perry. He set out on his march by land to return to the United States. For three hundred leagues he was compelled to traverse the territory of the enemy. Shortly after his departure from Soto la Marina, the forces of Arredondo attacked and recaptured that town, while a detachment of two hundred royalist cavalry was despatched in pursuit of the retreating republicans. Unconscious of this enemy in his rear, Perry advanced to La Bahia, the scene of so many battles with Salcedo. He immediately demanded the surrender of the garrison; but, while the necessary negotiation was in progress, the royalist cavalry came up. The garrison, encouraged by this unexpected aid, sallied out of the fort; and Perry found himself engaged, in front and rear, by an enemy of five times his own numbers. He continued the unequal conflict, however, until every one of his men had fallen! Seeing himself thus helpless, the intrepid soldier blew out his own brains with his pistol†—thus ending his life as did his gallant commander Magee, at the same place, five years before.

Let us now recur to Galveston. Jean Lafitte, it appears, was the eldest of three brothers, natives of Bordeaux in France. At an early age he ran away from home, and joined a British vessel-of-war. His father pursued him, and brought him back. He absconded the second time, and joined the British frigate Fox. Here, after serving for some time, he deserted, and went to live with a French family at Deptford. He did not remain long in this family, but, finding quarters in a vessel for South America, he took passage, and went to Carthagena,

* Kennedy, vol. i., pp. 298, 299.

† Ib., p. 297.

and afterward to Santa Martha, which last-named place he for a time made his home. Here he managed to fit out a privateer, with which he often visited the coasts of the United States, particularly Charleston. But, having killed a rival in an affair of the heart, he left that port, and frequented the West India seas.* In the year 1807, the United States laid an embargo upon foreign commerce, which offered great temptation to persons of easy virtue to engage in illicit trade. New Orleans afforded a good market; while the various bays, lakes, and bayous, about the mouth of the Mississippi, furnished a secure retreat and means of smuggling.

The island of Grand Terre, situated about sixty miles from the delta of the Mississippi, stands in the entrance of a lake behind it, which connects by a narrow pass on each side of the island with the gulf of Mexico. The surface of the island is undulating, and covered with a small growth of wood, and its waters abound in turtle and fish. Previous to its occupation by the buccaneers, it was uninhabited, but frequented by fishermen. About the year 1810 or 1811, it was selected as the rendezvous of individuals of various nations, who, driven from their homes by the wars which for so many years had ravaged Europe and America, had engaged in a clandestine and lawless trade.† From the nature of this traffic, the island soon obtained, by general consent, the name of *Barrataria*.‡ Though there were many leaders engaged in this business, and connected by no other tie than that of plunder, yet Jean Lafitte, from the superiority of his privateers, his prudence in their

* Such is the account given of Lafitte by his favorite lieutenant, "Jim Campbell."—*United Service Magazine*, 1852.

† Proclamation of President Madison, February 5, 1815.

‡ From *barat* (an old French word), signifying *strife, deceit;* hence *barratry* (in commerce), any species of cheating or fraud, in a shipmaster, by which the owners or insurers are injured—as, by running away with the ship, &c.—*Webster, in loc.*

management, and the completeness of his arrangements, soon acquired over the other chieftains of Barrataria an authority and power nearly absolute. His two brothers, Pierre and Henri, or Antoine, were located at New Orleans, and acted as his factors in disposing of his prizes, and in furnishing him with supplies. So adroitly did Jean manage this business, that, though his brothers were often brought within the clutches of the law, he always escaped. In addition to his other advantages, he had interested in his business many of the principal merchants and traders in and about New Orleans. Thus, in a year or two, the honest and fair traders of that city were greatly injured, and the public morals so corrupted, that the state of Louisiana was well-nigh disgraced.*

To correct this state of things, Governor Claiborne, on the 15th of March, 1813, issued a proclamation, commanding the Barratarians to disperse. Failing in this, the governor then offered a reward of five hundred dollars for the head of Jean Lafitte. The daring freebooter replied by an offer of fifteen thousand dollars for the head of his excellency! The latter, seeing his authority thus set at defiance, sent a company of militia to Barrataria, to break up the establishment. Unfortunately, it was commanded by one of Lafitte's old captains. Lafitte surrounded them, loaded them with presents, and sent them home.† All these steps being reported to President Madison, Commodore Patterson, of the United States navy, was ordered, early in 1814, to destroy the establishment.

Accordingly, on the 11th of June, 1814, the commodore left New Orleans, accompanied by Colonel Ross and seventy-one

* Report of the grand-jury of the United States district court of Louisiana, July 28, 1814.

† De Bow's Review, 1851, and United Service Journal, 1852. The author of the article in De Bow is certainly not much acquainted with the Texan portion of Lafitte's history.

picked men of the 44th regiment, United States infantry. He took with him the schooner Caroline and the United States gunboats at the Balize. On the morning of the 16th he reached Barrataria. The town consisted of about forty houses, of different sizes, badly constructed, and thatched with palmetto. The vessels of the freebooters consisted of six fine schooners and one felucca, as cruisers, and one armed schooner, under Carthagenian colors. The rovers came out to meet the commodore, and formed their vessels into line of battle, having mounted on them twenty pieces of cannon, and exhibiting a force of eight hundred or a thousand men. But when they saw the commodore determined, and still advancing, they abandoned the place and fled, concealing themselves in the numerous morasses of the surrounding country. The commodore returned to New Orleans on the 23d of June, bearing with him the vessels and spoil of Barrataria.

This expedition so crippled the freebooters, that they could only operate afterward with great secrecy. The war between the United States and Great Britain prevented further attempts against them. They were, however, approached by the British in a different manner. On the 3d of September, 1814, Captain Lockyer, commander of his majesty's man-of-war Sophia, put in to the shore at Barrataria, and offered Lafitte the rank of post-captain in the British navy, the command of a frigate, and thirty thousand pounds sterling, to join his majesty's forces. Lafitte asked two weeks' time to consider the proposal, giving the captain some hope, however, that he would accept it.

The next day, Lafitte enclosed the written propositions to Governor Claiborne, writing him also a polite letter, tendering his services to the United States, on condition that he and his adherents should be protected from further interruption. The offer was accepted; and Lafitte and his men, stationed at the

guns near the *levée*, on the 8th of January, 1815, did such service as to call forth a general pardon from the president of the United States.*

The vigilance of the government, and the promises of Lafitte, prevented him from re-establishing himself at Barrataria. After a visit to Washington city, in which he squandered his wealth with princely profusion, he endeavored to establish his headquarters at Port-au-Prince,† but failed. While he was wandering over the gulf of Mexico with his adherents, Aury sailed from Galveston on the expedition against Soto la Marina; and, in a few days afterward, the island was occupied by the buccaneers of Lafitte.

The number of his followers on the island was about forty persons. On the 15th of April, 1817, the captains and owners of vessels then present, consisting of Louis Itourribarria, Louis Derieux, A. Pironneau, John Ducoing, Rousselin, Rd. Espagnol, and Bartholomew Lafon — seven in all, Lafitte not choosing to have his name used — met on board the schooner Carmelita, for the purpose of taking the necessary oath of fidelity to the Mexican republic. Derieux, as commandant, was duly sworn by Itourribarria; the others were severally sworn by Derieux. Having reduced this proceeding to writing, they signed it, and filed it as an evidence of the existence of a government at Galveston.

By the 20th of the month, other sailing-craft had come in; and, after due notice given, all the captains and owners of vessels assembled on board the schooner Jupiter, and proceeded to choose officers, and lay down such rules of government as they required. Derieux was confirmed as military commandant, Pironneau was appointed adjutant commandant, Ducoing

* Dated February 5, 1815.

† Letter of Collector Chew; American State Papers, vol. xi., p. 351.

judge of admiralty, Rousselin administrator of the revenue, Espagnol secretary of the public treasury, and Jean Jannet marine commandant of the place.*

The laws established by the buccaneers consisted of regulations concerning the mode of distributing the gains of their profession, and the payment of the officers' salaries.

This new government had not the odor of legitimacy which attached to that of Aury. The latter was duly appointed by Manuel Herrera, commissioner from the Mexican republicans to the United States; and Herrera certainly received his appointment from President Morelos.† Whether with or without the sanction of Aury, the Lafitte government stipulated for the payment of all the old debts of Aury's administration, provided the creditors were not *non-residents*. This clause had the happy effect of withdrawing from Aury's banners such of his followers as held claims against the old government.‡

The extent of Lafitte's authority as a cruiser will appear from a statement of his connection with Colonel Ellis P. Bean. In the latter part of 1814, Bean was despatched by General Morelos, the then president of the revolutionary party in Mexico, on a mission to the United States, to procure aid for the patriot cause. At the port of Nautla, Bean found one of Lafitte's vessels, Captain Dominic master, and, informing him of his business, was taken on board, and landed at Barrataria. Here Bean saw Lafitte, and imparted to him the object of his mission. The buccaneer-chief conducted him by a near way to New Orleans; and, upon an invitation from General Jackson, with whom Bean was an old acquaintance, the latter took command of one of the guns at the *levée* on the 8th of January, and fought by the side of Lafitte in that battle. It was from

* American State Papers, vol. xi., pp. 358, 386, *et seq.*

† See Bean's Memoirs.

‡ See Appendix No. 3.

Colonel Bean that General Jackson received a detailed account of the conduct of the Barratarians on that day. Lafitte, being pardoned, and hoping for more honorable employment through the agency of Colonel Bean, furnished a fine schooner to transport the latter, and the munitions he had procured, back to Nautla. There is no doubt but that Bean gave Lafitte a commission to cruise against the enemies of the Mexican republican party; but, whether this commission was given before or after the battle of New Orleans, is uncertain. We are also informed, from Colonel Bean's letters, that this appointment was afterward confirmed by the republican authority in Mexico.*

* These facts are collected from Colonel Bean's letters to Captain William Shaw, his uterine brother (MS.).

CHAPTER XV.

COMMODORE AURY, having returned to the coast of Texas about the 10th of May, 1817, put in at Matagorda bay, for the purpose of making preparations to remove his government to that point; and, after spending some days at this place, he proceeded to Galveston. At his departure from the island on the 5th of April, he had burnt and destroyed all the houses and cabins, leaving only an advice-boat and his collector, Pedro Rousselin. But when he returned, he found the Lafitte government in "full blast," and his collector Rousselin occupying the same office in the new administration! He found also that the place had degenerated into a nest of pirates; that the privateers cared little for the nationality of the vessels they met with on the sea, provided the cargo was valuable; and that, although Ducoing was pretending to act as judge of admiralty, yet his decisions were dictated by the captors, who, unless it suited their interest or convenience, would not even furnish him with a paper on which to form a judicial opinion.* Aury, to acquit himself of the charge of being connected with these offenders, addressed a letter to Manuel Herrera, the Mexican minister, dated July 21, 1817, informing him that he had for the present determined to abandon Galveston, that he had

* Letter of Captain Charles Morris, of the navy: American State Papers, vol. xi., p. 376.

taken Rousselin the collector with him, and that all proceedings there after the 31st of July would be without his consent. He addressed a similar letter to Beverly Chew, the collector at New Orleans, on the 28th of the month.*

But Aury did not remain long at Matagorda. When Toledo deserted the patriots and went over to the royalists, he communicated to the Spanish government the designs of the former upon Florida. Spain then concluded to cede that province to the United States. Of this fact the patriots received intimation, and took immediate steps to conquer the territory in question before Spain should part with it. The agents of the revolted colonies of Venezuela, New Grenada, Mexico, and La Plata, then at Philadelphia, on the last day of March, 1817, commissioned Sir Gregor M'Gregor to take immediate possession of both the Floridas.† Accordingly, on the 30th of July following, he took possession of the small island of Amelia, lying on the west of the peninsula, between the mouths of the St. John and St. Mary rivers. Aury, getting news of this, hoisted sail, taking a final leave of Texas, and went to assist M'Gregor in his conquest.‡

By the close of the year 1817, the followers of Lafitte on Galveston island had increased to nearly a thousand men. They were of all nations and languages — refugees from justice and victims of oppression, who had fled from their own countries, and, hearing of his prosperous state, came hither to find employment. Lafitte made a show of fair dealing, and obtained commissions from some of the revolted colonies of Spain; but,

* American State Papers, vol. xii., p. 423; ib., vol. xi., p. 355.

† See his commission, American State Papers, vol. xii., p. 421.

‡ Ib., pp. 408, 409. Aury, after serving the cause of the patriots for some years, returned to New Orleans, and, being a fine-looking man, married a rich widow. Some time after, however, they separated; and, as late as 1845, he was residing at Havana. — *United Service Journal*, 1852.

though he assumed to act as a privateer, he was in reality a pirate, and so were his chief men. The names of Dominic, Jim Campbell, Churchill, Franks, Roach, Lambert, Marotte, Pluché, Giral, Felix, Lopez, and Brown, his active lieutenants, were a terror to the commerce of the gulf of Mexico.* Complaints of their rapacity were repeatedly made at Washington city; and the authorities of the United States would have broken them up, but for the Spanish minister. The island of Galveston was claimed by both governments; and the jealousy of Spain would not suffer that the United States should disperse the buccaneers from their haunt, lest the latter power should afterward hold it on her own account.† On the other hand, as Spanish commerce suffered ten times as much by their depredations as that of any other country, if that government was willing to submit to it, of course, the United States ought not to object! In fact, Lafitte's men inflicted on Spanish commerce in the gulf a blow from which it has never recovered. It was a retributive justice visited upon that nation for her bigoted adherence to the royal exterminating order of Philip II. They had sown to the wind, and had reaped the whirlwind!

About this time, Texas was reinforced by a party of French under General Lallemand, of the artillery of the imperial guard. After the second restoration of the Bourbons, several of the military officers of Napoleon retired for safety to the United States. They were kindly received; and a large tract of the public lands in Alabama was given them, on condition of their cultivating there the vine and the olive. They were not, however, successful. Some of them, attributing the failure to the climate, sought one more favorable. Among these were Generals Lallemand and Rigaud. They were about a hundred

* United Service Journal, 1852. † American State Papers, vol. xii., p. 11.

in number; and, proceeding up Galveston bay and Trinity river, they settled at the first high land. After erecting a fort, they prepared for cultivating the soil. But the scarcity of provisions, the privations they underwent, and the jealousy of the Spaniards, soon induced them to return to Galveston, where they added grace and elegance to the society of Campeachy. General Lallemand returned to the United States, to furnish them with an excellent treatise upon artillery. Many of his followers remained upon the island, and probably others proceeded to New Orleans. They were on excellent terms with the Indians, and it is probable that, if they had not been interrupted by the Spaniards, they would have ended their days at the *Champ d'Asile*, the significant name given by Lallemand to their settlement.

Lafitte was a well-formed, handsome man, abont six feet two inches in height, strongly built, with large hazel eyes, black hair, and generally wore a mustache. He dressed in a green uniform and an otter-skin cap. He was a man of polite and easy manners, of retired habits, generous disposition, and of such a winning address, that his influence over his followers was almost absolute. He located his town on the ruins of Aury's village, built him a house, which he painted red, and threw up around it a fort. Very soon many other houses were erected. His followers, who had wives or mistresses, brought them there, and society at Galveston, whatever may be said of its morals, began to have all the elements of permanency. Through New Orleans they were supplied with building-materials and provisions; a "Yankee" boarding-house sprang up; and, to complete the establishment, they constructed a small arsenal and dockyard.*

* United Service Journal. The knowledge we have of Lafitte's establishment was acquired through the agents of General Long, who visited him in 1819, and were entertained by him with great hospitality for some weeks.

The Cooshattie Indians, who, out of regard to the Spaniards, had emigrated west as far as the banks of the Trinity, were constant visiters at Galveston. So likewise were the Carankawaes, who sometimes resorted to the west end of the island. On one occasion, some of Lafitte's men stole away one of their best-looking squaws, and detained her. Determined to have revenge, the Indians sought an opportunity, when a party of the buccaneers were hunting down on the island, and killed four of them.

When the Indians came over from the main land, they left their canoes in an inlet on the bay-side, and encamped at the "Three Trees." This fact was soon known at Campeachy (the name Lafitte had given his town), and preparations were made to attack them. They were about three hundred strong. Lafitte marched against them with two hundred men and two pieces of artillery. The battle consisted of repeated skirmishes, and lasted two or three days. The Indians were at length compelled to retreat to the main land, with a loss of thirty killed, and a large number wounded. Lafitte lost none of his men, but had many wounded with arrows. The Carankawaes once again ventured to come on the island while Lafitte was there, but fled on the approach of his men sent against them. It was this conduct of the pirates toward these Indians that afterward made the latter so hostile to the Texan colonists under Austin.

The condition of the settlements on the frontiers of Louisiana, and the other states bordering on Florida, had now become such, that an immediate treaty of limits was indispensable. Spain having announced her willingness to part with the Floridas, the main difficulty was in settling the boundary between Louisiana and Texas. The United States proposed the Colorado: Spain proposed a line near Red river. In the discus-

sions between the two governments in 1803, Mr. Pinkney had offered, as a consideration for certain territory, that the United States would guaranty to Spain her possessions west of the Mississippi. At that time Spain did not want that guaranty; but in 1818, the Spanish government, as a condition of the cession, insisted upon this guaranty, which the United States refused. This point being settled, the American government first proposed, in lieu of a guaranty, to make a desert of twenty leagues west of the Colorado. It then modified it by proposing that for thirty miles on each side of that river no one should be permitted to settle. The cabinet of Madrid wisely refused such a proposition, but whether with a wise motive is doubtful. At last, the Sabine was agreed on as the boundary-line between the two nations, and the treaty was signed on the 22d of February, 1819.*

This treaty, though ratified by both governments, was unsatisfactory to many, inasmuch as it bartered Texas — to which they considered that the United States had a just claim — for Florida, which they did not esteem as valuable. As it was a fundamental maxim with the United States never to relinquish any part of her territory, the demurrers to the treaty considered the abandonment of Texas to Spain as a violation of that maxim, and of the constitutional integrity of the Union. This dissatisfaction continued, and was only allayed by the disruption of Texas from Mexico in 1836, and her reannexation to the Union in 1845.†

* American State Papers, edition of 1834, vol. iv.; *Foreign Relations*, vol. iv., p. 517, *et seq.*

† Henry Clay (speech of April 3, 1820), speaking of the cession of Texas to Spain, said it was unconstitutional, as being beyond the treaty-making power in the government. Robert J. Walker (letter to the people of Carroll county, Kentucky, in 1844) says it was a violation of our treaty of 1803 with France, by which we pledged ourselves to that nation, as well as to the people of the territory, to incorporate them into the Union.

The province of Texas, unconscious of these negotiations of the high contracting parties, and prostrated by the Gachupin war and the terrible visitation of the conquerors, had almost relapsed into a state of nature. But preparations were making at Natchez to bring her again to life. A public meeting was held in that place early in 1819, and a company of volunteers raised for the invasion of Texas. The command was tendered to Dr. James Long, formerly of Maury county, Tennessee. He had been a surgeon in Carroll's brigade at the battle of New Orleans, and at the close of the war had settled at Natchez, where he was pursuing his profession. He accepted the command, and, on the 17th of June, set out on his march with a force of seventy-five men,* continuing his course without opposition to Nacogdoches. On the route he had received large additions to his party, so that at Nacogdoches he mustered a force of about three hundred men. Among them were Colonel Samuel Davenport (the contractor in Magee's expedition), Bernardo Gutierres, and other refugees from Texas, who sought this opportunity of returning to their conntry, from which they had been absent about six years.

On arriving at Nacogdoches, General Long and the leading patriots established a provisional government, controlled by a supreme council. This council was composed of Horatio Bigelow, Hamlin Cook, Stephen Barker, John Sibley, Samuel Davenport, John G. Burnett, J. Child, Pedro Procello, and Bernardo Gutierres. The council issued a declaration, proclaiming Texas to be a free and independent republic.† They then proceeded, in a few days, to pass such laws in regard to their organization, the raising of revenue, and the disposition of the

* Foote, vol. i., p. 203, *et seq.*

† Mr. Foote says, in his account of the affair, that the council met on the 22d of June, and declared their independence the next day. This must be an error, if they left Natchez on the 17th.

public lands, as their present necessities required. Among their land-laws, they provided for the sale of lands on Red river at not less than one dollar per acre, and other lands farther in the interior at prices corresponding with their quality. One fourth of the purchase-money was to be paid in cash, and the balance in annual instalments. They also established a printing-office, the first in Texas, of which Mr. Bigelow was the editor.

The next step taken was to occupy the country. David Long, a brother of the general, was despatched with merchandise to the upper crossing of the Trinity, to trade with the Indians. Major Smith, who had come with a command of forty men, by way of Galveston, was stationed at the Cooshattie village on the Trinity. Captain Johnson was sent to establish a trading-post at the falls of the Brasos. Captain Walker, with twenty-three men, was despatched to fortify the position a mile below the present town of Washington; and Major Cook was sent to Pecan point.*

Having made these dispositions, General Long was desirous of obtaining the aid of Lafitte. He accordingly despatched Colonel Gaines and another person to Galveston, to lay the matter before him. Arriving at Anahuac, they procured canoes, and coasted to the island. They were conducted to the "Red House," where, as previously remarked, they were received and treated with great hospitality by the pirate-chief. They made known the object of their mission, but received no aid. Lafitte informed them that General Long had his best wishes for his success; that he himself had been engaged for eight years in waging war against the royalists of Spain; but that the fate of Perry, Mina, and others, should be a warning against an invasion by land except with a considerable force.†

* Foote, vol. i., p. 205. † United Service Journal.

General Long, believing that a personal application to the buccaneer would meet with greater success, set out himself to visit Galveston. At the Cooshattie village, however, he received intelligence of the approach of the royalists, under Colonel Perez. He immediately despatched orders to his outposts to concentrate at the Cooshattie village, and hastened on his journey to Galveston.

During the general's absence, Major Cook, who had returned from Pecan point, and been placed in command of Nacogdoches, resumed his old habit of drunkenness. His example was readily followed by the republican garrison; and thus the post was rendered an easy prey to the enemy. General Long, meeting with no success at Galveston, returned to the Indian village before mentioned, where he was informed, by a letter from his noble wife, then at Nacogdoches, of the rapid approach of the royalists, and the wretched condition of the forces under Cook.

In the meantime, the royalists, on the 11th of October, 1819, attacked the trading-post of Captain Johnson on the Brasos, and took eleven of the party prisoners; while the others, seven in number, fled down the river to Walker's fort, at La Bahia crossing. They were pursued by three hundred and fifty of the enemy, who, on the 15th, attacked the fort, and drove the republicans out of it. The latter fled, leaving their arms, baggage, and provisions.

While the retreating forces of Walker and Johnson, about thirty-five in all, were making their way to the Cooshattie village, the royalists set out to attack the trading-post of David Long, on the Trinity. After a gallant defence, Long was killed, and his forces fled to Nacogdoches. They were pursued; but when the royalists entered the place, they found it entirely evacuated. General Long had barely time to escape with his family to the Sabine.

At Nacogdoches Colonel Perez sent a detachment of his men in pursuit of the fugitives, while with the main body he marched against the republicans under Major Smith, at the Cooshattie village. Smith, with the addition of Walker's and Johnson's commands, had about seventy-five men. Hearing of the advance of Perez, he retreated to a prairie on the river, about forty miles below the village, but was pursued, and a considerable battle was fought, in which there were several killed on both sides, but the republicans were routed and fled. The greater portion of them obtained canoes, and passed over the Trinity to Bolivar point, where they awaited the further orders of General Long. The latter, after conducting his family to Natchitoches, passed down, by way of Calcasieu, to Bolivar point, where he met the remnant of the republican army.* Here he established a fort, and fortified it. In this work he had the aid of Colonel Trespalacios. Having completed his arrangements, he repaired to New Orleans to obtain further reinforcements and supplies.

To return to Captain Lafitte. In 1819, he was taken into the service of the republican party of Mexico, and appointed governor of Galveston. But he soon got into a difficulty with the United States. A ferocious character, by the name of Brown, had applied to Lafitte to be taken into his service. After some hesitation, he was received, but with the express understanding that, if he interrupted the commerce of any other nation than Spain, he should be hanged. In October, 1819, Brown left the island, in command of two armed boats, and shortly after robbed an American vessel near the Sabine pass. The boats were pursued and captured by the United States revenue-schooner Lynx, Captain Madison, while the robbers

* James Bowie accompanied General Long in his first expedition. — *United Service Journal.*

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escaped to the land, and followed the coast to Bolivar point, and thence went over to Galveston. The Lynx sailed down to the island in pursuit of them. Lafitte, suspecting the object of Captain Madison, performed his promise to Brown, and hung him on a conspicuous gibbet. Captain Madison, seeing Brown thus suspended, could not suppose that Lafitte, the polite republican governor of Galveston, would harbor such men. He therefore sent his lieutenant, M'Intosh, over to the island, to demand Brown's associates. They were promptly delivered up. This conduct appeared satisfactory; yet the Lynx still hovered upon the coast. Lafitte, not wishing to be watched so closely, addressed a note to Captain Madison, informing him that Galveston belonged to and was in the possession of the republic of Texas, and was made a port of entry on the 9th of October, 1819; that he was appointed governor of the place; and that if the captain of the Lynx had any demands against him or his people, to make them known, and they should be attended to.* No further attention was given by the United States to the movements of Lafitte until the following year.

In 1820, among other depredations committed by Lafitte's cruisers, an American vessel was taken, plundered, and scuttled, in Matagorda bay. A commission, consisting of Messrs. Davis, Oliver, and Johnson, was sent by the United States to examine into the affair. Their report was unfavorable to Lafitte, which, together with the repeated complaints of the Spanish minister at Washington, induced the American government, early in 1821, to despatch Lieutenant Kearney, with the brig Enterprise, to break up the establishment at Galveston. Lafitte went over the bar to meet the lieutenant, conducted him to the "Red House," and treated him with that politeness and

* De Bow's Review, October, 1851. This letter of Lafitte was dated November 7, 1819.

hospitality which, as the prince of freebooters, he knew so well how to dispense; but Kearney's orders were positive, and were communicated to Lafitte. The buccaneer, therefore, immediately prepared for his departure from the island. He paid off his followers, supplied them with money, and gave them leave to disperse. He then sent to New Orleans for William Cochrane, one of his trusty lieutenants, who repaired to Galveston with sixty men. He had the Pride, his favorite vessel, got in readiness; and the very day he was to sail, General Long, with Colonel Milam and other recruits, reached the island. Long dined with Captain Lafitte; and the next tide carried outside the bar the Pride and other vessels comprising the fleet of the renowned buccaneer-chief, who abandoned the shores of Texas for ever.*

Before proceeding further with the movements of General Long, it will be proper to refer to the more important features of the Mexican revolution.

The viceroy Apodaca, who superseded Calleja in September, 1816, found that the royalists had rather dispersed than conquered the republicans; and, to win them back to their loyalty, he adopted a mild and pacific policy. This had almost the desired effect. The partisans of the revolution threw down their arms and surrendered upon the mild terms of Apodaca. This was so universal, that, with the exception of the country between the capital and Acapulco, there was not a single republican remaining under arms. In an almost inaccessible mountain on this road, however, the revolutionary chieftains Guerrero, Asensio, and Colonel Bradburn (of Virginia, who had gone to Mexico with Mina), had fortified themselves, and with some fifteen hundred followers made occasional excursions into the surrounding country.

* Lafitte and Cochrane still continued to cruise against Spanish commerce for some years. In 1822, the former visited Charleston. Cochrane was captured, and thrown into the castle of San Juan d'Ulloa, off Vera Cruz, where he remained till the close of the Mexican revolution, when he was received into the service of the new republic, and rose to the rank of commodore. Lafitte occasionally visited Sisal, and the island of Margarita, near the mouth of the river Orinoco. He died at Silan, a town of Yucatan, about fifteen miles from Merida, in 1826, and was buried in the *Campo Santo* of that place. — *De Bow's Review, October*, 1851; *United Service Journal*, 1852; *Letter of Thomas M. Duke, of May*, 1843, *to F. Pinckard.*

For the purpose of reducing this last stronghold of the revolutionists, the viceroy appointed General Iturbide to the command of the department of the south, and gave him a force of three thousand veteran troops. He had his headquarters at Iguala, on the road to Acapulco, and about eighty miles from the city of Mexico.

To have a better understanding of the events that followed in Mexico, it is necessary to observe that a revolution had occurred in Spain: the old constitution was re-established, and the cortes had introduced many reforms among the Spanish clergy. The intelligence of these important changes had but recently reached Mexico, and produced great alarm among all classes of the clergy; and they found no difficulty in persuading the lower orders of the people that the introduction of such reforms into Mexico would be followed by the ruin of their ancient religion!* The viceroy himself was opposed to the peninsular reforms, and made no secret of his aversion to their introduction into the colony. The Mexican press, moreover, under the new liberty it enjoyed, declared that independence of the mother-country was the only remedy against such impending evils.

Iturbide, though by birth a native, was the son of European Spaniards, and was capable of anything that would promote his own ambitious views. He had distinguished himself in the

* Letter of James Smith Wilcocks, dated Mexico, October 25, 1821: American State Papers, *Foreign Relations*, vol. iv., p. 837. Ed. 1834.

royalist cause; but he saw in the late revulsion of popular feeling, and in his present position, that a change of sides would be to his advantage. After forming his plans, and securing the co-operation of the clergy, together with the aid of the patriots Guerrero, Asensio, and Bradburn, he seized a million of dollars of the king's treasure, then on its way to Acapulco for transportation, and issued his *pronunciamento*, drawn up at Iguala. This document proposed the independence of Mexico; that the government should be a constitutional, limited monarchy; that the crown should be tendered to the Bourbon family in succession, commencing with King Ferdinand VII.; if they all refused, then the Mexican cortes should designate the monarch; and that the Roman catholic religion should be protected.

The pronunciamento was dated on the 24th of February, 1821. Iturbide sent a copy of the plan to the viceroy, for his approbation. Apodaca, left to himself, would have concurred in it; but he was overruled by his council, and Field-Marshal Linan despatched with an army against Iturbide. The latter, however, having the patriots, a good portion of the Spaniards, and, above all, the clergy, on his side, had taken Acapulco, and was on his march to Valladolid, before Linan left the capital. The whole country was soon in arms. The royalists were everywhere defeated; and those of them yet remaining in the city of Mexico, suspecting the fidelity of Apodaca, proceeded, on the 5th of July following, to imprison him, and place General Novella in the viceregal chair.

A few days after this event, Lieutenant-General Don Juan O'Donojú, who had been sent out by the reformed government of Spain as captain-general and political chief of Mexico, arrived at Vera Cruz. Learning the state of things then existing, he wrote to Iturbide, applauding what he had done, and

requesting an interview. It took place at Cordova; and, on the 24th of August, 1821, the two chieftains agreed to the plan of Iguala, with some modifications, and signed and published the treaty.*

Until intelligence could be received from Spain, a regency of six persons was appointed, of which Augustin de Iturbide was president; and, until the assembling of a Mexican congress, there was likewise appointed a legislative *junta* of five persons, of which O'Donojú was a member. Thus the revolution in Mexico was accomplished; and, by the refusal of Spain to acknowledge the treaty of Cordova, she became independent.

General Long remained only a short time at Galveston after the departure of Lafitte; but, collecting his forces in transports, he sailed down the coast to the mouth of the San Antonio river, and marched upon La Bahia. It appears that, in this expedition, the Mexican colonel Trespalacios was playing the part of Gutierres: he was nominally in command. But, in order to raise funds, Trespalacios and Milam, instead of landing at the mouth of the San Antonio, proceeded on to Mexico. The forces under Long took possession of La Bahia without difficulty.†

The proclamation of the treaty of Cordova put an end to the royalists and the campaign. Yet it seems that Long and a portion of his followers were taken prisoners and sent to the city of Mexico. The general himself was set at liberty, and then assassinated in the city. His men were released and sent home on the 11th of November, 1822, at the instance of Joel R. Poinsett.‡

The faithful wife of General Long remained at Point Bolivar many months, awaiting her husband's return. At last, receiv-

* American State Papers, vol. iv., *Foreign Relations*, p. 841, *et seq.* Ed. 1834.

† This part of General Long's history is quite contradictory. Kennedy, vol. i., p. 300; Foote, vol. i., p. 216.

‡ Poinsett's Notes on Mexico, p. 122.

ing news of his death, she rejoined her friends in the United States.

Thus, in 1822, Galveston was again desolate. The town of Campeachy was laid waste, and the island only visited by occasional hunters after Lafitte's buried treasure.

We have herein traced the history of Texas through the dim records of a hundred and thirty-six years, rarely finding in that long period a congenial spot for human happiness. Ignorance and despotism have hung like a dark cloud over her noble forests and luxuriant pastures. But a new era is about to dawn upon the province. Austin and Edwards are preparing for a conquest more glorious than those of Napoleon, and infinitely more useful to the world.

CHAPTER XVI.

If he who, by conquest, wins an empire, and receives the world's applause, how much more is due to those who, by unceasing toil, lay in the wilderness the foundation for an infant colony, and build thereon a vigorous and happy state! Surely there is not among men a more honorable destiny than to be the peaceful founder and builder of a new empire. Such was that of the younger Austin. His father, Moses Austin, was a native of Durham, Connecticut. His life, like that of his son, was one of enterprise. After marrying in Philadelphia, he engaged in business in the lead-mines of Wythe county, Virginia. His operations here proving unsuccessful, he removed to certain mines situated in Washington county, Missouri, then forming a part of Louisiana. It was about the beginning of the present century that he departed for that point, taking with him a small colony of emigrants and operatives.*

The great expenses of his establishment, and the generosity of his disposition, again involved Austin in financial difficulties. As he had lived for the first three or four years in Missouri under the Spanish government, he had acquired a knowledge of the customs, laws, and perhaps the language, of that people, and had gained, withal, some information in regard to the

* Holly's Texas, p. 282, *et seq.*

province of Texas. He had long cherished the idea of making a settlement and bringing a colony to the country.

Accordingly, in 1820, he set out for the province, and in December of that year reached Bexar. Making known his object to the baron de Bastrop, with whom he had some previous acquaintance at New Orleans, he was introduced to Governor Martinez, to whom he explained his projected enterprise.

A suitable memorial was drawn up, and, after being approved by the local authorities, was forwarded to the commandant-general of the northeastern internal provinces.* The memorial asked for permission to colonize three hundred families. The commandant-general, Don Joaquin Arredondo, then resided at Monterey, and the answer to the application would necessarily require some time. Austin, unable to await the result, left the baron de Bastrop to act as his agent in the affair, and set out on his return from Bexar in January, 1821. At that time the route from Bexar to the Sabine was an unsettled waste. In journeying over it, Austin was robbed and deserted by some who were travelling with him, and left to make his way, as best he could, to the Louisiana settlements. The exposure and fatigue were too much for him, but he reached home in the spring. A cold, however, thus contracted, produced a disease of the lungs, of which he died on the 10th of June, 1821. A few days before his death, however, he received the welcome news of the success of his application to plant a colony in Texas; and one of his last injunctions was, that his son, Stephen F. Austin, should consummate his enterprise.†

* Kennedy says that, when Moses Austin first presented himself to Governor Martinez, he was treated as an intruder, and ordered to quit the province; and while preparing to depart he met with Bastrop, who made known his merits to the governor, had the order rescinded, and procured the granting of his memorial. — *History of Texas*, vol. i., p. 316.

† Ib., p. 318. Lord Bacon lays it down as a general rule that he who has no children is more patriotic than he who has; and for this reason, that the affection, which he would otherwise bestow upon his family, he gives to his country. If the rule be true, it will apply to Austin, for he was truly the father of his colony.

Considering that this application of Moses Austin was made while the Spanish authority was still predominant in Mexico, his success was rather surprising. But it will be remembered that it was after the revolution in Spain, when the cortes was re-established, and a much more liberal system adopted.

This first grant to found a colony in Texas, dated on the 17th of January, 1821, provided that the colonists should be Roman catholics, or agree to become so before they entered the Spanish territory; that they should furnish undoubted evidence of good character and habits, and take an oath of fidelity to the king, to defend the government and political constitution of the Spanish monarchy.* In addition, they were to be Louisianians.

* Kennedy, vol. i., p. 319. The Spanish oath of naturalization will appear by the following instance: —

"To the Señor Don Manuel de Salcedo, lieutenant-colonel of the royal army, political and military governor of the province of Texas.

"In the town of Nacogdoches, on this day, month, and year before me I, Don José Maria Guadiana, lieutenant of cavalry, and political and military commandant of this town, by virtue of the commission which I hold from the governor of this province, having called to my assistance, in default of the notaries required by law, Anselmo Pereira and Manuel Delgado, came Don Samuel Davenport and Don William Barr, residing in this place, and took a solemn oath of fidelity to our sovereign, and to reside permanently in his royal dominions; and, more fully to manifest it, put their right hands upon the cross of our Lord Jesus Christ, and, being questioned by me, swore, each of them, before God and the holy cross of Jesus Christ, to be faithful vassals of his most catholic majesty, to act in obedience to the general and special laws of Spain and the Indies, henceforth abjuring all other allegiance or adhesion to any other prince or potentate whatever, and to hold no correspondence with any foreign power without permission from a lawful magistrate, and to inform against such as may do so, or use seditious language unbecoming a good subject of Spain; they severally swore also to acknowledge, obey, and respect the lawful authorities, under the supreme central junta, happily governing as under the authority of Don Ferdinand VII. In faith whereof we sign, &c.

"JOSE MARIA GUADIANA.

"*Assisting Witnesses.*

"WILLIAM BARR,

"SAMUEL DAVENPORT.

"*January* 15, 1810."

[*Translated from MS. testimonio.*]

Don Erasmo Seguin, who had been appointed by Governor Martinez to notify Austin of the grant, and to see that its conditions were executed, met Stephen F. Austin at Natchitoches, and on the 5th of July, 1821, they both set out for San Antonio.* After consultation with the governor, Austin furnished him with a plan for the distribution of lands among the colonists. It proposed to give to each man, over twenty-one years old, six hundred and forty acres, with an addition of three hundred and twenty acres for the wife, one hundred and sixty acres for each child, and eighty acres for each slave. This plan received the sanction of the governor on the 19th of the following month. Colonel Austin next proceeded to explore the country watered by the Guadalupe, Colorado, and Brasos rivers, for the purpose of discovering a suitable location for his colony. He had a choice of the country, and the wisdom of his selection has been fully approved. Having satisfied himself on his point, he returned to New Orleans, and advertised for colonists upon the terms proposed in his contract.

Austin's means were limited; but he found a friend in New Orleans, by whose liberality he was greatly aided. Through J. L. Hawkins, the schooner Lively was fitted out with the necessary provisions and implements for a colony, and in November sailed for Matagorda bay with eighteen emigrants on board. Austin himself proceeded up Red river to Natchitoches; thence, with other colonists, he continued his course to the Brasos. They arrived at the old La Bahia crossing in December. Austin sought along the coast for the Lively, but

* Austin was accompanied by Edward Lovelace, Neil Gasper, Henry Holstein, William Little, Joseph Polly, James Beard, William Wilson, Dr. Hewitson, W. Smithers, and Messrs. Belew, Beard, Marple, Barré, and Erwine. These were the first of the three hundred colonists. They reached the Brasos on the 1st of August, 1821, and San Antonio on the 12th of that month. — *Letter of Guy M Bryan, July* 1, 1852.

she was never heard of more. The want of the provisions and implements on board this vessel reduced the colonists to great straits. In the meantime, James Austin, a brother of the *empresario*, had reached the colony; and the two brothers, with twenty others, set out for San Antonio, to make a report to the governor. They arrived there about the middle of March, 1822.*

The news of Austin's intended colony had spread over the western country. The love of adventure, and the desire to find comfortable homes, excited quite a spirit of emigration. About the middle of June, 1821, and before Austin had made his selection, several families at Pecan point, in Arkansas, started for the Brasos, and on the first of January, 1822, encamped at the crossing of the old San Antonio road, two miles above the mouth of the Little Brasos. Here they found the families of Garrett and Higgins, who had reached the crossing a few days before them, and were engaged in erecting cabins.†

Before this, however, on the western bank of the Colorado, opposite the present town of La Grange, had settled Buckner and Powell.‡ During the summer of 1822, among other emigrants to Austin's colony were Philip Dimmitt, Jesse Burnham, and Robert Kuykendall—names well known among the pioneers of Texas.

On reaching San Antonio, Austin was surprised to learn that, on account of the recent changes in Mexico, it would be neces-

* Guy M. Bryan's letter of July 1, 1852; Kennedy, vol. i., p. 323.

† Among the emigrants from Pecan point was the Cherokee John Williams. — *Dewees's Letters from Texas*, p. 23, *et seq.* It is probable that Garrett and Higgins were the first settlers on the Brasos. This is, however, claimed for Andrew Robinson, who settled near the present town of Washington. Dewees, who was one of the Pecan-point emigrants, says (page 24): "About the time of our arrival here, a few families settled below us on this river, near the old La Bahia crossing."

‡ Letters from Texas, p. 30. A creek, emptying into the Colorado opposite La Grange, perpetuates the fact that he was there first.

sary for him to proceed to the capital, to obtain from the Mexican Congress a confirmation of his contract, with instructions and details relative to the formation and government of his colony. However unprepared he might have been for this journey, yet such was his zeal for the consummation of his great object, that he immediately set out. Leaving the affairs of the colony in care of Josiah H. Bell, he started, in company with Dr. Robert Andrews and one other person, to perform this long journey by land, through a country infested with Indians and robbers. When two days out from San Antonio, they were attacked and robbed by the Camanche Indians; but after suitable explanations—the Indians learning that Austin was an American—their property was restored, and they were permitted to proceed.* They reached the city of Mexico on the 29th of April, and found the political affairs of the nation in great confusion.

The plan of Iguala (of the 24th of February, 1821), and the treaty of Cordova (of the 24th of August following), guarantied protection to the Roman catholic religion, which satisfied the clergy; the independence of the kingdom, which satisfied the leading creole aristocracy; and the indissoluble union between the Europeans and Americans, which satisfied the Spaniards.† But there was no guaranty for the liberty of the great masses. This the latter desired and expected; but Iturbide, the ruling spirit among them, had not the most distant idea of granting such a boon. It was manifest, then, that the form of government he had adopted could not stand the ordeal of deliberate public opinion, even in Mexico. Without reciting the details of occurrences which happened between the treaty of Cordova and the assembling of the first Congress—which latter event occurred on the 24th of February, 1822—it will suffice to say that Iturbide and the Congress quarrelled. The majority of the representatives were in favor of a republic, and Iturbide desired a monarchy. It was, indeed, an unfavorable period to secure the attention of the government to the subject of founding colonies in a distant province; yet that attention was solicited and obtained.

* Kennedy, vol. i., p. 324; Holly, p. 156.

† Letter of J. Smith Wilcox: American State Papers, vol. iv., *Foreign Relations*, p. 837.

Austin was not the only person in the Mexican capital seeking such contracts. Hayden Edwards, General James Wilkinson, Robert Lefwitch, and Green Dewitt, were also there. To these may be added the Cherokee chiefs Bolles, Nicollet, and Fields, who came, not to obtain a contract, but a grant of lands for their tribe, lately emigrated to eastern Texas.

Hayden Edwards, a wealthy and intelligent gentleman from Kentucky, having brought his family to Louisiana, left them there, and repaired, early in 1822, to the Mexican capital, to procure the concession of a large amount of lands in eastern Texas. He kept an open house, and used freely his ample means to forward the great object of founding a colony. General Wilkinson thought, no doubt, that his conduct in the affair of Burr would entitle his claims to consideration. In regard to the Cherokees,* their wants were different. This powerful nation of Indians was once the owner of a territory embracing more than half of what is now the state of Tennessee, the southern part of Kentucky, the southwest corner of Virginia, a considerable portion of the two Carolinas, a large part of Georgia, and the northern region of Alabama! Between the period of the American Revolution and that of which we now write, the Cherokees had, by voluntary and forced sale, parted with the greater portion of their territory; and that which remained to them was claimed by the state of Georgia and other states: so

* *Tsalakee* is the proper name. See American Encyclopædia, *in loq.*

that they found no other means of postponing their destruction than by a total abandonment of their haunts in the American Union. A large number of them, under the direction of the above-named chiefs, had come to find a home in Texas. It is due to truth and justice to declare that, during the present century, the Mexican people have treated the claims of the Indian with more respect and consideration than have been shown by the United States. Their motives for this we will not inquire into. The business of the Cherokees was soon adjusted. They had already entered into an agreement* with Don Felix Trespalacios, by which they were permitted to enjoy the lands on which they had settled *in common*. The agreement was confirmed by Iturbide on the 27th of April, 1823, with the understanding that the Indians were to retire farther into the interior, and that no additional families of them should immigrate till the publication of the general colonization law.†

So many applications induced the appointment of a committee, who reported in favor of a general colonization law. The bill before the Congress was about to receive the final sanction of that body, when, on the morning of the 31st of October, 1822, Iturbide (who had previously caused himself to be declared emperor) abruptly ejected and dispersed them.‡ The emperor, after an apology to the Mexican people for this high-handed measure, called a congress, or *junta*, of forty-five members,

* This agreement bears date of November 8, 1822.

† Order of April 27, 1823, to Felipe de la Garza, commander-in-chief of the northeastern internal provinces, in the archives of the general land-office.

‡ Kennedy, vol. i., p. 325. Poinsett's Notes on Mexico, p. 63: "Soon after the members assembled this morning, Brigadier-General Cortazar appeared in the hall, and read the imperial mandate dissolving the Congress. He then informed them that it was his majesty's pleasure they should disperse forthwith, and that, if they did not retire in ten minutes, he would be compelled, in obedience to superior orders, to drive them out of the hall. The president immediately directed that the order should be spread on the journals of Congress, and *called upon the general to sign it, which he did*, and the members retired."

nominated by himself. This body, in pursuance of the wishes of Iturbide, shortly afterward prepared and passed a new colonization law, which received the imperial sanction on the 4th of January, 1823. As this exhibits the general features and conditions of those subsequently enacted, they may be here properly referred to:—

1. The first step, being an abrogation of the royal exterminating order of Philip II. against foreigners, is an agreement to protect them in their liberty, property, and civil rights.

2. But, as a condition precedent, they must be such as profess the Roman catholic apostolic religion, the established religion of the empire.

3. To encourage the immigration of such, the government will distribute to them lands out of the vacant domain.

4. Not less than a *labor*, or one hundred and seventy-seven acres, will be given to each farmer; and not less than one *league*, or four thousand four hundred and twenty-eight acres, to each stock-raiser.*

5. Immigrants could come on their own account, and receive their lands, or be introduced through an *empresario*.

6. As an inducement to immigrants, they were to be free for six years from the payment of all tithes, taxes, duties, &c.

7. There was to be no sale or purchase of slaves, and the children of slaves born in the empire were to be free at fourteen years of age.

8. The *empresarios*, for each two hundred families they should introduce, were entitled to fifteen leagues and two labors, or sixty-six thousand seven hundred and seventy-four acres of land; but this premium could not exceed forty-five

* A *labor* is one thousand *varas* square, or one million square *varas*. A *league* is five thousand *varas* square, or twenty-five millions of square *varas*. The *lineal vara* is thirty-three and one third inches English measure. The *lineal league* is two and twelve nineteenths miles.

leagues and six labors, whatever number of families should be introduced. The *empresario* was, however, bound to have such lands peopled and cultivated within twelve years from the concession, and to sell or dispose of two thirds of it within twenty years.

Such were some of the inducements held out by this general law of Mexico to contractors and immigrants. The law having passed, Austin was desirous of having a special confirmation of his previous contract. In this respect, he found a useful friend in Herrera, the former commissioner of the Mexican patriots to the United States, and now minister of foreign and internal relations under Iturbide. The grant was accordingly confirmed on the 18th of February, 1823.* While Austin was preparing to return to Texas, where his presence was greatly needed, another revolution occurred in Mexico, which caused him to postpone his journey.

The castle of San Juan d'Ulloa had still remained in the possession of Spain. Iturbide was desirous of securing the fortress by treaty. For this purpose he proceeded to Jalapa, and requested the Spanish commandant of the castle to meet him there. This the latter refused.† They then agreed on the appointment of commissioners, who met at Vera Cruz, but without coming to any conclusion.

General Echavarri was at that time commander of the southern division of the empire, including Vera Cruz, and Santa Anna was in command of the town. These two officers quarrelled, and Echavarri preferred charges against Santa Anna. The latter, who had been a great friend to Iturbide, and had aided him in the revolution, immediately repaired to the court of the emperor, at Jalapa, to answer the charges of Echavarri. To his surprise, Iturbide treated him harshly, and dismissed

* Kennedy, vol. i., p. 325.

† Poinsett's Notes, p. 281.

him from his command at Vera Cruz. This fatal step ruined the emperor. Santa Anna suddenly departed for Vera Cruz, and reached there before the news of his dismissal. He paraded his troops, denounced the emperor, and raised the standard of revolt. The people and troops, wearied with the oppression of the usurper, and disgusted with his treachery, soon joined in the insurrection. Guadalupe Victoria, Guerrero, and Bravo, all distinguished in the wars of the revolution, took their places as leaders of the populace. Iturbide, alarmed, and seeing the army and people all arrayed against him, returned to the city of Mexico, and on the 8th of March, 1823, called together as many as he could of the old Congress, and tendered his resignation as emperor; but a quorum of that body not being present, they refused to act. At length, on the 19th of March, seeing himself totally abandoned, Iturbide sent in a letter of abdication to the Congress, and retired to Tulancingo. The Congress, which by this time had assembled, refused to accept his resignation (as that would legalize his usurpation), but permitted him to leave the country, upon an annual allowance of twenty-five thousand dollars. He accordingly embarked, with his family, for Leghorn, and thus left the republicans of Mexico to manage the government of their country as they chose.*

The old Congress immediately established a provisional government, and appointed Bravo, Victoria, and Negrete, to act as the executive for the time being. A new Congress, known as the *Constituent Congress*, was called, which assembled in

* Iturbide, not satisfied to remain in Italy, proceeded to London; and thence, in the summer of 1824, he set out on his return to Mexico. Although the Mexican Congress had passed a decree of outlawry against him, he landed in disguise at Soto la Marina on the 14th of July (1824); but he was betrayed and taken by his old friend Don Felipe de la Garza, and delivered up to Bernardo Gutierres, who executed him at Padillos, on the 24th of the same month. — *Kennedy* vol. i., p. 305; *Forbes's Notes, MS.*

August, 1823. They proceeded, among other things, to declare the acts of the late emperor void. This decree rendered it necessary to enact another colonization law. But, in the meantime, Austin, unwilling to wait for this action of the republican Congress, made an application to the executive for a confirmation of his former grant. This confirmation was had on the 14th of April, 1823, and the *empresario* returned to his colony.

The Mexican revolution produced some alterations in the internal organization of the country, to which it may be well to refer. Previous to the revolution, the geographical divisions of New Spain consisted of eleven intendencies and three provinces; but, by a decree of the sovereign junta, passed in January, 1822, the empire was divided into six captaincies-general.* The federal constitution of 1824, however, produced an entirely different organization, which will be noticed hereafter.

The Constituent Congress were engaged, not only in re-enacting a general or national colonization law, but also in maturing a constitution. The former was passed on the 18th of August, 1824, and differed little from that of Iturbide, except that it provided for the passage of special colonization laws by the legislatures of the several Mexican states, and was quite general and liberal in its terms. As a restraint upon speculation, and to prevent a monopoly of the public lands, it was provided by the twelfth section that there should not be united in the same hands more than one league suitable for irrigation, four leagues of arable land not irrigable, and six leagues of grazing-land.

The federal constitution was not proclaimed till the 4th of October, 1824. Before directing our attention to this celebrated instrument, it will be well that we should notice the progress of the settlement of Texas.

* Poinsett's Notes, p. 238.

After the promulgation of the treaty of Cordova, the old citizens of the towns of Nacogdoches and San Antonio, who had fled for safety to Louisiana, gradually returned. In the latter part of 1821, the town of Nacogdoches already contained a hundred inhabitants: they were a mixed population of Spaniards, French, Americans, and free negroes. Captain Dill was their worthy commandant.* The population of the place was gradually increased by immigrants, even before it had become the centre of a colony; and many of the immigrants for Austin's colony, from one cause or another, were induced to stop at this point and settle.

The large number of troops stationed at San Antonio caused that place to flourish. In 1823, it is said that the population amounted to five thousand.† Yet the Camanche Indians visited the town at their pleasure, and when there, were masters of the place. They brought in dried buffalo-meat, deerskins, and buffalo-robes, which they exchanged for sugar, beads, &c. Their trading was carried on mostly with Americans, though they were on good terms with the Mexican population.

The immigrants to Austin's colony came in as fast as could be desired. In fact, it was difficult for those already there to raise a sufficiency of provisions to support the new-comers till they, in turn, could cultivate the soil. Their privations in this respect were great; and they were often reduced to the necessity of living on the proceeds of the chase alone, and to clothe themselves with skins.

The chief trouble of the colonists, however, for the first three or four years, was with the Carankawae Indians.‡ This tribe,

* Dewees's Letters, p. 21.

† Ib., p. 34.

‡ "Those of us who have no families of our own, reside with the families in

occupying the coast opposite the colony, had been greatly exasperated against the whites by the conduct of the Lafitte men. Again, in 1821, after the pirate-chief had left Galveston, some twenty persons, under the direction of Dr. Purnell, visited the island in search of supposed buried treasures. The company, failing to discover the treasure, found that a hundred of the Carankawae Indians were at the "Three Trees." It appears that a fine schooner had been run into the bay by pirates, and there abandoned. The party of whites ascertained that the Indians had visited the schooner, and had taken away the sails and stretched them as an awning at the Three Trees. They therefore concluded to attack them. Having made the necessary preparations, they set out in time to reach a bayou, running into the pass, just at dark. They landed, and found the Indians under the live oaks, dancing and singing. The company was divided into two platoons, and thus, marching up to within forty yards of the Indians, opened the fire by platoon. At the first discharge, the savages flew to their weapons, strung their bows, and sent a shower of arrows in the direction of the enemy. They soon, however, retreated into a swamp of high grass, carrying off their dead and wounded. The Americans,

the settlement. We remain here, notwithstanding the scarcity of provisions, to assist in protecting the settlement. We are obliged to go out in the morning, a party of us, to hunt food, leaving a part of the men at home to guard the settlement from the Indians, who are very hostile to us. Indeed, we dare not go out to hunt, except in companies, as we are obliged to keep on the lookout, lest the savages fall on us; and one can not watch for them and hunt too. Game is now so scarce, that we often hunt all day for a deer or turkey, and return empty-handed.

"It would make your heart sick to see the poor, little, half-naked children, who have eaten nothing during the day, watch for the return of the hunters at night. As soon as they catch the first glimpse of them, they eagerly run to meet them, and learn if they have been successful in their hunt. If the hunters return with a deer or a turkey, the children are almost wild with delight; while, on the other hand, they suddenly stop in their course, their countenances fall, the deep, bitter tears well up in their eyes, and roll down their pale cheeks."—*Dewees's Letters* (*December* 1, 1823), p. 43.

with the exception of Purnell, escaped unhurt. He had an arrow shot through his cap and the skin of his head, which, it is said, he did not discover till the fight was over. The Americans carried off a young Indian as prisoner.*

All these provocations rendered the Carankawaes hostile to the colonists; and they never failed, when the occasion offered, to take revenge upon the innocent and defenceless. They are described as being a very fierce and warlike tribe. They averaged over six feet in height, and were stoutly built. Their weapons were bows and arrows; each warrior carrying a bow of his own length, and so very strong, that but few Americans could string them. It was said that they could shoot their arrows with the accuracy of a rifle!†

In the summer of 1823, three young men, named Loy, Alley, and Clark, went down the Colorado in a canoe for corn. The Carankawaes were at that time encamped at the mouth of Skull creek, and lay in ambush for the canoe as it returned. When it came near enough, they shot and killed Loy and Alley; and Clark leaped into the river, and endeavored to escape by swimming to the opposite shore. This he did, but received seven wounds from their arrows.

The same evening, Botherton, another colonist, coming down on horseback from the settlement, fifteen miles above, fell in among these Indians. Thinking them to be a friendly tribe, he was surprised, his horse and gun taken from him, and, as he attempted to fly, was slightly wounded with an arrow.

News of these outrages reaching the settlement, a party of fourteen men was raised that night, and they marched to the Indian camp and surrounded it before daylight. Here they lay till daybreak. When it became light enough for them to see, they opened a murderous fire upon the savages, and suc-

* Statement of L. M. Choate, MS. † Dewees's Letters, p. 40.

ceeded in killing nineteen out of twenty-one in the camp. The Indians were so completely surprised, that they did not return the fire.*

Again, in 1824, several of the immigrants had been cut off, on their way from the mouth of the Brasos to the colony; and the bodies of white men were found in the prairie. This was correctly charged to the Carankawaes. To prevent a recurrence of such outrages, Colonel Austin ordered Captain Randal Jones, with a company of twenty-three men, to proceed down the Brasos, and along the coast as far as Matagorda bay; and should he learn that they had been concerned in those murders, or discover in them any hostile designs, he was commanded to attack them. Accordingly, in September, Captain Jones proceeded, with his company, by water, down to the mouth of the river. Here they were visited by some of the Indians, who, seeing their preparations, appeared quite friendly. At this point Captain Jones learned that about thirty of the tribe were encamped on Jones's creek, a tributary of the San Bernardo, and about seven miles distant: also that ten or twelve more had gone to Bailey's, higher up on the Brasos, to purchase ammunition. Jones, on receipt of this information, sent two of his company up the river, to raise additional force. These two, arriving at Bailey's, found eight or ten of the colonists already collected there to watch the motions of the Indians sent for ammunition. They perceived their designs to be so manifestly hostile, that they attacked them the following morning at daybreak, killed some, and drove the others away.

Captain Jones, not waiting for the additional forces for which he had sent, returned up the river, opposite to the Carankawae camp on Jones's creek, and disembarked with his company. Here they concealed themselves till evening, and

* Dewees's Letters, p. 39.

sent out spies to discover the locality of the Indian camp. The spies, returning at midnight, did not give such description of the locality as to enable them to proceed. Jones remained quiet the next day, and just at sunset heard the howling and war-whoops of the savages at their camp. This had been caused by the return of their comrades, who had on that morning been defeated at Bailey's, and brought with them their killed and wounded.

Having thus ascertained the situation of the Indian camp, which was on the west bank of the creek, where it widens out into a lake, before emptying into the St. Bernard, Jones conducted his company across the creek, half a mile above their camp, and came down on the west side. Arrived within sixty yards of the enemy, the company halted to wait for daybreak. So soon as it was light enough to see the sights of their rifles, they discovered the Indian camp immediately on the margin of the creek, surrounded by reeds and tall grass. Captain Jones formed his men, and advanced rapidly to the attack. Upon the first discharge, the savages concealed themselves in the long grass, from which they returned the fire with balls and arrows. The whites, being exposed, and having one of their number killed and several wounded, retreated up the creek, recrossed it, and retired in the direction of the settlement. The Indians pursued them till they crossed the creek. Just at this time, Captain Jones, observing an Indian pointing an arrow at him, shot him down. Thus the engagement ended. The whites lost, in killed, young Bailey, Singer, and Spencer; the Indians had fifteen killed: and there were some wounded on both sides. The whites returned home, and the Indians retreated west across the St. Bernard.*

About this period, another affair with the same tribe oc-

* Note from General Lamar, quoted by Foote, vol. i., p. 295.

curred on the Colorado. An old man by the name of White, with two Mexicans, came round in a yawl from La Bahia to the mouth of the Colorado to procure corn. They were taken prisoners by the Indians at the mouth of the river. White, to save his life, promised to go up the stream, purchase corn, and come down to trade with them. Retaining the Mexicans and the yawl, they permitted him to depart alone, with the understanding that he should set the prairie on fire, two miles above the mouth of the river, on his return, that they might know where to find him. White proceeded up the river, and reported the facts in the settlement, when Captain Burnham raised a company of thirty men, and marched down nearly to the mouth of the river, where they found the two Mexicans and the yawl. The Mexicans reported that the Indians were either at the mouth of the river or on the peninsula across the bay. Captain Burnham divided his company, half remaining where they were, while the other half marched a mile farther down. Those above gave the signal to the Indians by setting the prairie on fire. In a short time, a large canoe, full of Indians, was seen coming up the river. When it arrived opposite the lower half of the company, the savages were attacked, and ultimately all killed.*

In a short time afterward, the Carankawaes, tired of this unprofitable warfare, in which their numbers were rapidly melting away before the rifles of Austin's colonists, sued for peace. They proposed to meet Colonel Austin at La Bahia, and make a treaty. The latter, collecting a hundred volunteers, met them at the creek four miles east of La Bahia. Peace was made, and the Indians obliged themselves not to come east of the San Antonio. This pledge they ever after observed.†

* Dewees's Letters, p. 50.
† Foote, vol. i., p 297; Dewees's Letters, p. 55.

These were days of want and peril in the colony; yet its members continued to toil, and their numbers were increased by new immigrants. In April, 1822, the schooner Revenge, Captain Shires, brought upward of eighty colonists. They landed at Bolivar point, spent a night there, and looked at the remains of Fort Bolivar, lately occupied by the forces under Long. They then proceeded up the bay, and ran aground on Redfish bar. The passengers left the vessel, and went ashore on the west side of the bay. From this point they proceeded in search of homes. Two of them, Moses L. Choate and Colonel Pettis, went up the San Jacinto river some ten miles above its mouth, where they made, perhaps, the first improvement ever effected on that stream.*

Early in the summer of 1823, Austin returned to his colony. He stopped at Monterey, on his way back from the capital, to ascertain from the captain-general of the northeastern internal provinces the extent of his authority, and to have the same defined. This was done, in the Spanish form; and Austin was declared to have full power to administer justice in the colony, to make defensive war against the Indians, and to command the militia with the rank of lieutenant-colonel. In fact, he was clothed with legislative, executive, and judicial powers, being required to report his proceedings to the governor of the state, and being responsible to the captain-general of the provinces.†

On his return to the colony, Austin proceeded to lay off a town on the Colorado, eight miles above the *Atasca sito* crossing; but, after surveying the lots, he concluded to change the location to the Brasos. Here, accordingly, he laid the foundations of *San Felipe de Austin*, as the colonial town.‡

The return of Colonel Austin infused new life into the col-

* Statement of M. L. Choate, MS.
† Kennedy, vol. i., p. 327. ‡ Dewees's Letters, p. 42.

ony. The news of the confirmation of his grant, of the overthrow of Iturbide, and of the prospect of a permanent republican form of government, caused the colonists to believe that they had homes—free homes—for themselves and their children. They went to work to select and survey their lands. Don Luciana Garcia, the governor of Texas, was friendly to their interests, and did all that he could to promote them. On the 17th of July, 1823, he appointed the baron de Bastrop commissioner to extend land-titles. Thus the governing system of the colony was completed.*

Although Austin's powers were almost absolute, he governed with parental mildness. His soul was absorbed in the great business of the successful completion of his enterprise. He was esteemed by each colonist, not so much as a ruler, as a father and friend. By example and precept he inspired them with a love of order and industry. True, he was often annoyed by bad men, intruders in the colony; yet his forbearance, even in such cases, was great. When he found it necessary to use strong measures, and inflict wholesome lessons of punishment or restraint, he did it, but with regret.

To illustrate this: in 1823 and 1824, the colony began to be infested by robbers—men who had fled from justice in the United States, and came to the colony with the hope of committing their depredations with greater impunity. At first, they were pursued, the property reclaimed, and the robbers whipped and turned loose. It was found that this only exasperated them, and caused them to add murder to robbery, in order to prevent detection. Austin, on being appealed to, directed the application of a more efficient remedy. An opportunity soon offered. Corasco, a Mexican, with his servants, was driving a *caballada* of mules through Texas to Louisiana.

* Kennedy, vol. i., p. 327.

After crossing the Colorado, they were attacked, and all murdered, with the exception of a Mexican servant, who escaped, badly wounded, to a settlement of the colonists. The robbers, with their booty, proceeded toward Louisiana. As they were crossing the Brasos, they were overtaken, and all instantly killed except one, who escaped. The head of one of the robbers was cut off and set on a pole, as a warning to like offenders.*

These were rough times among the Texan pioneers. Yet they were engaged in a good work, and met and overcame difficulties with manly firmness. They had no other luxuries than such as were afforded in beholding the loveliest natural scenery, and in taking part in the stirring adventures of the chase. The common dress of the men and children was made of buckskin, and even the women were often obliged to wear a like dress. Rarely were they able to obtain from some strolling pedlar a piece of "domestic," or calico, at the high price of seventy-five cents per yard.†

Austin was anxious to fulfil his contract, and introduce the requisite number of families. As many young men and unmarried persons came into the colony, he suggested the propriety of their uniting in pairs, making one the head of the family, by which means the two would obtain a family *headright*, and the number of families be increased. This arrangement was made in many cases, and with a fortunate result to all concerned.‡

* Dewees's Letters, p. 53. † Ib., p. 45. ‡ Ib., p. 49.

CHAPTER XVII.

THE Mexican federal constitution of 1824—about which so much has been said—was formed upon that of the United States, but with some fatal differences. Among the most important of these were—the absence of the right of trial by jury; the prohibition of any other than the Roman catholic religion, and defining that as the faith of the nation; making Congress, instead of the courts, the final interpreter of the constitution; permitting the president, under any circumstances, to command the armies of the republic in person; and failing to define more clearly the rights of the several states of the confederacy.*

However, Congress, after a labor of five months, adopted the instrument on the last day of January, 1824, though it was not proclaimed until the 4th of October following. The newly-created states also went to work to establish state constitutions, and to organize under them. They labored under difficulties which the states of our Union had not to encounter: ours were *states* anterior to the compact—theirs were created by it: our states were watchful, and jealous of their rights—theirs had no rights, except such as the national government gave them; and, as the federal Congress alone had the right to construe

* The constitution of Mexico may be found in Edwards, Holly, and Kennedy, and in Dewees's Letters.

the constitution, the states were entirely at its mercy. Yet, after all, the success of any and all systems of government must depend upon the intelligence of the governed. In this particular, the citizens of the federation north were infinitely superior to their southern brethren. The former had been trained up under the healthy influences of *Magna Charta*, and the vital principles of the common law, which, whatever may be said of its clumsiness and want of flexibility, is the faithful guardian of liberty. The latter, just emerged from the tyranny of centuries, had but a dim idea of their civil rights, and often confounded them with the wild liberty of nature. Their individual rights were determined by the civil law, a system which, whatever may be said of its elegant adaptation to equitable rights, is the offspring of implicit obedience, and is utterly inapplicable to a country of free institutions.

It will be remembered that, previous to 1824, Texas, as a province, was in nowise connected with Coahuila. But, by the second article of a decree of the Constituent Mexican Congress, passed on the 7th of May, 1824,* known as the "Constitution Act," Coahuila and Texas, not being sufficiently populous to form each a state, were united into one state, and known as the *state of Coahuila and Texas*. This decree also provided that, when Texas should possess the necessary elements for that purpose, she should be admitted into the Mexican Union as a separate state.

The first congress of the state of Coahuila and Texas was duly installed on the 15th of August, 1824, at Saltillo, and entered upon the discharge of its legislative duties. Provision was made for a temporary governor and council, the latter consisting of a vice-governor and four other persons. The other officers and authorities in the state were confirmed in their

* *La Acta Constitutiva.*

power, and existing ordinances continued in force till further laws were passed.* All the authorities—civil, military, and ecclesiastic—and the soldiers and citizens of the state, were directed and required to take an oath of fidelity to the state and the Constituent Congress; all of which was done, and the installation of the congress celebrated by chanting a solemn *Te Deum* in the churches, and public prayer offered for Divine aid to guide its deliberations.†

Upon the organization of the new state, the political chiefs of the former provinces of Texas and Coahuila ceased their functions, and the archives of their offices were transferred to the governor. But the distance of the executive from Texas, and the necessity of having some one in the territory to guard her interests, induced the congress of Coahuila and Texas, on the 1st of February, 1825, to create a political authority, styled "*Chief of the Department of Texas*," to be appointed by the governor, and be responsible to him; to reside at Bexar; to watch over the public tranquillity; to inflict punishments; to command the local militia; to issue and examine passports; to preside over popular meetings and festivals; to solve all doubts raised by his subordinates; to be the sole channel between his subordinates and the government; to see that the laws were administered; and to report his proceedings and observations to the governor.‡

Don José Antonio Saucedo was appointed to this office, and, as the first constitutional functionary placed over Texas, was scarcely competent to fulfil its duties. The majority of the citizens under his jurisdiction were colonists, mostly Americans, toward whom his prejudices were such, that little favor was to be expected at his hands.

* Decree No. 1, Laws of Coahuila and Texas. † Ib., Decree No. 4.
‡ Ib., Decree No. 13.

In pursuance of the national colonization law, the state of Coahuila and Texas, with a view to "augment the number of immigrants, advance the raising and increase of stock, and the progress of commerce and the arts," published her celebrated decree of March 24, 1825.

This law provided that any foreigner, who should settle himself in the state, upon making proper application, and taking the oath required, might designate the lands which the decree allowed him, and obtain a title to the same. The eighth article, however, was the most important, as it provided for the creation of *empresarios*, through whom any number of families, not less than one hundred, might be introduced. By that article it is made the duty of the governor, when a proper application is made by one wishing to become an *empresario*, to admit him, and immediately designate the lands whereon he shall locate his colony.* Contracts made by the *empresarios* with the families which should come at their expense, were guarantied by the law.

There were two features in the colonization law which will arrest attention. 1. In the distribution of lands, a preference was given to Mexican citizens. When we look at the superiority of the colonists over the natives, this clause was productive of constant jealousies. 2. The third article required foreigners, who wished to become colonists, to make a declaration to that effect before the *ayuntamiento* of the place he should select as his residence; by which, in that case, he should be sworn to obey the federal and state constitutions, *and observe the religion prescribed in the former*. It is not unsafe to affirm that, in the face of this law, nineteen twentieths of the colonists of Texas neither observed nor believed in the religion prescribed in the Mexican constitution; and it may be further said

* Y Señalará luego á los capitulantes el terreno en que han de situarse.

that they believed that constitution had no right to prescribe any rule of faith on the subject. Men never become religious by contract or compulsion. Yet such was the law.

However, under the state colonization law, *empresarios* and immigrants flowed into Texas. On the 15th of April, 1825, Robert Leftwich obtained a contract for two hundred families; three days afterward, Hayden Edwards secured one for eight hundred families; on the 4th of June, Austin obtained authority to introduce five hundred families in addition to his first concession; and, on the 6th of October of that year, Green Dewitt contracted for three hundred families, and Martin de Leon for one hundred and fifty more. In addition to these contracts, emigrants under no contractor, and at their own expense, removed to Texas, and obtained lands where they found selections to please them. Thus the year 1825 was the year of emigration for Texas. It was an impulse of the Anglo-Saxon race crowding westward. The land was rich and inviting, the scenery was lovely, the climate unsurpassed.

Many of these immigrants, coming on their own account, had settled on the Trinity. They applied to Governor Gonzales, praying to be admitted citizens of the state. He transmitted their petitions to Colonel Saucedo, chief of the department of Texas, directing him to inform them, through Stephen F. Austin, that the lands they then occupied were about to be colonized, and if, when that was done, they were found qualified, they would be admitted.* This fact is referred to here, because of the consequences resulting from it, to be noticed presently.

Among the *empresario* contracts, as has been already mentioned, was that of Hayden Edwards. He was a gentleman of high moral character, strict honor, and liberality. He had

* Governor Gonzales to Colonel Saucedo, May 19, 1825.

devoted much of his time in Mexico in forwarding the general colonization law. He had his colony greatly at heart, and had expended thousands of dollars in getting up the enterprise. The contract with the state was sufficiently liberal. It admitted him as an *empresario* under the general state law. The lands designated were bounded on the east by a line beginning twenty leagues from the Sabine and ten leagues from the coast; thence through Nacogdoches, and fifteen leagues beyond it; thence west to the Navasoto; thence down this river to the San Antonio road, and with this road to the San Jacinto; thence down said river to within ten leagues of the coast; and along the coast, ten leagues from it, to the place of beginning. This boundary included the fine lands of the Trinity, Neches, and Angelina;* and, with the exception of Austin's grant, it was perhaps the most desirable location in Texas.

Hayden Edwards, on receiving his grant, returned to the United States, and requested his brother, Benjamin W. Edwards, then at Jackson, Mississippi, to visit Texas, with a view to aid him in building up his colony. The latter, complying, proceeded immediately to the new state, and spent some months with Colonel Austin, during which he conversed with him freely on the subject of the great enterprise of peopling the country with North Americans.†

Edwards labored under a disadvantage in regard to his colony from which Austin was entirely free. The territory of the former was in part occupied by Mexicans and the old settlers on the "neutral ground," while that of Austin was unsettled. The Mexicans about Nacogdoches had but recently returned there, having fled, with Long, from the vengeance of Colonel Perez. They were, to some extent, hostile to the Americans, and entirely unwilling that an American should be placed over

* See the contract, in Appendix No. 5. † Foote, vol. i., p. 225.

them. Some of them, too, were bad men, who had fled to the confines of Mexico to avoid the punishment due to their crimes. Here they met many of a like class—heroes of the "neutral ground"—who, having no particular objection to Hayden Edwards because he was an American, were opposed to all rules and all subordination of any kind. With such men the latter was compelled to deal in carrying out his contract.

Among the settlers found in Edwards's colony was Colonel Ellis P. Bean. After the death of Morelos, and the conciliatory propositions of Apodaca, the fires of the Mexican revolution had so far expired, that Bean left the country and visited his native state. He reached the residence of his half-brother, Captain William Shaw, in White county, Tennessee, in the spring of 1818. After remaining here some time, he formed a matrimonial alliance with a daughter of Isaac Midkiff. He then emigrated with his family and father-in-law to Smackover creek, in Arkansas. Here they settled, without a neighbor within thirty miles of them, and commenced raising stock. At the end of three years, his father-in-law died. This event, together with the news of the liberation of Mexico, and the call for colonists, induced Bean to come to Texas. He located himself at the *Mound prairie*, the ancient town of *Texas*, and obtained from the Mexican government, for his services, a grant for a league of land, including his residence.*

At this place Bean resided quietly till the summer of 1825, when he set out for Mexico. He reached the capital on the 18th of October, and remained there till the 21st of July, 1826. Here he met his old companions-in-arms, and possessed himself of a knowledge of the interesting events that had transpired in the country during the past seven years. For his services in the revolution he received, in addition to the grant of land

* Memoirs of Captain William Shaw, MS.

before mentioned, the appointment of colonel in the permanent forces of the republic.

While in Mexico, Bean found there John Dunn Hunter, who had been sent there by the Cherokee Indians, to endeavor to procure for them the long-promised title to their lands.* They did not succeed in obtaining anything more than vague promises. The government was willing to admit these Indians as colonists, but would not grant them a body of land in community. Hunter returned with the result to his people, which greatly exasperated them.

Hayden Edwards, after making the necessary arrangements in the United States for bringing on colonists, set out for his new home, and reached Nacogdoches with his family about the middle of October, 1825. The want of a conveyance prevented him from reporting his arrival to the political chief, at Bexar, before the 6th of January following. He then informed that functionary that he had been using his best efforts since his arrival to restore order, and persuade the people to place themselves under the laws; and that he had generally succeeded, with some two or three exceptions: these were José

* John Dunn Hunter arrived in Mexico on the 19th of March, 1826.—*Bean's Notes, MS.* Hunter was a remarkable man. He published in 1823 a history of his life, with sketches of the manners and customs of the Indians. He says that, when a child, he was taken by the Indians, but knows not when or where. His parents, he supposes, were killed. He was raised by the Indians until he was nineteen or twenty years old. This was about 1816. He had become identified with them; and, from his expertness in hunting, the Indians gave him the *soubriquet* of *Hunter*. He added the balance of his name out of respect for John Dunn, of Missouri, who had rendered him great services. He formed an acquaintance with the fur-traders, and gradually learned the English language; acquired the habits of his race; left the Indians; had a great thirst for knowledge, and was much aided by kind friends who had heard his romantic story. He visited the eastern cities and Europe, producing quite a sensation among philosophers and sympathizers; and finally returned to live among the Texan Cherokees, where he immediately obtained a position and influence among them not inferior to that of their head chief. It is alleged, however, in the "North American Review," that Hunter was an *impostor*.—*Review*, 1825–'26.

Antonio Sepulveda and Luis Procela, a couple of infamous men —the first had been guilty of forging drafts for money, and land-titles for sale; the other had fled from confinement in the United States, leaving his family there; and Procela, since he had come to Nacogdoches, had been acting as alcalde *by proxy*, a thing unheard of in a republican country. Edwards further informed the political chief that his prospect for fulfilling his contract was good; and, after enclosing to him copies of all his official acts, hinted to him very delicately that if these turbulent characters had been citizens of the United States, he would have dealt with them in a summary manner, as he had a right to do under his contract.*

This letter seems not at all to have been relished by the chief. Edwards had referred to the ignorance of these two bad characters. They were Mexicans; so likewise was the chief. But there was another cause of offence. It will be remembered that, in 1819, Nacogdoches was completely swept by the invasion of Long. There was not a human being left in the place to govern or be governed. Nor did any return for some time. Previous to 1819, there had been made a few old grants of land. The owners, if alive, had left the country, and most of the grants may be said to have lapsed for the want of an owner. After Mexico had achieved her independence, however, a few of the old citizens of Nacogdoches had come in, and also some new-comers; so that by the time Edwards reached there, the town and its vicinage may have included a hundred people of all ages and colors. Among them came Sepulveda and Procela. Finding the lands were likely to become valuable, the first-named person became industrious in getting up old titles to the best lands; and when it became necessary to make an old title, it seems he engaged also in that business!

* Hayden Edwards to José Antonio Saucedo, January 5, 1826, MS.

By the second article of Edwards's contract, the possessions found in Nacogdoches and its vicinity, with the corresponding titles, were to be respected by the colonists; and it was made Edwards's duty, should any of the *ancient possessors claim the preservation of their rights*, to respect them. To ascertain the extent of these claims, the *empresario*, in November, 1825, gave notice for all persons having such titles to exhibit them to him, in order that they might be received or rejected according to law; and, if they did not so present them, the lands would be sold, and those who had just claims would have to pay for improvements made on them. This notice gave great offence to the Mexican authorities. The first part of the notification seemed necessary, to enable the *empresario* to know what claims to respect. As to the sale of the land, the *empresario* could not mean that he possessed the authority to do so, for it was not given him.

About the same time, Edwards issued a notice for the election of militia-officers, to occur on the 15th of December, 1825; and, in the same notice, he *advised* the people to elect an alcalde. The election, it seems, was held by Sepulveda, the former alcalde. There were two candidates for the alcaldeship —Chaplin, the son-in-law of the *empresario;* and Norris, the brother-in-law of James Gaines, of the neutral ground. Chaplin was elected; but, as he had obtained most of the votes between the Attoyac and the Sabine, occupied by immigrants, and not within the ceded land, though under the alcalde's jurisdiction, Sepulveda and his party threw them out, and declared for Norris. The other party included these ballots, and decided in favor of Chaplin. The latter thereupon proceeded to take possession of the archives of the office, and entered upon its duties. All this being reported to the political chief of the department, he declared in favor of Norris, wrote to the old

alcalde to swear him into office, and, if Chaplin did not deliver up the archives to him, to proceed to take them with the aid of the national militia.*

On the receipt of this document, the people were all assembled to hear it read. They obeyed the injunctions of Saucedo, and Samuel Norris was duly inducted into the office of the magistrate or local judge.

But another cause of difficulty now arose. Before Edwards had made his contract, a man by the name of Tramel had emigrated from Pecan point, in Arkansas, to Nacogdoches. After he had reached the latter place, he learned from the alcalde that that functionary had received orders from Governor Trespalacios to place some one at the old crossing of the Trinity, to keep up a ferry on the San Antonio road. Tramel agreed to occupy the post, and, with the order of the alcalde, he removed to the ferry and settled himself. He finally sold out to another person, who still kept up the ferry. Ignatius Sertuche, a Mexican, and the only surviving inhabitant of the old town at the Spanish Bluff, below the ferry, was starving together with his family. The occupant at the ferry invited him to remove up to the crossing, and he would supply his family with food. Sertuche, finding the situation pleasant and profitable, managed to dispossess the occupant. The facts being made known to Edwards, he took steps to repossess the true occupant. This was all reported to the political chief, and Sertuche was again placed at the ferry. The only reason given by Saucedo for this arbitrary act was, that Sertuche was a Mexican, and entitled to the preference!†

In several other instances, these invidious distinctions were made; and Americans, who had come into the country and

* José Antonio Saucedo to the alcalde of Nacogdoches, February 13, 1826, MS.
† The same to Hayden Edwards, May 1, 1826, MS.

wrought improvements, were compelled to give place to Mexican favorites of Sepulveda and Norris, the two alcaldes, who occupied the judicial chair during the years 1825 and 1826.

It would be doing injustice to the character of the Americans to suppose that they bore these things patiently; and that they did not express their opinions freely, not only of the acts themselves, but also of the actors—the government and the Mexican people generally.

But, says the political chief Saucedo to Hayden Edwards, in his letter of the 1st of May, 1826: "Hitherto, the accusation against you, which has arrested the attention of the supreme government of the Union, is the ordinance which you yourself published, in October of the past year, proclaiming yourself the military chief of that part of the state, and demanding of the old inhabitants the titles of the lands which they possess; for which acts *the corresponding charges shall be made when the government shall so order.*"

By the sixth article of his contract, Edwards had power to raise the national militia, of which he was declared to be chief, until some other disposition was made. No other disposition had been made. Hence it was no usurpation in him to order an election of militia-officers, and to announce that he was by his contract their chief. His position in this respect was little different from that of Austin, who held the rank of lieutenant-colonel, organized and controlled the militia of his colony, and called them into service when it became necessary. But Austin had Americans only under his command.

Hayden Edwards left for the United States early in the summer of 1826, leaving his brother, Benjamin W. Edwards, who had returned to the colony in the preceding April, to act as his agent. The latter, being in full possession of all the facts connected with the settlement of the colony, and the difficulties

that surrounded the enterprise, sat down and wrote a long letter to Colonel Austin, detailing a history of those difficulties, and asking his advice.* On the 24th of July following, he also wrote to the baron de Bastrop, then a member of the state congress at Saltillo, informing him of the facts in question. In the succeeding month he received a friendly answer from Austin, advising him to write directly to the governor of the state, giving a particular account of the conduct of both parties at Nacogdoches.†

Following the recommendation of Austin, B. W. Edwards addressed to Governor Blanco a long and manly letter, presenting a full history of the difficulties in the colony, detailing the stupidity of Norris the alcalde; the treachery of Colonel James Gaines, his brother-in-law, who directed and controlled him in his adjudications and orders; and also of the efforts made and still making by Hayden Edwards to bring on immigrants. He further stated that he understood serious charges had been preferred against his brother, and alluded to them, as detailed on the preceding page; that his brother had no notice of them, and was at that time absent, engaged in filling his contract, but would return in a few weeks, until which time he asked the governor to wait, that the *empresario* might have an opportunity to defend himself, and be furnished with a specific statement of the charges against him. This letter, dated on the

* B. W. Edwards to S. F. Austin, July 21, 1826, MS.

† Foote, vol. i., p. 269. Austin says, in his reply: "The subject has caused me great unhappiness, but I had determined not to interfere with it in any way. It is a dangerous one to touch, and particularly to write about. You wish me to advise you. I scarcely know what course will be best. The uncertainty as to the precise nature of the charges against you, renders it difficult, nay, impossible, to make a regular defence. I think, however, I would write directly to the governor of the state. Give him a full statement of facts, and a very minute history of the acts of your principal enemies and their opponents, and their manner of doing business in every particular, both in regard to your brother as well as all others."

5th of September, was worthy of a freeman, and in a free country would have been applauded.

Edwards received an answer from Governor Blanco, dated on the 2d of October, in which, after stating that the letter of the former is not sufficiently respectful, and recapitulating the charges before named, concludes his reply in this style:—

"In view of such proceedings, by which the conduct of Hayden Edwards is well attested, *I have decreed the annulment of his contract*, and his *expulsion* from the territory of the republic, in discharge of the supreme orders with which I am invested. He has lost the confidence of the government, which is suspicious of his fidelity; besides, it is not prudent to admit those who begin by dictating laws as sovereigns. If to you or your constituent these measures are unwelcome and prejudicial, you can apply to the supreme government; but you will first evacuate the country, both yourself and Hayden Edwards; for which purpose I this day repeat my orders to the authorities of that department—in the execution of which, as they will expel from the country all evil-doers, so they will extend full protection to those of worth, probity, and useful skill, that have settled therein, and are submissive to the laws and constituted authorities."*

* "En bien de tales procedimientos por la quales esta bien calificada la conducta de Haden Edwars hè decretado la anulacion de su contrata y la expulcion del territorio èn la republica, èn cumplemiento delas supremas ordenes con que me hallo. El hà perdido la confiansa del gobierno, dudo de su fidelidad, y no ès prudencia admitir hombres que comiensan por dictar leyes como soberanos. Si à v. ò su poderdante le son estrañas ò perjudiciales estas providencias pueden ócurrir al gobierno supremo, *pero habiendo antes evacuado èl pais, tanto v. como Haden Edwars*, pª. lo cual hoy repito mis ordenes à los autoridades de este departamtº. èn èl concepto deque, asi como se expeleràn del territorio à todos los malvados, se dispensarià todos proteccion à los hombres de bien, de probidad y de conocimientos utiles que esten establecidos èn èl, y sujetor à las leyes, y à las auctoridades constituidas. Dios y libertad! Saltillo, 2º. de O'bre, de 1826.

"BLANCO. JUAN ANTONIO PADILLO, *Sec.*

"A Don B. W. EDWARS *Agente de* HADEN EDWARS."

Previous to the receipt of this letter, Hayden Edwards had returned to Texas; but the rumor came that his contract was to be annulled. This threw everything into confusion. The Mexican population, in anticipation, immediately set up claim to all the valuable places occupied by the Americans! The servile alcalde, Norris, granted all the orders they asked; and Gaines, his brother-in-law, was ready with a company of *regulators* to enforce them. By these means, the Americans were dispossessed, driven from their homes, fined, and imprisoned.* Matters had become intolerable. The tyranny of Norris and Gaines had grown to such a height, that their American partisans had nearly all deserted them; and measures were being concerted by the Americans to take vengeance for the accumulated wrongs they suffered. In fact, on the very day of the date of the decree, annulling the contract of the *empresario*, and expelling him and his brother from the country, B. W. Edwards was writing a letter to his friend Thompson, at Aes bayou, to dissuade him from proceeding immediately against Gaines. "Let us wait," says he, "and not prejudice our prospects by premature operations on our part. The government may yet act with faith and justice toward the Americans. . . . The eyes of the government are at this moment upon us all, and much may depend upon our present deportment. Gaines and Sepulveda have been represented to the proper authorities, *and in a little time an investigation must take place.*"†

At length, official information was received of the abrogation of the contract, and the decree for the expulsion of the *empresario* and his brother. This was an act of high-handed and inexcusable tyranny. The *empresario* had expended fifty thousand dollars in his enterprise; and he had enlisted the services of hundreds, who had come, or were on the way, or preparing to assist in carrying out the contract. His offences, at most, were but venial, and could not compromit the rights of the state, for she had the right, the law, and the power to enforce them. Why, then, was he not tried? why was not process issued, that he might have a day in court to defend himself? His right was vested, and even under the constitution of Mexico the decree of rescission was unlawful. The state constitution, it was true, had not yet been proclaimed; yet, by the decree of the 25th of August, 1825, it was declared that, "for infringement of constitution or law, a process shall always be instituted."* In this case there was none. In one of the letters written at that time, it was suggested that there must have been some other cause—some potent influence at the capital of Mexico, other than the alleged offences of Hayden Edwards—to produce this extraordinary act on the part of the authorities of the republic. However this may have been, it was done, and, in its consequences, greatly retarded immigration, and taught Mexico that the Americans, however small their numbers, would never submit to her system of administration—that something more than the *name* of "liberty" was needed to satisfy their views of a free country.

The colonists have been charged with ingratitude. Wherein? They were invited to a desert. They came, and found it inhabited by Indians—and those of such audacity, that even in San Antonio, where the Mexicans mostly lived, they compelled the citizens and soldiers in the place to hold their horses while they paraded about the town! These savages the colonists had to subdue at their own expense and on their own account. Mexico gave them nothing: the lands only were valuable, be-

* Foote, vol. i., p. 232.

† B. W. Edwards to B. T. Thompson, October 2, 1826, MS.

* Decree 19, article 13: "Por infraccion de constitucion ó ley siempre se les mandará formar."

cause they made them so. They were invited to a free country: they were determined to keep it free, not only from Indian cruelty, but Mexican tyranny. If Mexico was slow in learning this fact, it was not the fault of the colonists, for they employed every suitable occasion to impress it upon the rulers of their adopted country.

The occasion for a lesson now occurred. The settlers on Edwards's grant were determined to resist. The ill temper of the Indians, in not obtaining the titles they had expected for their lands, caused them to make threats against the Mexican government;* and they thought also to avenge themselves upon the white settlements in Texas. Hunter, exercising his great influence among them, induced them to suspend their action till he could visit Nacogdoches. He did so, conferred with the Edwardses, ascertained their feelings, and a mutual league and union were agreed on. The Indians were easily brought into it.

On the 13th of December, 1826, Hayden Edwards and his brother visited the settlers beyond the Attoyac, for the purpose of raising forces. On their return they learned at that river that the enemy were expected at Nacogdoches that night. Preparing a flag, B. W. Edwards and fifteen men hurried into the town on the morning of the 16th. They here ascertained that the enemy consisted of Colonel Ellis P. Bean, who had hastened on from the city of Mexico with a command of about thirty-five Mexican troops; that he had approached within a few miles of the town, learned the state of public feeling there, and had retreated in the direction of the Trinity, to await reinforcements.†

* Foote, vol. i., p. 234.

† Ib., p. 251. Bean seems not to have taken this war much to heart. In a memorandum-book, in his own handwriting, there is this entry: "December 6, 1826. If the justices of Nacogdoches are imprisoned, or hindered in their functions, then I pay twenty-five dollars; if not, then Señor Y——— gives me one jack and three bottles of wine."

By the 18th, the "*Fredonians*," as the American colonists were then styled, numbered about two hundred men. They took possession of the stone house in Nacogdoches, and commenced fortifying themselves. Having raised the flag of independence, they began to organize their forces and government. Colonel Martin Parmer,* one of the most daring and vigilant men in the colony, was appointed to the command of the military; and suitable *alcaldes*, or, as they preferred to call them, justices of the peace, were chosen for the different settlements. On they 18th they held a court-martial for the trial of Manuel Santos for giving aid and comfort to the enemy, of which he was honorably acquitted. On the 20th, Hunter and Fields, representatives of the Indians, with some other chiefs, came in to consummate the treaty of alliance with the whites. They

* Martin Parmer was only one of the extraordinary characters that appeared in Texas about that time. His life had been a thrilling romance. He was born in Virginia, in 1775. At twenty years of age he emigrated to Tennessee, where he married Miss Sarah Hardwick. He was engaged for some time in superintending the works of Montgomery Bell, of Dickson county. But his ambition was not satisfied. In 1818, he emigrated to Missouri, and settled fifty miles above the highest county formed in the then territory—surrounded by the Sioux, Iowa, and Osage Indians. He gave fifty dollars for a bear-dog, and by the chase kept such supplies of meat as drew the Indians around him. One of them, called *Two Heart* (from the fact that he had killed a white man, and eaten his heart), came to partake of his bounty, when he spread before him a large quantity of meat, and, standing over him with a drawn knife, forced him to eat till it ultimately killed him! Parmer had numerous and fearful fights with the savages, but at last acquired an influence over them, which induced the government at Washington to appoint him an Indian agent. He was elected a colonel of the militia, and then a member of the convention to form a state constitution. It was shortly after taking his seat in this body, that, two of the members getting into a fight, he interfered in behalf of one of the parties, announcing himself as the "*Ring-tailed Panther*," by which name he was afterward known in the west. After serving two or three terms in the Missouri legislature, Parmer emigrated to Texas, and settled near the Mound prairie. It is said he fired the first gun in the Fredonian war. Among the numerous stories told of him, it is related, upon good authority, that when his bear-dog died, he sent fifty miles for a clergyman to attend the funeral, which he actually did—supposing it to be one of Colonel Parmer's family! His son, from whom the above account is obtained, says he heard the sermon.

entered into a general council, and, after three days' deliberation, a solemn league and confederation between the whites and Indians was adopted and signed by the agents of the respective parties, and on the same day ratified by the committees, as representatives of both parties. The objects of the treaty were twofold, as follows:—

1. To divide the territory of Texas between the Indians and Americans. This was done by giving to the former all that portion lying north of a line beginning at the mouth of Sulphur fork; thence to a point not far from Nacogdoches; thence west to the Rio Grande. All the territory south of that boundary to belong to the other party.

2. To prosecute together the war against Mexico, until their independence was consummated.*

This war was commenced with a view and in the expectation that all the American settlers and Indians in Texas would join the insurgents. It was further expected that volunteers from the United States would rally to the "Fredonian" standard. Had these results followed, the revolution might have been successful. But various causes prevented. In regard to the Indians, some of the tribes—the Kikapoos, for instance—had been so badly treated by the whites, that they could not be induced to join them. In addition to this fact, Mexican emissaries had been among them. Bean was in the neighborhood, and had an influence with the Indians.†

* The treaty was made by Hayden Edwards and Harmon B. Mayo, on the part of the Americans, and Richard Fields and John Dunn Hunter, on the part of the Indians. The Fredonia legislature or committee that ratified it was composed of the following persons, viz.: Martin Parmer, president; Hayden Edwards, W. B. Ligon, John Sprow, B. P. Thompson, Joseph A. Huber, B. W. Edwards, and H. B. Mayo, on the part of the Americans; and Richard Fields, John Dunn Hunter, Ne-ko-lake, John Bags, and Kuk-to-ke, on the part of the Indians. Foote has published the treaty, vol. i., p. 255.

† In Bean's note-book we find this entry: "December 26, 1826. Sent an express to Fields."

A proclamation was sent to Natchitoches for volunteers; but Huber, who carried it, betrayed his friends, and gave such an unfavorable account of affairs at Nacogdoches, that no assistance was obtained from that quarter. The express with an address to Austin's colony met with like ill success.

Saucedo, the political chief of the department, had set out for Nacogdoches with some two hundred troops under the command of Colonel Mateo Ahumada, and reached San Felipe de Austin about the first of January, 1827. Here he issued a proclamation, rather conciliatory in its terms, promising lands to those who were subordinate, and pledging the faith of the government.* His presence in the colony, and the delicate position of Austin, together with the fact that he was ignorant of the wrongs Edwards and his colony had actually suffered, induced him and his colony, not only to refuse any aid to the Fredonians, but to join in opposing them.†

After the first day or two of excitement had passed, and there being no immediate danger of an attack from the enemy, the Fredonians retired to their homes, leaving Colonel Parmer, with a few men, to guard the place. Norris, who had been deposed from his office, seeing the town so poorly defended, collected about eighty followers, of whom ten or twelve were Americans, mostly his relatives, and on the 4th of January marched into Nacogdoches, for the avowed purpose of hanging the Fredonians. Arriving within two hundred yards of the *stone house*, where the latter were stationed, they dismounted, and took a position behind some old houses. The Americans, eleven in number, to whom were united eight Cherokees under Hunter, marched out and charged upon Norris and his forces.

* Proclamation of José Antonio Saucedo, January 4, 1827, MS.

† Proclamation of Stephen F. Austin, January 22, 1827. Address of B. W. Edwards to the Citizens of Austin's Colony, January 16, 1827.—*Foote*, vol. i., pp. 260, 266.

In a few minutes the latter fled, leaving one killed and ten or twelve wounded, together with about half their horses.

The report of this conflict drew many of the Fredonians into the place, and a better organization of their strength was made. Benjamin W. Edwards was elected colonel and commander-in-chief of the Fredonian forces, and set out in pursuit of Norris. The latter, however, was safely across the Sabine.

In the meantime, the Mexican troops under Ahumada were approaching Nacogdoches. The Fredonians thereupon sent an express to Aes bayou,* for assistance; but Bean had despatched an emissary in advance to these people, promising them pardon and lands. They also sent an express to the Indians, but Bean had likewise anticipated them here, and had promised the Cherokees and their associate bands that they should have the lands they had applied for. Hunter alone was faithful, and the Indians murdered him.†

The Indians had joined the Mexicans, and, on the morning of the 27th of January, 1827, their entire forces were within ten or twelve miles of Nacogdoches. Under these untoward circumstances, the remaining Fredonians evacuated the place, and crossed the Sabine on the 31st. The Mexican troops entered the town shortly after the Fredonians had left, and, through the influence of Austin, treated the inhabitants and prisoners with humanity. Thus ended an affair in every way unfortunate for Texas.

* From Colonel Bean's note-book: "December 28, 1826. Sent an express to Aes bayou. Sent a spy to Nacogdoches." This spy was John Williams. The Fredonians arrested him as such, but subsequent events prevented the action of the court-martial.

† Colonel Bean, through the instrumentality of John Williams, Elliott, and others, succeeded in detaching the Indians from the whites. These agents, for this service, received each a league of land. It is said that Bowles was hired to assassinate Fields and Hunter. Fields was first killed, and shortly afterward Hunter suffered the same fate near the present town of Henderson. Fields was only a quarter-breed Indian, was very intelligent, and, while in the city of Mexico, joined the York lodge of freemasons.

CHAPTER XVIII.

WHILE this war was progressing in Edwards's colony, the pioneers in Austin's grant were prospering greatly. Settlers also had been coming into other colonies. Colonel Green Dewitt, of Missouri, commenced the settlement of his colony in 1825. His surveyor, James Kerr, arrived on the Brasos in April, 1825. After losing his own family, he, with six other single men, settled with that of Mr. Berry, near the town of Gonzales, in the autumn of the above year. Among these single men was Erastus Smith, afterward so distinguished as a spy in the Texan wars.* They raised some cabins and settled

* Erastus Smith (known as *Deaf* Smith, because he was hard of hearing) was the son of Chiliab and Mary Smith, and was born in New York, on the 19th of April, 1787. At the age of eleven years he emigrated with his parents to the Mississippi territory, and settled near Natchez. His parents were exemplary members of the baptist church, and gave him such moral and intellectual training as the circumstances around them would permit. He first came to Texas in 1817, perhaps with some of the patriot forces that were constantly arriving at that time in the province. He soon, however, returned home; but, in 1821, he came again to Texas, for the purpose of making it his home. This he did, never leaving it. He was in the country before Austin, but in what section is not known. His nature was to ramble alone, and to be by himself. When Dewitt's settlement commenced at Gonzales, Smith went with the first company; but it appears he did not remain there long, but proceeded to San Antonio, where he married a Mexican lady, by whom he had several children. He had a fine property at Grand Gulf, Mississippi, but he did not attend to it. One of his sons, Trinidad Travis Smith, was educated by K. A. Martin, Esq., of Baldwin, Mississippi. Deaf Smith died at Fort Bend, November 30, 1837. He was a man of remarkable gravity, and of few words. In fact, he seldom answered at all, ex-

themselves, preparatory to the work of surveying. The settlement was increased that fall by the arrival of Edward Morehouse, Henry S. Brown, Elijah Stapp, and some others. In 1826, while a portion of the colonists had gone to join in celebrating the 4th of July at Beason's on the Colorado, and others were out on a buffalo-hunt, an attack was made by the Indians. John Wightman was killed, Durbin wounded, and part of the settlement robbed and burnt. The survivors fled to the settlements on the Colorado; and afterward, when Dewitt came on, with other families, he built him a fort ten miles above Texana, where he remained a year or two.*

The settlement at Victoria, under Martin De Leon, commenced also in 1825.

After the revocation of Edwards's grant, the territory embraced in it was divided between David G. Burnet and Joseph Vehlin, and immigrants from the United States continued to flow into it. Being the nearest colony to the American Union, many settlers stopped there that had, at first, intended to proceed farther.

The congress of the state of Coahuila and Texas at last agreed upon a constitution. It was published on the 11th of March, 1827.† Every officer and citizen was required to take an oath to sustain it, and a programme of the ceremony of its installation was duly prepared.

cept in monosyllables. When he did speak, it was said to be to the point. His coolness in danger and battle was affirmed to be unsurpassed. The Texan army was greatly favored in having his services as a spy. The country had no truer friend. — *Letter of Alexander Calder, Esq., August* 2, 1852; *and Letter of K. A. Martin*, 1840, *MSS.*

* "Indianola Bulletin," 1852.

† It was published in pamphlet form, in the city of Mexico, in 1827, and has on the second page the following: "Esta Constitucion es propriedad del Estado de Coahuila y Tejas, *y nadie puede reimprimirla sin permiso del Congreso.*" What would be thought of any one of our states that would forbid the publishing of her constitution except by permission of the legislature?

Of the twelve deputies of which the constitutional congress was to be composed, Texas was to have two. These representatives were not to be elected directly by the people; but on the first *Sunday* in August preceding the meeting of the new congress, the people met in primitive assemblies, and voted *viva voce*, or in writing, for eleven electors (if they had only one representative to elect, or twenty-one electors if they had two). The election closed on Monday evening.

Fifteen days after the fourth Sunday in August, these electors met at the towns of their respective districts, and elected their representatives. The same electors who met to choose representatives, voted for electors to repair to the capital of the state, to elect representatives to the general Congress. The same district electors voted for a governor, vice-governor, and council.

The *ayuntamientos*, embracing the *alcaldes*, *sindicos*, and *regidores*, were elected by the people, on the first Sunday in every December, and entered on the discharge of their duties the Sunday following. The *alcalde* combined the duties of our mayors and justices of the peace, with larger powers; the *regidore* may be assimilated to an alderman, and the *sindico* to a recorder. The whole together formed the *ayuntamiento*, having jurisdiction over the entire municipality. Every town of a thousand or more inhabitants was entitled to an ayuntamiento. These town councils were strictly popular bodies, and with their great power protected Texas from oppression until the troops were introduced.

In looking over the constitution of the state of Coahuila and Texas, we see at once that it was framed by novices — men who were not only ignorant of the fundamental laws of free states, but were afraid to intrust power to the people. For instance: "Article 3. The sovereignty of the state resides originally and

essentially in the general mass of the individuals that compose it; but they shall not, of themselves, exercise any other acts of sovereignty *than those pointed out in this constitution*, and in the form which it prescribes." Again: "Article 27. The government of the state is popular representative, *federal*."* The makers of the instrument, no doubt, did the best they could, and were actuated by genuine patriotism. Whatever puerilities may be found in the constitution, and in the laws enacted under it, the people of Texas were indifferent and heeded them not, so long as they were left to themselves, and did not feel the weight of strange systems and unmeaning ceremonies. And it is due to the truth of history to declare that the Texans did not feel themselves at home under the Mexican laws. They kept aloof from Mexican politics. They brought with them here, as household gods, their own first lessons in politics, morals, religion, and business, and they wished not to unlearn those lessons to learn others. They did not blend or assimilate with the opposite race, but kept themselves apart—justly reasoning that, if their own institutions were not superior, they were as good as they wished. The Mexicans were aware of this, and endeavored to change by force, when it was too late, what they could not otherwise direct.

Some account of the Mexican regular troops destined for Texas at this period may not be uninteresting. By the decree of the federal Congress, of the 24th of August, 1826, provision was made for raising a permanent cavalry force for the defence of the frontiers. The state of Coahuila and Texas was required to raise seven companies, of one hundred and twenty-four men, rank and file, each. One company was to be stationed at La

* The general constitution of Mexico, Article 4, says: "The Mexican nation adopts for its government the form of republican representative, popular-federal." The fathers of the state constitution supposed they were doing right to "follow copy."—"*El gobierno del estado es popular representativo federado.*"

Bahia, and another at Bexar. By the decree of the state, of the 29th of April, 1826, the ayuntamientos were authorized to proceed with an armed force, if necessary, to make levies, and take thence a sufficient number of individuals to fill the list. Out of the levies, *vagrants* and *disorderly persons* were to be preferred for military service; then single men; finally, recruits might be raised by entrapment and decoy! Such were to be the troops for the defence of the frontiers.*

But soldiers were little needed during the year 1827, except to overawe the Indians, and that duty devolved upon the colonists. Austin's settlement had so far progressed, that, in the spring of 1826, Gaspar Flores came to Texas as commissioner to issue titles to the five hundred families provided for in the second contract. And, in November, 1827, Austin obtained another contract for a colony of a hundred families east of the Colorado and north of the Bexar road.†

Affairs being thus prosperous with the colonies, the progress of the Mexican nation, in its new career of independence, may be noticed. Liberal governments were not slow in acknowledging the independence of the republic, and in forming commercial treaties with her. Having adopted her constitution, the first Congress assembled under it in the beginning of 1825, and Guadalupe Victoria, her first constitutional president, entered upon his duties, as did also the vice-president, Nicholas Bravo, on the 1st day of April of that year.‡

The antagonism between the republicans and the aristocracy soon made its appearance. It required only a nucleus, or rallying-point. It found two. Soon after the inauguration of John Quincy Adams to the presidency of the United States,

* Decree No. 25, Constitutional Congress: "Verificadas que sean dichas levas, se destinaran con preferancia al senicio militar los *vagos y mal entretenidos*."—*Article* 5.

† Dewees's Letters, p. 115.

‡ Constitution of Mexico, Article 101. Niles's Mexico, p. 193.

he despatched Joel R. Poinsett, of South Carolina, as minister of our country to Mexico. Poinsett was a stern republican, a man of strong intellect, and an earnest well-wisher of the new republic to which he had been accredited. As the Mexican nation had taken our federal constitution as a model for the construction of their own, the republicans of that country naturally looked to our minister for countenance and advice in their political labors. Though he refrained from interfering in their internal concerns, he could hardly avoid making suggestions in his private conversations. This exasperated the anti-republican party.* At that time the masonic lodges in Mexico were working under the *Scotch* rite; but, as a greater antiquity and correctness of masonic usage attached to the *York* rite, they requested Poinsett to procure for them charters authorizing them to work under the latter. Accordingly, as he was informed by two members of President Victoria's cabinet that the government did not disapprove of it, he sent for the proper warrant, and installed them at his own house. The leading members of the *Scotch* lodges, being the old Spaniards and aristocracy of Mexico, immediately connected this affair with the politics of the country. Bravo, the vice-president, being of the anti-republican party, and perceiving the influence of the American minister thus thrown in the scale against his party, employed in his turn whatever influence he possessed against him. He succeeded in procuring from the legislatures of Puebla and Vera Cruz petitions to the general government for the dismissal of the American embassador from the country. Further to aid him, a *papal bull* was issued against the masonic lodges; and a bill was introduced into the national Congress, and finally passed, for their suppression.†

* Sketch of Joel R. Poinsett: Democratic Review, March, 1838.

† Kennedy, vol. i., p. 366. This author says the bill was rejected; but he is

Nevertheless, Bravo was unable to succeed in the overthrow of the republican party. He next attempted a revolution; and for this end he raised a small army, and, after making some approaches toward the capital, returned to Tulancingo, whence he was dislodged and taken prisoner, but was afterward released. During all this contest, the French and English ministers, Morier and Ward, were throwing their influence on the side of the aristocratic party.

In this affair the Mexican republicans were right; but not

mistaken. I have before me the official copy of the law, transmitted to "the *receptoria* of Nacogdoches," as follows:—

"First Secretaryship of State, Department of the Interior.

"Section 1. The most excellent president of the Mexican United States has been pleased to direct to me the following decree:

"The president of the Mexican United States to the inhabitants of the republic, know ye, that the general Congress has decreed—

"1. The prohibition of every clandestine meeting, which, by settled rules and institutions, forms a body or college, and makes a profession of secrecy, is renewed.

"2. Citizens who shall resort to such meetings, after the publication of this law, shall, for the first offence, be suspended from their rights one year; for the second, two years; and, for the third, confinement in the Californias four years. If those confined there shall repeat the offence, they shall be expelled from the republic for two years.

"3. Federal officers, and those who may become such in the district and territories, including those of popular appointment, besides the penalty of suspension from office and salary, shall suffer, during the time of their suspension, a deprivation of the rights of citizenship, by virtue of the former article; and, if there shall be a third repetition of the offence, they shall be disqualified for all the offices of which the present article speaks.

"4. Natives, or naturalized persons, not having the rights of citizenship, shall suffer, for the first offence, six months' imprisonment; double the time for the second; perpetual deprivation of the rights of citizenship for the third; and, for the fourth offence, shall be banished for ever from the republic."

(Here follow some further provisions in regard to minors and foreigners.)

"Antonio Fernandez Monjardin, *President of the Senate.*

"Santiago Villegas, *President of the Chamber of Deputies.*

"Jose Augustin Paz, *Secretary of the Senate.*

"Anastasio Cerecero, *Deputy Secretary.*

"Therefore I order it to be printed, published, circulated, and that it be duly executed. "GUADALUPE VICTORIA.

"Palace of the Government of Mexico, *October* 25, 1828."

so on the other point which they raised. The revolution had left, among its ill effects, a general hatred against the natives of Old Spain still residing in Mexico. The nation had long felt a desire to expel them. Several of the states set the example; and the general Congress finally, on the 8th of December, 1827, adopted a law for their expulsion. The congress of Coahuila and Texas did not go so far, but merely decreed that they should hold no office in church or state until Spain should acknowledge the independence of the Mexican republic.* These were barbarous laws, violative of the constitution, the claims of hospitality and humanity, and unworthy of the high stand Mexico had assumed as a free country. In addition to this, she thus banished from her society those who possessed nearly all the intelligence and refinement in the nation. Miserable indeed is the condition of that country which supposes that its safety requires the banishment of its most accomplished and useful citizens!

At the period of which we write, the state of Coahuila and Texas was very poor. The local congress had employed all its efforts to raise funds; it had even leased out the *cock-pits*, in order to increase the revenue; but still the treasury was empty. The colonists in Texas were pretty much exempt from taxation, and the Mexicans seldom paid any. The latter had no energy; they made nothing. In fact, they had been stationary for three centuries. What little they possessed went to pay their priests and decorate their festivals. A *tortilla*, a roasted squash, a little boiled milk, and now and then a curdled cheese, and string-beef dried in the sun, formed their common diet. The skins of animals furnished their chief clothing. Such was the condition of the public funds in the spring of 1828, that, on the 17th of April of that year, the state suspended

* Decree No. 41: Niles's Mexico.

some of her constitutional officers, for want of funds to pay them; and the establishment of the state treasury was also suspended for a like reason.* The days of her poverty were the days of her virtue. The new governor, José Maria Viesca, seemed to conduct himself with great propriety, and to watch zealously over the interests of his constituents. Neither he or his congress appeared to have any temptation to do wrong, or to prolong the legislative sessions beyond the time required for the more important and necessary business. Yet, even in the first constitutional congress, monopolies were creeping in. Leon R. Alemy obtained the exclusive right, for six years, of boring Artesian wells;† John L. Woodbury and John Cameron had a like privilege, for twenty-three years, of working iron and coal mines in the state;‡ and John Davis Bradburn and Stephen Staples obtained a similar contract, for fifteen years, for navigating the Rio Grande with steam or horse power.‖

By a provision of the state constitution, the congress should close its sessions with the month of April, unless prolonged for urgent business.§ The condition of the treasury required this to be done. Accordingly, it was prolonged to the middle of May, during which time the state authorities succeeded in borrowing funds from the church.¶

Colonists in the meantime continued to emigrate to Texas. In 1827 and 1828 there was quite an addition to Dewitt's colony. The town of Gonzales had been laid off, and named after Rafael Gonzales, the provisional governor of the state. On the 29th of July, 1828, Austin obtained another contract, to colonize three hundred families on the reserved lands on the coast.** But most of the immigrants that now began to settle

* Decrees Nos. 50 and 2, Constitutional Congress. † Ib., No. 26.
‡ Ib., No. 46. ‖ Ib., No. 49. § Article 87, Constitution.
¶ Decree No. 59 ** Dewees's Letters, p. 115.

in Texas came on their own account—some locating in one colony, and some in others, or on lands not included in any grant. Few of the *empresarios* had taken any steps to fulfil their contracts. Zavala, Burnet, and Vehlin, had sold out to a New York company on speculation.* The contract of Leftwich fell into the hands of the Nashville company.† The grant of Milam, lying between the Guadalupe and Colorado rivers, and north of the Bexar road, could not well be settled because of hostile Indians.

Indeed, during the years 1828 and 1829 the Indians had become troublesome and dangerous to the settlers on the Colorado and Brasos. Numerous cases of murder and theft had occurred, and it became necessary to apply a remedy. During the winter of 1828–'9, Thomas Thompson had opened a small farm near the present town of Bastrop, and occasionally visited it to cultivate it and take care of his crops. On going there in July, 1829, he found the Indians in possession. He returned below for assistance, and obtained ten men, with whom he approached the Indian camp in the night. At daylight they killed four of the savages, and the others fled.

This opened the war. Colonel Austin raised two companies of volunteers, of fifty men each, under the command of Captains Oliver Jones and Bartlett Simms; the whole being under the orders of Colonel Abner Kuykendall. About the same time, the depredations and murders by the Indians in the vicinity of Gonzales induced the raising of another company there, under the command of Captain Henry S. Brown.‡

Learning that a party of Wacoes and Twowakanies were encamped at the mouth of the San Saba, the two commands marched to that point. They halted when near enough, and sent out scouts to ascertain the localities. The Indian scouts

* Almonté's Journal. † Dewees's Letters, p. 116. ‡ Indianola Bulletin, 1852.

discovered them, and gave notice to the others; so that, when the Texans charged into the camp of the enemy, they had fled, and they only succeeded in killing one. Captain Simms and fifteen others pursued them some miles farther, and took from them many of their horses. This expedition had a happy effect in alarming the Indians, and depriving them of many of their animals, together with their peltries and camp-equipage. The volunteers returned after an absence of thirty-two days, during which time they suffered greatly for want of provisions. They subsisted for three days of the time upon acorns and persimmons!*

These annoyances from the Indians prevented a trade from springing up between Texas and northern Mexico. Their position was favorable to it. As it was, in 1824, a company of Bordeaux merchants landed at Copano, with a large quantity of goods for Santa Fé. They conveyed them some distance beyond San Antonio on packs, when their animals were stolen by the Camanches. They then obtained oxen and carts from San Antonio, and finally succeeded in reaching Santa Fé in safety. During the Mexican revolution, New Mexico, being remotely situated, wisely took no part in it. Her intercourse with the rest of the world was thus for many years cut off, and large sums of gold and silver accumulated within her limits. The manufactures of other countries were in great demand; and the venture of the Bordeaux merchants consequently met with extraordinary success.

The danger from the Indians, however, was too great to permit a continuance of the intercourse. The United States, shortly after, opened a route for traffic from St. Louis, and her merchants realized the benefits of that distant commerce.

The state congress, among its first acts, at the short session

* Dewees's Letters, p. 127.

in September, 1828, decreed the removal of the capital from Saltillo, in the extreme southern corner of the state, to Monclova, some hundred miles farther to the north.*

Among the colonists in Texas were many who had left heavy debts against them in the country whence they came. These debts were, to some extent, sent against them, and generally placed in the hands of some one in the colony, who was made interested in their collection. To favor the colonists, it was decreed that they should not be sued for such debts for twelve years; and further, that their headright lands should never be subject to the payment of such debts.† This was one of the first decrees of the first session of the local congress of 1829; but, shortly after, it prohibited merchants of foreign nations from retailing goods in the state.‡ This gave great offence to the Texans, and for the reason that they were thus deprived of the cheapest market, and compelled to purchase their merchandise of Mexicans.

The subject of *peonage*, forming as it does an important item in the domestic relations of the state, and being regulated by statutory provisions, requires some notice. By the decree of the 30th of September, 1828, it was provided that the contract between the master and servant should be set down at the head of the account, in presence of witnesses. Articles furnished the servant for his labor should be at the market price; and the master was forbidden to credit him for more than a year's wages, except in case of sickness. The master must

* Decree No. 64. The seat of government was not removed till the spring of 1833 (Decree No. 214). It was doubtless the first cause of the misunderstanding that afterward divided the Mexican portion of the state.

† Decree No. 70.

‡ See Decree No. 83, vetoed by the governor, and Decree No. 91, finally adopted by the congress, which was still more prejudicial to the interests of the people of Texas. The decree (No. 183) of the 9th of April, 1832, was even more severe and prohibitory.

show his account to the servant on request; and servants could sue their masters before an alcalde. Masters or overseers were authorized to punish idle or disobedient servants by arrest or confinement with shackles for not more than four days; but the use of the whip was forbidden. The master was to furnish the servant with necessary medicines and sustenance during sickness, and charge the same to his account.

The decree of the 4th of April, 1829, modified these rules. It prohibited joint accounts against servants; required masters to retain one third of servants' wages, and apply the same as a credit on their accounts, except in case of serious sickness, or the absolute nakedness of the servant and his family; also required servants, wishing to be employed, to bring a statement from their former master of the indebtedness to him, and made the new master pay such debt; masters who charged their servants more than the market price for articles, were liable to be fined in five times the excess. So much of the former decree as prohibited the whipping of servants was repealed, and masters and overseers were permitted to chastise their servants in a parental manner; but they were responsible for excessive punishment. If the servant left his master's service, the alcalde could compel his return, and punish him according to the facts. When the servant wished to leave his master, he could compel the latter to furnish him a statement to show to his new master. Actions of servants against their masters were privileged suits. Masters were not required to bury their servants who died in their debt.*

Such were the rules under which a majority of the Mexican population were held in perpetual servitude. Their wages were so extremely low, and their improvidence was so great, that it was a rare occurrence for one to be out of debt.

* Decrees 67 and 86.

The American portion of the population of Coahuila and Texas had, in lieu thereof, the institution of *slavery*, which occupied a peculiar position under the state and federal laws.

The constitution of Coahuila and Texas made it what is technically called "a free state." It provided specially, that "from and after the promulgation of the constitution in the capital of each district, no one should be born a slave in the state; and, after six months, the introduction of slaves, under any pretext, should not be permitted."* The state congress, in pursuance of this provision, required the several ayuntamientos to take a list of the names, ages, and sex of the negroes in their municipalities, at the end of six months from the promulgation of the constitution; and also to keep a register of all slaves born in the state after its publication. The death of slaves was likewise to be noted in the register. The owners of slaves, dying without children, made the slaves free; and, when they had children, the tenth part of the slaves were to be free.† This decree further required that free children born of slaves should receive the best education that could be given them.‡

It was provided by another decree, passed in 1827, that any slave who, for convenience, wished to change his master, could do so, provided the new master would pay the old one the amount he gave for him, as stated in the bill of sale.‖

Meanwhile, in the capital of Mexico, the usual scenes of anarchy and bloodshed were transpiring. At the close of President Victoria's term there was a most excited contest between the two political parties in regard to his successor. The republican or federal party brought forward Vincent Guerrero,

* Article 13, Constitution. † Decree No. 18.

‡ If it was only intended that the free negro children should have an education *equal* to that of children free born, it was literally complied with — for the matter was wholly neglected! ‖ Decree No. 35.

and the centralists or strong-government party placed in nomination Manuel Gomez Pedraza, as their respective candidates. Pedraza was at heart favorable to the aristocracy, but had occasionally acted with the republicans, which doubtful course gave him greatly the advantage over Guerrero, who was a consistent republican, and known to be such. The election came off in September, 1828; and, although Guerrero had a large majority of the popular vote, Pedraza received ten states in the electoral college, while his opponent obtained but eight.* In the United States, the constitution would have taken its course, and such evils would have been corrected at the ballot-box. Not so in Mexico.

As the president elect was not to be installed until the following April, the liberal party determined to place Guerrero in the presidential chair. The movement was revolutionary, and Santa Anna and Zavala† were at the head of it. Santa Anna *pronounced* at Xalapa, and Zavala raised an army in the capital. After a bloody battle of some days, the party of Guerrero triumphed, and he was installed as president. The state of Coahuila and Texas, had been favorable to Guerrero, and approved of the plan of Xalapa; but when the revolution was over, they recommended a perfect oblivion of passed political differences, declaring that they would not be parties to a system of revenge.‡

The United States were not satisfied with the treaty of 1819, by which Texas had been ceded to Spain. On the 26th of March, 1825, directly after John Quincy Adams was installed

* Sketch of Joel R. Poinsett: Democratic Review, March, 1838.

† Zavala was a native of Yucatan, and had been imprisoned by the Spanish government for his liberal principles. Released by the revolution from the castle of San Juan d'Ulloa, he was one of the first representatives from Yucatan in the federal Congress. He was governor of the state of Mexico at the time he joined in this attack upon the constitution, little thinking that he was establishing a precedent for his own ruin. ‡ Decree No. 110.

in the presidential chair, Henry Clay, as secretary of state, gave special instructions to the American minister to endeavor to procure from Mexico the re-transfer of Texas. The instructions were repeated on the 15th of March, 1827. Like instructions were given by Martin Van Buren, secretary of state, on the 25th of August, 1829.* In the meantime, however, as good faith on the part of the United States required a confirmation of the treaty of limits of 1819, Joel R. Poinsett concluded such a treaty with the Mexican government on the 12th of January, 1828, with a provision that the line between the two countries should be run immediately.†

The increase of colonists induced the granting, on the 11th of June, 1829, to James Powers, of a contract for settling two hundred families between the Coleto and the Nueces; and to M'Mullen and M'Gloire, on the 17th of August of the same year, a like contract on territory between the San Antonio and Nueces rivers.‡ A considerable town had sprung up at La Bahia, and the state congress had honored it with the name of a *ville*, and called it *Goliad.*‖

The neighborhood of Liberty had been settled as early as 1805, but scarcely possessed vitality until about this period, when settlers began to extend along the banks of the Trinity. About the same time a sparse settlement sprang up on the Texan side of Red river; but immigrants came and located there on their own account. Not knowing to what jurisdiction they belonged, they kept aloof from all municipal laws, except those of their own making, and lived as they best could. In

* Texas Question: Democratic Review, April, 1844.

† Elliot's Diplomatic Code, vol. ii., p. 111. For various causes, this line was not run until Texas achieved her independence. One of the despatches taken by "Deaf Smith," just before the battle of San Jacinto, was an order to Santa Anna to proceed east with his army and protect Almonté, the commissioner, while he was running the line.

‡ Dewees's Letters p. 117.

‖ Decree No. 73, February 4, 1829.

complexion, however, they were greatly superior to their predecessors of the *neutral ground.*

The legislature took some steps to establish a system of education. Two laws were enacted for this purpose. The first, in May, 1829, made provision for a school of mutual instruction, on the Lancastrian plan, in each department. It provided that the teachers should instruct the pupils in reading, writing, arithmetic, the dogma of the Roman catholic religion, and all Ackerman's catechisms of arts and sciences.* In April following, the legislature passed another law, establishing temporary schools on a like plan.† But all this effort resulted in nothing. The people did not second the views of the legislature. To give an idea of the state of education in Mexico, we can not do better than refer to the description of an intelligent eye-witness: —

"I have just returned," says Mr. Poinsett, "from visiting a school, and have been much amused with the appearance of the pedagogue. In a large room, furnished with two or three cowhides spread on the floor, and half a dozen low benches, were ten or twelve little urchins, all repeating their lessons as loud as they could bawl. The master was stalking about the room, with a ferule in his hand, and dressed in a most grotesque manner. He had an old *manta* wrapped about his loins, from under which there appeared the ends of tattered leather breeches, hanging over his naked legs; sandals were bound round his ankles; a leather jerkin, the sleeves worn off, and a dirty handkerchief twisted round his head, above which his shaggy hair stood erect, completed his dress. He seemed perfectly unconscious of his uncouth appearance, but received me very courteously, dismissed his scholars immediately, and at once entered into conversation on the state of the country. . . .

* Decree No. 92.

† Decree No. 129.

He told me that he was born in that house, and had never wandered beyond the precincts of the village. Several of the country-people came in while we were talking, and treated the pedagogue with great respect. He appeared to be their oracle."*

Those Texan settlements that would justify it, established private schools for the instruction of their children. In cases where parents could afford it, their children were sent to the United States to be educated.

But little can be said of the religious progress of the Texans as early as 1830. They may have furnished certificates of their catholic leaning, but they employed very little of their time in its exhibition.†

Father Henry Doyle, a catholic clergyman, and a native of Ireland, located himself in the Irish colony, early in 1830, and attended to the religious rites for that portion of Texas. In addition to the regular priests at San Antonio, Goliad, and Nacogdoches, there were occasional visits from other catholic ministers to the different settlements, for the purpose of attending to the ordinances of the church. Among these was Father Michael Muldoon, likewise from Ireland—a man of a warm heart, a social and generous spirit, who will be long held in grateful remembrance by the old settlers of Texas.‡ Anterior to this, some protestant clergymen visited the eastern part of the state, and in one or two instances penetrated even as far as San Antonio; but this will be noticed hereafter.

The first part of the year 1830 passed quietly in Texas. Mexico, however, was gradually encroaching upon the rights of the colonists. The subject of slavery was one cause of it. Spain, with a view to re-establish her authority in the republic,

* Poinsett's Notes (November 28, 1822), p. 190.
† Dewees's Letters, p. 137. ‡ Decrees Nos. 165 and 139.

sent out from Havana, in July, 1829, an expedition of four thousand men, under General Barradas. These troops landed at Tampico, and produced such alarm in Mexico, that the federal Congress, overlooking the restrictions of the constitution, gave to President Guerrero unlimited powers. He determined to send a secret agent to Boyer, president of Hayti, to obtain his aid in exciting the slaves of Cuba to revolt. Preparatory to this step, Guerrero, acting under the decree appointing him dictator, proceeded, on the 29th of July, 1829, to abolish slavery in the Mexican republic.*

This proceeding, though high-handed and in violation of vested rights, was acquiesced in by the Mexican people. Among the Mexican owners, it was only in the sugar-plantations that the negro was valuable. "One hundred free negroes," says Edwards, "though receiving double the wages of the Indian, are found to produce as much sugar as two hundred do in Cuba, without the owner supporting their wives and children. . . . . These negroes are, however, over-paid, and in consequence become drunkards, vicious, and unruly. Indians, properly taught, would perform the same labor at half price."† And so thought the Mexicans. They argued that the *peons* were more profitable, and that their employers were without the necessity of supporting their families.

The American colonists, however, still continued the practice of introducing their slaves, under the appellation of *servants*. Austin, fearful of the effects of the decree of abolition on the prosperity of his colony, applied to President Guerrero, who agreed to modify it in favor of the American colonists. Guerrero's administration, however, was suddenly closed by

* Kennedy, vol. i., p. 368; M. Van Buren, Secretary of State, to A. Butler, *Chargé des Affaires* to Mexico, November 30, 1829; Foote, vol. i., p. 308.
† History of Texas, p. 120.

his tragic death. Bustamente, the vice-president, who was a strong centralist, *pronounced* against him, drove him from the capital to the mountains, assumed the presidential chair, and exercised the functions of his office in a manner so sanguinary and proscriptive, that Guerrero, in again attempting to resume his station, was taken and shot. Bustamente, now undisputed master of Mexico, soon exhibited his narrow policy in regard to the Texan colonies. On the 6th of April, 1830, he issued a decree, substantially forbidding people of the United States from settling as colonists in Texas, and suspending all colony contracts conflicting with this prohibition.* By the same decree, the further introduction of slaves was forbidden.

The congress of Coahuila and Texas, perplexed with the repeated revolutions in the national capital, and wishing to keep on good terms with the successful party, did not know what course to pursue. They ordered a bust of the "illustrious" Guerrero to be set up in their hall, but, when adversity came upon him, they repealed the order. They also named a town after Bustamente, and then, by another decree, struck out his name!

The September elections of 1830 showed that José Maria Letona was elected governor and Juan Martin Veramendi vice-governor of the state. This result was favorable to Texas, as the latter was a resident of San Antonio, and a man of liberal principles. At this time appeared before the state congress James Bowie. He had married a daughter of Veramendi, and under his auspices went to Saltillo to establish a cotton and woollen manufactory. With this view, the legislature naturalized him, and granted him a charter; but more important duties awaited him, and nothing was done.†

* Kennedy, vol. i., p. 375.

† Decrees Nos. 159 and 160. James Bowie, a son of Rezin Bowie, was born in Burke county, Georgia. Of his parents, it is said they were from Maryland. The father was a man of strong mind and sound judgment. The mother was a pious and excellent lady, and from her it was thought that the children inherited their remarkable energy of character. They had five children, viz., David, James, Rezin P., John J., and Stephen, who were all large, muscular men. In 1802, the family removed to Chatahoula parish, Louisiana. On the 19th of September, 1827, James Bowie was engaged, on a bar of the Mississippi, in a duel with Norris Wright and others — one of the bloodiest rencontres of this class on record — in which he was wounded, and two men were killed. Shortly after this he came to Texas, as did also his brother Rezin P. Bowie. The above facts are collected from "De Bow's Review." In the same periodical may be found a complete sketch of James, by his brother John J. James Bowie was about six feet high, of fair complexion, with small blue eyes, not fleshy, but well proportioned; he stood quite erect, and had a rather fierce look; was not quarrelsome, but mild and quiet, even at the moment of action. He was quite sociable, and somewhat disposed to intemperance, but never drunk. He had a wonderful art in winning people to him, and was extremely prodigal of his money. His muscular power was as great as his daring: his brother says he had been known to rope and ride alligators! His great speculation was in purchasing negroes from Lafitte, and smuggling them into Louisiana. This is the most unpleasant feature in his history.

Among the proceedings of the state congress at this period, as well as in other Mexican states, may be seen a gradual encroachment upon the alleged rights of the church. The state would exact loans from it, forbid it from despatching its ecclesiastical orders without consent of the secular power, and withdrew the right of exacting forced contributions for festivals: in fact, the church was brought into subjection to the civil power. These were seeds sown in the Mexican republic, which, being well cultivated by the priests, and properly directed by ambitious leaders, brought forth that bitter fruit which, in a few years after, the Texans were required to eat.

It was a feeling of jealousy toward the American colonists in Texas that induced the decree of April 6, 1830. The privileges allowed them at first, in regard to importations, were about to cease, and they were to be subdued and made as submissive as the Mexicans themselves under Bustamente. With a view to this, customhouses were not only established at Nac-

ogdoches and Bexar, but at Copano, Velasco, and Galveston, or rather at Anahuac, at the head of the bay. General M. Mier y Teran, a stern and merciless monarchist, was appointed commandant-general of the eastern states. Colonel John Davis Bradburn, one of the heroes of Iguala, tired of navigating the Rio Grande with steam and horse power, had sought and obtained the position of commander of the forces at Anahuac. Colonel Dominic Ugartachea had command at Velasco, the port at the mouth of the Brasos; Colonel Piedras at Nacogdoches; while Don Ramon Musquiz presided as a political chief at Bexar.

In addition to these high officers, Ellis P. Bean, a colonel in the regular army of Mexico, had been stationed in eastern Texas, rather as agent for the central government to the different Indian tribes. In the contest which seemed to be now approaching, neither party appeared willing to trust him. He was assigned a position at Fort Teran, on the Neches, where was stationed a detachment of troops. The forces at the foregoing points were as follows: at Nacogdoches, three hundred and twenty; at Anahuac, one hundred and fifty; and at Velasco, one hundred and twenty-five. These, with the two presidial companies at Bexar and Goliad, constituted the Mexican power that was to overawe twenty thousand colonists, and bring them to submit to the arbitrary measures of Vice-President Bustamente. The state congress, among its last decrees,* placed one hundred and fifty more troops at the disposal of General Teran. The character of these forces may be inferred from the description furnished by the law, and given on a previous page, of the kind of soldiers preferred.

Colonel Bradburn took the first step in carrying out the views of his superiors. He introduced martial law for the

* Decree of September 28, 1830.

citizens; he took from them their property without their consent and without consideration; he had many of them arrested and imprisoned in the fort of Anahuac; and his troops, who were guilty of robbery and stealing, were by him protected from punishment.*

These were some of the grievances of which the colonists of Texas complained before the close of the year 1830. It was not the entertainment to which they had been invited!

* T. J. Chambers's pamphlet, 1833.

CHAPTER XIX.

THE year 1831 found the American population of Texas still increasing. They now numbered about twenty thousand; and, notwithstanding the general law of April 6, 1830, prohibited natives of the United States from immigrating, they still continued to come. They had friends and relatives in Texas, and wished to be with them. Others, attracted by the generous nature of the soil and the fine climate, were induced to come in order to find homes in the new state. The greater part of these prohibited immigrants had settled east of the Trinity. They had fixed upon their homes, designated their lands, and desired titles. They had come under the control of no empresario, but under the general provisions of the law, on their own account. They made repeated applications for titles to their lands.

As early as 1829, the state of Coahuila and Texas had despatched Juan Antonio Padilla as commissioner-general to eastern Texas, to extend titles to the colonists; and with him came Thomas J. Chambers* as surveyor-general of the state.

* Thomas J. Chambers, a native of Orange county, Virginia, went to the city of Mexico in 1826, and for three years was diligently occupied in the study of their laws, manners, and institutions. Though young, he was already a ripe scholar when he went to the city. He soon made himself master of their laws and language. An acquaintance formed with Don Victor Blanco, then vice-governor of Coahuila and Texas, introduced him to the authorities of that state, to which he emigrated in 1829. Gifted with talents of a high order, and with persuasive manners, he soon gained the confidence of the state government. This, added to his devotion to free institutions, enabled him to do much for Texas in the days of her infancy.—*Sketch of T. J. Chambers: Galveston*, 1853.

But the jealousy of those opposed to the settlement of eastern Texas caused Padilla to be arrested upon a false accusation, and thus broke up the commission.*

The colonists in eastern Texas, not to be outdone in this way, held public meetings, and sent their petitions to the state government, asking the appointment of another commissioner.† In the meantime, the state legislature had assembled at Saltillo, and Licentiate José Maria Letona was declared duly elected governor, and Juan Martin de Veramendi vice-governor, of the state.‡ The latter, a resident in San Antonio, indicated a favorable disposition toward Texas. The applications for a commissioner to extend titles was attended to; and Francisco Madero was despatched to the Trinity, with José Maria Carbajal, his surveyor, for that purpose.‖ Madero was a gentleman of popular manners, and much esteemed by the colonists. He proceeded with energy in the discharge of his duties, but was suddenly arrested by order of General Manuel Mier y Teran, commandant-general of the eastern states, and, with Carbajal, confined in the prison of Anahuac. Teran was a genuine monarchist, and a fit instrument to carry out the designs of Bustamente. The alleged excuse or ground of their arrest was, that they were extending titles to natives of the United States who had immigrated since the decree of the 6th of April, 1830. It is probable that such titles had been extended; but this was an affair of the state, appertaining to the *civil* authorities: and, although they had the authority of Bustamente for their proceedings, it was as clearly illegal as was the decree

* Sketch of T. J. Chambers, p. 9.
† Ib., p. 10.
‡ Decree of January 5, 1831.
‖ Kennedy, vol. ii., p. 6.

of the 6th of April. Though these officers were acting under the law, and the authority of the state, nothing could be done by the latter toward their release without drawing upon it the vengeance of Bustamente.*

Among the acts of Commissioner Madero was the erection of the municipality of Liberty. The ayuntamiento was duly elected and organized, holding its sessions at the town of Liberty, some thirty miles above Anahuac. As the design of the military was obviously to bring the country under their subjection, Colonel Bradburn, commandant at Anahuac, dissolved the ayuntamiento of Liberty, and ordered one for the same municipality at Anahuac.† Such was the tyranny of Bradburn, however, that his ayuntamiento fled from him, and took refuge in Austin's colony.

The sudden change in the policy of Mexico in regard to her Texan colonies can not be attributed altogether to a mere tyrannical disposition on the part of the acting president, Bustamente. The introduction of so many troops, the usurpation of the military, the interference of the supreme government in preventing the state from extending titles to the colonists, the imposition of taxes, the prohibition of merchandise on the part of the colonists, and numerous other grievances, and hindrances to their prosperity, had their origin mainly in an apprehension on the part of Mexico that the United States would, in some way or other—through their citizens domiciliated in Texas—set up a claim to the country. Reference to some facts will place this matter in a clear light.

The retrograde movement commenced in the latter part of 1829. We have referred to the repeated applications of the

* Governor's Message, 1832.

† This place had been previously known as *Perry's point*. Its position, at the head of Galveston bay, caused it to be erected as a port of entry. It was known at that time as the *port of Galveston*, the island not being then occupied.

United States to purchase Texas of Mexico. The boundary-line between Louisiana and Texas, as established by the treaty of 1819, had not been run previous to the treaty of Cordova in 1821. Mexico, acquiring her independence, became a party to the former treaty instead of Spain. In the instructions to Mr. Poinsett, our first minister to Mexico, dated March 26, 1825, he was directed to sound that government upon the question of making a new line.* The proposition was made, but Mexico insisted on the treaty-line. In 1827, he was instructed to propose to the Mexican government the purchase of Texas, and to offer for the country as far as the Rio Grande a million of dollars; or, if that should not be accepted, half a million for the part lying east of the Colorado.† These propositions were rejected; and, although the United States had repeatedly acknowledged the validity of the boundary as agreed to with Spain in 1819, yet such was the uneasiness of Mexico, that her chamber of deputies passed a resolution that they would not

* "The line of the Sabine approaches our great western mart nearer than could be wished. Perhaps the Mexican government may not be unwilling to establish that of the Rio Brasos de Dios, or the Rio Colorado, or the Snow mountains, or the Rio del Norte, in lieu of it."—*Mr. Clay to Mr. Poinsett, March* 26, 1825.

† Among the reasons assigned by Mr. Clay for making the purchase are the following: "The great extent and the facility which appears to have attended the procurement of grants from the government of the United Mexican States, for large tracts of country to citizens of the United States, in the province of Texas, authorize the belief that but little value is placed upon the possession of the province by that government. These grants seem to have been made without any sort of equivalent, judging according to our opinions of the value of land. They have been made to, and apparently in contemplation of being settled by, citizens from the United States. These emigrants will carry with them our principles of law, liberty, and religion; and, however much it may be hoped they might be disposed to amalgamate with the ancient inhabitants of Mexico, so far as political freedom is concerned, it would be almost too much to expect that all collisions would be avoided on other subjects. Already some of these collisions have manifested themselves, and others, in the progress of time, may be anticipated with confidence. These collisions may insensibly enlist the sympathies and feelings of the two republics, and lead to misunderstandings."—*Mr. Clay to Mr. Poinsett, March* 15, 1827.

take into consideration the treaty which the two governments had agreed on, until an article was inserted recognising the boundary named in the treaty with Spain. The government of Mexico also despatched General Teran, in 1828, to run the line agreed on by that treaty. This was on its own account, the convention for running the line not having been concluded. Again, in 1829, Mr. Van Buren, secretary of state, instructed Mr. Poinsett to make another proposition to purchase Texas. He proposed to give four millions of dollars for the territory east of the line dividing the waters of the Rio Grande and the Nueces. If that could not be obtained, then the minister was to offer a sum in proportion for the territory east of the Lavaca; or, if that could not be acquired, then the line of the Colorado, and lastly that of the Brasos, was to be proposed.*

During the period of these negotiations, the growth of the colonies, the *émeute* of the "Fredonians," the general sturdy spirit of the settlers, and, above all, the reasons advanced by the United States in favor of a sale of Texas, had excited in the Mexican mind a general feeling of jealousy and uneasiness. This feeling soon found its way to the public. Lucas Alaman, secretary of state, in his report to the Mexican Congress in 1829, uses the following language:—

"The North Americans commence by introducing themselves into the territory which they covet, on pretence of commercial negotiations, or of the establishment of colonies, with or without the assent of the government to which it belongs. These colonies grow, multiply, become the prominent part in the population; and as soon as a support is found in this manner, they begin to set up rights which it is impossible to sustain in a serious discussion, and to bring forward ridiculous pretensions, founded upon historical facts which are admitted by nobody,

* Mr. Van Buren to Mr. Poinsett, August 25, 1829.

such as La Salle's voyages, *now known to be a falsehood*, but which, at this time, serve as a support for their claim to Texas. These extravagant opinions are, for the first time, presented to the world by unknown writers; and the labor which is employed by others in offering proofs and reasonings, is spent in repetitions and multiplied allegations, for the purpose of drawing the attention of their fellow-citizens, not to the justice of the proposition, but to the advantages and interests to be obtained or subverted by their admission.

"Their machinations in the country they wish to acquire are then brought to light by the appearance of explorers, some of whom settle upon the soil, alleging that their presence does not affect the question of the right of sovereignty, or possession of the land. These pioneers, by degrees, excite movements which disturb the political state of the country in dispute; and then follow discontent and dissatisfaction calculated to fatigue the patience of the legitimate owner, and to diminish the usefulness of the administration and of the exercise of authority. When things have come to this pass—which is precisely the present state of things in Texas—the diplomatic management commences. The inquietude they have excited in the territory in dispute, the interests of the colonists therein established, the insurrections of adventurers and savages instigated by them, and the pertinacity with which the opinion is set up as to their right of possession, become the subjects of notes, full of expressions of justice and moderation, until, with the aid of other incidents, which are never wanting in the course of diplomatic relations, the desired end is attained of concluding an arrangement, onerous for one party, as it is advantageous to the other.*

* Don Alaman was not aware of the accurate sketch he was drawing of the mode by which Spain wrested Texas from France!

"It has been said further, that, when the United States of the North have succeeded in giving the predominance to the colonists introduced into the countries they had in view, they set up rights, and bring forward pretensions, founded on disputed historical facts, availing themselves generally, for the purpose, of some critical conjuncture to which they suppose the attention of government must be directed. This policy, which has produced good results to them,* they have commenced carrying into effect with Texas. The public prints in those states, including those which are more immediately under the influence of their government, are engaged in discussing the right they imagine they have to the country as far as the Rio Bravo. Handbills are printed on the same subject, and thrown into general circulation, whose object is to persuade and convince the people of the utility and expediency of the meditated project. Some of them have said that Providence had marked out the Rio Bravo as the natural boundary of those states; which has induced an English writer to reproach them with an attempt to make Providence the author of all their usurpations! But what is most remarkable is, that they have commenced that discussion precisely at the same time they saw us engaged in repelling the Spanish invasion, believing that our attention would, for a long time, be thereby withdrawn from other things."†

In addition to the above causes of uneasiness, a report had been circulated in the newspapers of the United States that Texas would be invaded by American adventurers; and, although it had no foundation in fact, it found ready hearers in

* Referring to the course taken by the United States in regard to the Floridas.

† General Barradas, with four thousand five hundred Spanish troops, landed at Tampico on the 20th of July, 1829; and, after various conflicts with the Mexican forces under Santa Anna, capitulated on the 12th of September following.

the jealous Mexicans.* It was, then, clearly more through fear of the growing strength of the colonies, than the tyrannical disposition of Bustamente, that steps were taken against them by the supreme government. The tyranny consisted in the illegal mode of passing and enforcing its decrees. Their inexpediency was manifested in the result. All the misfortunes of Mexico in planting and rearing her colonies have arisen from her ignorance of the character of her colonists. She wished to nurse them when they did not ask it: she wished to correct them when they would not bear it.

Having taken her measures, she sent troops to enforce them; and directed that these troops should be paid out of taxes to be raised from the colonists through the customhouses. To this the latter were not inclined to submit; especially when they saw that the military were to supersede the civil authorities. The better to enforce the collection of the customs duties, and prevent smuggling, orders were published by the commandants at Anahuac and Velasco, closing all the maritime ports except the port of Galveston at Anahuac. As this would draw the commerce of the greater part of Texas to these ports, the colonists resolved to have the decree rescinded.

Accordingly, a large meeting of the citizens was held in the town of Brasoria, on the 16th of December, 1831, to consider the matter. Branch T. Archer and George B. M'Kinstry were

* Extract of a letter from John A. Wharton to Sam Houston:—

"NASHVILLE, TENNESSEE, *July* 25, 1829.

. . . . "I have heard you intended an expedition against Texas. I suppose, if it is true, you will let some of your Nashville friends know of it. It is stated in the papers, and believed generally, that Spain is fitting out an expedition against Mexico. Twenty-five hundred men are to start from Havana, and land at Campeachy, there to await the arrival of four thousand more; and in the fall to commence the attack, and reduce that government to its former state. Should this be true, I make no doubt but you will join the Mexicans. I certainly will do it. . . . .

"JOHN A. WHARTON.

"General SAM HOUSTON, *Cantonment Gibson.*"

chosen by the meeting commissioners to proceed to Anahuac, and demand of Colonel Bradburn that he should rescind the obnoxious order, or they would attack the place. The commissioners discharged their duty faithfully. Bradburn asked time till he could communicate with General Teran: but they would not allow it, and drew from him the order of revocation. Thus did the colonists exhibit a specimen of their spirit.

As they increased in power, they received the more consideration from the state legislature. The department of Texas was divided into two districts, the line of division being the dividing ridge between the Trinity and the Brasos and San Jacinto rivers. Nacogdoches was made the residence of the political chief of the eastern district; while the chief of the western district continued to reside at Bexar.* This decentralizing movement was democratic.

The year 1831 did not pass away without being witness to a battle, which, considering the numbers engaged, and its results, was the best-contested field in Texas. On the 2d day of November, Rezin P. Bowie, James Bowie, David Buchanan, Robert Armstrong, Jesse Wallace, Matthew Doyle, Cephas D. Hamm, James Corriell, Thomas M'Caslin, and two servant-boys, Charles and Gonzales, set out from San Antonio in search of the old silver-mines of the San Saba mission. "Nothing particular occurred," says Rezin P. Bowie,† whose graphic narrative we quote, "until the 19th, on which day, about ten, A. M., we were overhauled by two Camanche Indians and a Mexican captive. They stated that they belonged to Isaonie's party (a chief of the Camanche tribe), about sixteen in number, and were on their road to San Antonio, with a drove of horses, which they had taken from the Wacoes and Twowokanas, and were about returning to their owners, citizens of San

* Decree No. 164.

† Holly, p. 161.

Antonio. After smoking and talking with them about an hour, and making them a few presents of tobacco, powder, shot, &c., they returned to their party, who were waiting at the Llano river.

"We continued our journey until night closed upon us, when we encamped. The next morning, between daylight and sunrise, the above-named Mexican captive came to our camp, his horse very much fatigued, and who, after eating and smoking, stated to us that he had been sent by his chief, Isaonie, to inform us we were followed by a hundred and twenty-four Twowokana and Waco Indians, and that forty Caddoes had joined them, who were determined to have our scalps at all risks. Isaonie had held a talk with them all, the previous evening, and endeavored to dissuade them from their purpose; but they still persevered, and left him, enraged, and pursued our trail. As a voucher for the truth of the above, the Mexican produced his chief's silver medal, which is common among the natives in such cases. He further stated that his chief requested him to say that he had but sixteen men, badly armed, and without ammunition; but, if we would return and join him, such succor as he could give us he would. But, knowing that the enemy lay between us and him, we deemed it more prudent to pursue our journey, and endeavor to reach the old fort on the San Saba river before night — distance, thirty miles. The Mexican then returned to his party, and we proceeded on.

"Throughout the day we encountered bad roads, being covered with rocks, and, the horses' feet being worn out, we were disappointed in not reaching the fort. In the evening we had some little difficulty in picking out an advantageous spot where to encamp for the night. We, however, made choice of the best that offered, which was a cluster of live-oak trees, some thirty or forty in number, about the size of a man's body. To

the north of them was a thicket of live-oak bushes, about ten feet high, forty yards in length and twenty in breadth; to the west, at the distance of thirty-five or forty yards, ran a stream of water.

"The surrounding country was an open prairie, interspersed with a few trees, rocks, and broken land. The trail which we came on lay to the east of our encampment. After taking the precaution to prepare our spot for defence, by cutting a road inside the thicket of bushes, ten feet from the outer edge all around, and clearing the prickly pears from among the bushes, we hoppled our horses, and placed sentinels for the night. We were now distant six miles from the old fort above mentioned. . . . . Nothing occurred throughout the night, and we lost no time in the morning in making preparations for continuing our journey to the fort; and, when in the act of starting, we discovered the Indians on our trail to the east, about two hundred yards distant, and a footman about fifty yards ahead of the main body, with his face to the ground, tracking. The cry of 'Indians!' was given, and all hands to-arms. We dismounted, and both saddle and pack horses were immediately made fast to the trees. As soon as they found we had discovered them, they gave the war-whoop, halted, and commenced stripping, preparatory to action. A number of mounted Indians were reconnoitring the ground. Among them we discovered a few Caddo Indians—by the cut of their hair—who had always previously been friendly to the Americans.

"Their number being so far greater than ours (one hundred and sixty-four to eleven), it was agreed that Rezin P. Bowie should be sent out to talk with them, and endeavor to compromise rather than attempt a fight. He accordingly started, with David Buchanan in company, and walked up to within about forty yards of where they had halted, and requested them, in

their own tongue, to send forward their chief, as he wanted to talk with him. Their answer was, 'How de do? how de do?' in English, and a discharge of twelve shot at us, one of which broke Buchanan's leg. Bowie returned their salutation with the contents of a double-barrelled gun and a pistol. He then took Buchanan on his shoulder, and started back to the encampment. They then opened a heavy fire upon us, which wounded Buchanan in two more places, slightly, and piercing Bowie's hunting-shirt in several places without doing him any injury. When they found their shot failed to bring Bowie down, eight Indians, on foot, took after him with their tomahawks, and, when close upon him, were discovered by his party, who rushed out with their rifles, and brought down four of them—the other four retreating back to the main body. We then returned to our position, and all was still for about five minutes.

"We then discovered a hill to the northeast at the distance of sixty yards, red with Indians, who opened a heavy fire upon us, with loud yells—their chief, on horseback, urging them in a loud and audible voice to the charge, walking his horse, perfectly composed. When we first discovered him, our guns were all empty, with the exception of Mr. Hamm's. James Bowie cried out, 'Who is loaded?' Mr. Hamm answered, 'I am.' He was then told to shoot that Indian on horseback. He did so, and broke his leg, and killed his horse. We now discovered him hopping round his horse on one leg, with his shield on his arm to keep off the balls. By this time, four of our party, being reloaded, fired at the same instant, and all the balls took effect through the shield. He fell, and was immediately surrounded by six or eight of his tribe, who picked him up and bore him off. Several of these were shot by our party. The whole body then retreated back of the hill, out

of sight, with the exception of a few Indians, who were running about from tree to tree, out of gunshot.

"They now covered the hill the second time, bringing up their bowmen, who had not been in action before, and commenced a heavy fire with balls and arrows, which we returned by a well-directed aim with our rifles. At this instant another chief appeared on horseback, near the spot where the last one fell. The same question of 'Who is loaded?' was asked. The answer was, 'Nobody;' when little Charles, the mulatto servant, came running up with Buchanan's rifle, which had not been discharged since he was wounded, and handed it to James Bowie, who instantly fired and brought him down from his horse. He was surrounded by six or eight of his tribe, as was the last, and borne off under our fire.

"During the time we were engaged in defending ourselves from the Indians on the hill, some fifteen or twenty of the Caddo tribe had succeeded in getting under the bank of the creek, in our rear, at about forty yards' distance, and opened a heavy fire upon us, which wounded Matthew Doyle, the ball entering the left breast and coming out at the back. As soon as he cried out that he was wounded, Thomas M'Caslin hastened to the spot where he fell, and observed, 'Where is the Indian that shot Doyle?' He was told by a more experienced hand not to venture there, as, from the reports of their guns, they must be riflemen. At that instant they discovered an Indian; and, while in the act of raising his piece, was shot through the centre of the body, and expired. Robert Armstrong exclaimed, 'D—n the Indian that shot M'Caslin, where is he?' He was told not to venture there, as they must be riflemen; but, on discovering an Indian, and while bringing his gun up, he was fired at, and part of the stock of his gun cut off, and the ball lodged against the barrel. During this time

our enemies had formed a complete circle round us, occupying the points of rocks, scattering trees, and bushes. The firing then became general from all quarters. Finding our situation too much exposed among the trees, we were obliged to leave them, and take to the thickets. The first thing necessary was, to dislodge the riflemen from under the bank of the creek, who were within point-blank shot. This we soon succeeded in doing, by shooting the most of them through the head, as we had the advantage of seeing them when they could not see us.

"The road we had cut round the thicket the night previous gave us now an advantageous situation over that of our enemy, as we had a fair view of them in the prairie, while we were completely hid. We baffled their shots by moving six or eight feet the moment we had fired, as their only mark was the smoke of our guns. They would put twenty balls within the size of a pocket-handkerchief, where they had seen the smoke. In this manner we fought them two hours, and had one man wounded—James Corriell—who was shot through the arm, and the ball lodged in the side, first cutting away a small bush, which prevented it from penetrating deeper than the size of it.

"They now discovered that we were not to be dislodged from the thicket, and the uncertainty of killing us at random; they suffering very much from the fire of our rifles, which brought half a dozen down at every round. They now determined to resort to stratagem, by putting fire to the dry grass in the prairie, for the double purpose of routing us from our position, and, under cover of the smoke, to carry away their dead and wounded, which lay near us. The wind was now blowing from the west, and they placed the fire in that quarter, where it burnt down all the grass to the creek, and then bore off to the right and left, leaving around our position a space of about five acres untouched by the fire. Under cover

of this smoke they succeeded in carrying off a portion of their dead and wounded. In the meantime, our party was engaged in scraping away the dry grass and leaves from our wounded men and baggage, to prevent the fire from passing over them; and likewise in piling up rocks and bushes to answer the purpose of a breastwork. They now discovered they had failed in routing us by the fire, as they had anticipated. They then reoccupied the points of rocks and trees in the prairie, and commenced another attack. The firing continued for some time, when the wind suddenly shifted to the north, and blew very hard.

"We now discovered our dangerous situation, should the Indians succeed in putting fire to the small spot which we occupied, and kept a strict watch all around. The two servant-boys were employed in scraping away dry grass and leaves from around the baggage, and pulling up rocks and placing them around the wounded men. The point from which the wind now blew being favorable to fire our position, one of the Indians succeeded in crawling down the creek, and putting fire to the grass that had not been burnt; but, before he could retreat back to his party, was killed by Robert Armstrong.

"At this time we saw no hopes of escape, as the fire was coming down rapidly before the wind, flaming ten feet high, and directly for the spot we occupied. What was to be done? We must either be burnt up alive, or driven into the prairie among the savages. This encouraged the Indians; and, to make it more awful, their shouts and yells rent the air—they, at the same time, firing upon us about twenty shots a minute. As soon as the smoke hid us from their view, we collected together and held a consultation as to what was best to be done. Our first impression was, that they might charge on us under cover of the smoke, as we could make but one effectual fire:

the sparks were flying about so thickly, that no man could open his powder-horn without running the risk of being blown up. However, we finally came to a determination, had they charged us, to give them one fire, place our backs together, draw our knives, and fight them as long as any one of us was left alive. The next question was, should they not charge us, and we retain our position, we must be burnt up. It was then decided that each man should take care of himself as well as he could until the fire arrived at the ring around our baggage and wounded men, and there it should be smothered with buffalo-robes, bearskins, deerskins, and blankets; which, after a great deal of exertion, we succeeded in doing.

"Our thicket being so much burnt and scorched, that it afforded little or no shelter, we all got into the ring that was made around our wounded men and baggage, and commenced building our breastwork higher, with the loose rocks from the inside, and dirt dug up with our knives and sticks. During this last fire the Indians had succeeded in removing all their killed and wounded which lay near us. It was now sundown, and we had been warmly engaged with the Indians since sunrise; and they, seeing us still alive and ready for fight, drew off at a distance of three hundred yards, and encamped for the night with their dead and wounded.

"Our party now commenced to work, in raising our fortification higher, and succeeded in getting it breast-high by ten, P. M. We now filled all our vessels and skins with water, expecting another attack next morning. We could distinctly hear the Indians, nearly all night, crying over their dead, which is their custom; and at daylight they shot a wounded chief—it being also a custom to shoot any of their tribe that are mortally wounded. They, after that, set out with their dead and wounded to a mountain about a mile distant, where

they deposited them in a cave on the side of it. At eight in the morning, two of the party went out from the fortification to the encampment, where the Indians had lain the night previous, and counted forty-eight bloody spots on the grass, where the dead and wounded had been lying.* . . . . . .

"Finding ourselves much cut up—having one man killed and three wounded, five horses killed and three wounded—we recommenced strengthening our little fort, and continued our labors until one, P. M., when the arrival of thirteen Indians drew us into it again. As soon as they discovered we were still there, and ready for action, and well fortified, they put off. We after that, remained in our fort eight days."

The company then set out for San Antonio, where they arrived safely, with their wounded and horses, in twelve days.†

The Mexican government had been, during the year 1831, collecting the materials that were to burst into a conflagration in the course of the following year. Blackburn, at Anahuac, guarding at once the land from surveyors sent by the state to run it off, and the port of Galveston from smugglers, was in the vicinity of the most impracticable portion of the Texan population. Nor did he seem to use any means to conciliate them. On the contrary, his conduct was, in every way, despotic. He compelled their servants to work for him without remuneration; he took, for his own use, their property; he declared martial law; his soldiers ravaged and plundered the country around the fort. On one occasion, a soldier having committed an outrage, the citizens, indignant, arrested the offender, and inflicted upon him summary punishment. Blackburn thereupon caused some of those concerned to be taken and cast into the dungeon of the fort. Of these were William

* The Indians had eighty-two killed and wounded!—*Holly*, p. 172.

† The reader will excuse the length of this account of a *model* Indian fight.

B. Travis, Patrick H. Jack, and Monroe Edwards—the latter since as notorious for his crimes as the former for his defence of the rights of Texas.

These multiplied wrongs could no longer be borne. The people of Trinity flew to arms, and, to the number of sixty, under the command of Colonel Francis W. Johnson, marched to the fort at Anahuac, to demand a release of the prisoners and a redress of grievances.* Blackburn at first declined the negotiation; but, finding them in earnest, and the place already invested, and some little fighting having already occurred, he agreed to their proposition, provided they would first retire some miles from the fort, and deliver up the prisoners they had taken. They retired to Turtle bayou, where they awaited his compliance. Their retirement gave Bradburn an opportunity to secure some military stores from a house they had occupied, and to notify Colonel Piedras, commandant at Nacogdoches, and Colonel Ugartachea at Velasco, of his situation. While the Texans were waiting at Turtle bayou, for a compliance on the part of Bradburn, they held a public meeting, and drew up a paper, setting forth the arbitrary and unconstitutional conduct of Bustamente;† and also their adherence to the constitution of 1824, and their determination to support it. They invited all the people of Texas to co-operate with them, and

* The different accounts of this affair are very conflicting: Foote, vol. ii., p. 16; Kennedy, vol. ii., p. 6; Holly, p. 322; Dewees's Letters, p. 142.

† The meeting was held on the 13th of June, 1831.—*Holly*, p. 323. The list of grievances and resolutions are given in *Edward*, p. 185–187. The resolutions, *inter alios*, declare—that "we view with feelings of the deepest interest and solicitude the firm and manly resistance which is made by those patriots, under the highly-talented and distinguished chieftain Santa Anna, to the numerous encroachments and infractions which have been made by the present administration upon the laws and constitution of our beloved and adopted country." By the last resolution they invited all the people of Texas to co-operate with them in the "correct enforcement and interpretation of the constitution and law, according to their true spirit."

sent a committee, with a copy of their proceedings, to lay the same before the proper Mexican authority in Texas.

In the meantime, Colonel Bradburn, having made his arrangements, eschewed the agreement he had made with the Texan forces, and set them at defiance. Exasperated at this treachery, the latter despatched messengers for reinforcements. They sent to Velasco for artillery, but Colonel Ugartachea would not allow it to come. However, a company under Captain Abner Kuykendall shortly arrived from San Felipe, and others, in smaller detachments, came in from the Trinity; and they soon found themselves two or three hundred strong. They took their position at Taylor White's, six miles from Anahuac.

By this time, Colonel Piedras, with part of the forces from Nacogdoches, and fifty or a hundred Shawnee and Cherokee Indians,* was advancing to the relief of Colonel Bradburn. The Texans, learning of his approach, sent a committee to meet him, and lay before him the conduct of Bradburn. Colonel Piedras was a gentleman of mild manners, loyal to his government, and of a conciliatory disposition. He listened to the complaints of the colonists, and granted their requests. The prisoners were released, and Colonel Bradburn sent to New Orleans, whence he returned to Mexico.† The forces under Colonel Johnson, having achieved the object for which they had collected, dispersed to their homes.

During this year, events had been transpiring in Mexico which greatly aided and excused the Texans in their hostile movements. The despotism of Bustamente had become intol-

* It is said that the Indians were overreached by Piedras; and that when, on the march, they learned his destination was against the Texans, they deserted him.

† Foote, vol. ii., p. 18. Bradburn returned to Texas with Santa Anna in 1836. He was in one of the rear divisions, and was not taken.

erable. On the 2d of January, 1832, the officers of the garrison of Vera Cruz *pronounced* in favor of the constitution, and drew up an address to Bustamente, denouncing the course pursued by the government, and demanding the dismissal of his ministers.* At the same time the garrison called upon Santa Anna to assume the command. In fact, he was secretly at the head of the movement. He repaired immediately to Vera Cruz, and took the command. Bustamente sent a force, under General Calderon, against the insurgents; but they failed in their object, and retired. The troops at Tampico, and then the state of Zacatecas, joined Santa Anna. Soon he became strong enough to march upon the capital. But it was not until November of this year that Bustamente, seeing himself deserted, and Santa Anna approaching with a powerful army, resigned his authority, and fled from Mexico.

The people of Texas, selecting from the *plans* presented by the Mexican factions, were ever ready to adopt the most liberal; and though, in the beginning of the *émeute* at Anahuac, they did not have in view the support of any of these plans, they gladly availed themselves of the plan of Vera Cruz, then in progress. Hence their warm and doubtless sincere professions of attachment to the constitution of 1824 and the "heroic"

* Niles, p. 202. "Whenever a set of people in Mexico become dissatisfied from any common cause, or from mere want of excitement, they begin by uttering complaints and imprecations against the existing form of government, or its members, mingled with praises of some other system or persons: this, the first stage of a revolution, is termed a *grito*. If the *grito* continues unchecked for some days, a public meeting is held, in which the grievances and modes of redress are discussed, and arrangements are made for expressing them more clearly: this second stage is called a *pronunciamento*. Then comes the *plan*, always bearing the name of the place at which it was concluded. Every large city in Mexico has its *plan;* in more than one instance the garrison of a little post, headed by a sergeant, has issued its propositions for a change of government, accompanied by the resolutions of the framers to die in its support."—*Democratic Review, March*, 1838.

Santa Anna, who was then fighting, as they firmly believed, the battles of the people.

Lieutentant-Colonel Dominic Ugartachea, in command at Fort Velasco, had a force of one hundred and twenty-five men and a small piece of artillery. He was subject to the orders of Colonel Bradburn, his superior officer. Exception was taken to his refusal to permit the Texans on the Brasos to transport artillery to Anahuac. As early as the 11th of May, a meeting had been held in Brasoria in reference to an attack upon the post, but the proposition failed.* Again, another meeting was held in the early part of June, having in view the same object. The success of Santa Anna in Mexico determined the Texans as to the course they would pursue.

On the morning of the 25th of June, the Texans, to the number of one hundred and twelve, under the command of Captain John Austin, approached Fort Velasco, and made a formal demand of the surrender of the place; promising, if the summons was obeyed, that the soldiers should retire with their arms, provided they should be sent out of Texas. The summons being totally disregarded, Austin made his preparations for an attack. A schooner, lying aground above the fort, was dislodged and set afloat; and forty Texans, under the command of Captain William I. Russell, were placed on board of her. She was supplied with a light piece of artillery, an abundance of ammunition, and floated down and moored close to the bank, near the fort. The land-forces of the Texans were marched to within twenty-five paces of the fort, when the engagement commenced. The Texans were much exposed; but the artillery in the fort, which was directed against the schooner, overshot them. The Texan rifles, however, were very fatal to those in the fort. A Mexican soldier who raised his head

* Foote, vol. ii., p. 19. "*By one vote*," says Foote.

above the parapet seldom escaped. The action having begun in the night, but little execution was done until daylight on the morning of the 26th. At one time during the fight, the Texan fire from the schooner was so fatal, that the Mexicans rushed out of the fort to take the vessel, but the fire of the besiegers from the land-side drove them back with loss. At length, after a bloody contest of eleven hours, the Mexicans exhibited the white flag, and capitulated. The enemy were deprived of their arms, furnished with provisions, and set at liberty.* The loss of the Texans in this battle was seven killed and twenty-seven wounded; that of the Mexicans, thirty-five killed and fifteen wounded.

At the beginning of the military display in Texas, the Mexican commandants had written home that the object of the Texans was a separation from Mexico; and these reports received credit among the officers of the "*Liberating* army."† Colonel José Antonio Mexia, with a squadron of five vessels, having on board four hundred men, sailed from Tampico with orders to reduce Matamoras, then in possession of the partisans of Bustamente, and afterward to chastise the Texan revolters. Arriving at Brasos Santiago, he came to an agreement with Colonel Guerra, the commandant at Matamoras, who was induced to espouse the cause of Santa Anna; and, on the 14th of July, Mexia sailed for the mouth of the Brasos, where he anchored on the 16th, bringing with him Colonel Stephen F. Austin, on his return from the legislature.

Mexia immediately addressed a letter to John Austin, enclosing a copy of the agreement made with Guerra at Matamo-

* Letter of John Austin to Colonel Mexia: Edward, p. 184.

† Santa Anna had the command of the first division of this army, operating against Bustamente. Montezuma, the commandant of Tampico, and the first to join Santa Anna in support of the plan of Vera Cruz, had command of the second division.

ras, stating the object of his visit to Texas, and what would have been his course had the late movements in that department had for their object its dismemberment from Mexico.*

Captain Austin, in his reply, set forth in a manly spirit the wrongs of the Texans inflicted by the military, and declared the adherence of his people to the Mexican confederation—affirming that "they were Mexicans by adoption, were so in heart, and would so remain; that if the laws had granted to them the honorable title of '*citizens*,' they wished that title should be respected; and that they should be governed by the authorities established by the constitution of the state."

All these things being in accordance with the republican views of Colonel Mexia—for he was a sincere republican—a deputation of the citizens of Brasoria waited on him, on board the "Santa Anna," and invited him to proceed with Colonel S. F. Austin to the town. They were accordingly conducted to Brasoria, where Colonel Mexia was presented by the committee from Turtle bayou with the resolutions of the meeting at that place on the 13th of June. The proceedings of the day closed with a dinner, in which many sentiments were drunk indicative of the temper of the Texans.†

The ayuntamiento of San Felipe de Austin took advantage of the presence of Colonel Mexia, and of the political chief of Bexar, Don Ramon Musquez—who had visited that town for the purpose of investigating the difficulties in question—to ascertain the sentiments of all the colonists, and present them

* See the letter, and Austin's reply, in Edward, p. 184. Captain John Austin was at that time second alcalde of the second department of Austin's colony. The seat of justice was then at Brasoria.

† Edward, p. 187. Among the toasts, Edward gives the following: "*The Republic of Mexico and the States of the North:* They are the same in principle and object, and need only know each other to be united in feelings and warm friendship."—"*Coahuila and Texas:* They are dissimilar in soil, climate, and productions; therefore they ought to be dissolved."

to those functionaries in legal form. This they did on the 27th of July, 1832.

After denouncing the calumnies that had been circulated in Mexico against the loyalty of Texas, the ayuntamiento charged the late outbreaks to "the tyrannical and illegal acts of Colonel Bradburn;" they solemnly adhered to the principles of the republican party headed by Santa Anna; they disclaimed having in view any other object than to "contribute in sustaining the constitution, and the true dignity and decorum of the national flag." They further declared that the general and state constitutions ought to be religiously observed as the only guaranty for public tranquillity and national freedom. After denouncing a large standing army, and the usurpations of Bustamente, they ordered that a copy of their proceedings should be sent by Colonel Mexia to Santa Anna, and a like copy by Musquez to the state legislature.*

Colonel Mexia then returned with his fleet and forces to Matamoras, taking with him such of the Mexican soldiers in Texas as were disposed to act against Bustamente. Previous to his departure, however, he had addressed a communication to Colonel Piedras, the commandant at Nacogdoches, asking his adherence to the party of Santa Anna. This was refused.

It was known to the citizens of Nacogdoches that Colonel Don José de las Piedras was opposed to Santa Anna, and that he was at heart a monarchist. His officers were also generally adverse to him in politics; but they feared to take any steps in opposition to his authority. During the latter days of July, 1832, the civil authorities of Nacogdoches communicated with those of Aes bayou, Teneha, and Bevil; and it was agreed to unite in compelling the Mexican force at Nacogdoches to declare for the constitution of 1824, or else to figl t. Accord-

* See these resolutions in Edward, p. 190.

ingly, the troops from these settlements concentrated on the last day of July; and, on the night between the 1st and 2d of August, they encamped directly east of the town, and all the families evacuated the place. After a conference between the civil and military authorities, Isaac W. Burton, Philip A. Sublett, and Henry W. Augustin, were appointed a committee to wait on Colonel Piedras, and present to him the alternative agreed on. He chose to fight. The committee reported his answer to the Texan forces, then amounting to about three hundred men. They elected James W. Bullock, of San Augustine, to the command, and, at noon on the 2d of August, marched into Nacogdoches, where they manœuvred for some time, waiting to be attacked; but, finding that the enemy did not show himself, they advanced into the centre of the town. When a little north of the *stone house*, they were suddenly charged by the Mexican cavalry, numbering about one hundred men. The latter fired and wheeled, and received a round from the Texan rifles as they retired. In this charge the Mexicans killed Don Encarnacion Chirino, the alcalde of the town. The Texans then took possession of the houses on the north and east sides of the square, and, whenever any of the enemy showed themselves, they were shot. The Mexicans made one sortie in the evening. It was commanded by a young officer who was known to be friendly to the Texans and to their cause, and who had shown his friendship for them in the Fredonian troubles of 1827. The Texans spared him. With the repulse of this sortie, the fighting ceased. During the night, Piedras and his troops evacuated the place, leaving behind him his killed and wounded, public stores, and clothing. His ammunition he had thrown into the wells.

Colonel James Bowie, who was engaged in this action, was despatched, with a few chosen men, to pass by the retreating

Mexicans, and give them a warm reception as they crossed the Angelina, twenty miles distant. He succeeded in this, by taking the lower road. As the advanced guard of the enemy, commanded by Sergeant Marcos, rode into the water, and stopped to allow their horses to drink, the Americans fired on them. Marcos fell. The Americans then drew back, and the Mexican troops proceeded on their way to a house on the hill west of the river, where they passed the night. Bowie's men, twenty in number, encamped a mile below. The next morning, upon a demand to surrender, Colonel Piedras turned over the command to Major Francisco Medina, who declared immediately in favor of the constitution of 1824.*

The Mexican loss in this battle was forty-one killed and as many wounded, while that of the Texans was but three killed and five wounded. The prisoners, three hundred and ten in number, were sent, under the care of Colonel Bowie, to San Felipe. Colonel Piedras was placed in charge of Captain Asa M. Edwards, to be by him delivered to Colonel Mexia at Anahuac. On the way, Edwards received news of the sailing of Mexia for Matamoras; he therefore took Piedras to Colonel S. F. Austin, by whom he was forwarded to Tampico.†

The Texans, in order to reduce the entire department of Texas into acquiescence with the measures adopted by them,

* The chief portion of this account is taken from a statement of the late Colonel A. Sterne, dated January 25, 1851. He was in the battle. I have before me the official account made out by Colonel Bullock, dated August 9, 1832. It is a meagre affair. Among other things, he says: "At the time we made the attack, about sixty Cherokees, under Bowles, well armed and mounted, were in gunshot. I sent for them, and, after much explanation, they appeared to understand the object for which we were fighting; stating that they had been deceived by Colonel Piedras, who had told them many lies, &c. We, however, doubted their sincerity, and they no doubt would have assisted him had we not so completely succeeded."

† This disposition of the prisoners is taken from the "Journal of Asa M. Edwards," now before me. The numbers of killed and wounded are derived from Colonel Bullock's report.

began to assemble at Gonzales; but the intelligence arrived that the state of Coahuila and Texas had come into the *plan*,* whereupon the towns all submitted, and the people returned to their homes.

"Thus ended," says Edward, "the warlike commotions of these colonies, on the 2d of September, 1832, just as the inhabitants were informed that their greatest arch-enemy, General Teran, and his troops, on their way to Mexico from Matamoras, had been surrounded by the liberal forces of General Montezuma, and that too on the identical plain where the injudicious Iturbide lost his life. Teran, having determined within himself neither to unite with the liberals nor to submit to them as a prisoner, retired to a private place and fell on his own sword!—appearing to those who found him, while still alive, as inexorable in the hour of death as he was uncompromising in political life."

* Decree of August 11, 1832. This decree was passed by the standing deputation (*députacion permanente*), and was afterward confirmed by the state congress, Decrees Nos. 201 and 205.

CHAPTER XX.

THE Texans had thus far triumphed; but, in so doing, they had the aid and countenance of one of the powerful factions which alternately sway the destinies of Mexico, and drench her fields with blood. Notwithstanding they were on the popular side, they had been unfortunate in exhibiting to the statesmen of Mexico their power. It had been seen that, unaided, they had swept their own department of the Mexican soldiery, and defied the officers of the customs. It was a lesson not to be forgotten.

The experience of the past few years had satisfied the Texans that they should be separated from Coahuila. It will be remembered that, from 1727 to 1824, Texas was a separate province, and in nowise connected with Coahuila, more than with any other political division of Mexico.* The Constitutional Congress of the last-named year had temporarily united it with Coahuila; providing, however, by the second article of the *Acta Constitutiva*, that "so soon as Texas should be in a

* "Under the plan of Iguala and the treaties of Cordova, it [Texas] was entitled to one deputy in the cortes of the Mexican empire, which it was provided should be called. When the Constitutional Congress had determined to adopt the federal form of government, and provided for the election of the convention, or *congreso constituyente*, to form the constitution, Texas had continued in the same isolated situation, and was allowed one representative, whom it accordingly sent."—*Thomas J. Chambers's Pamphlet*, 1833.

situation to figure as a state by itself alone, it should give notice of the same to the general Congress for its resolution."

The Texans had many just grounds of complaint against their union with Coahuila. The latter had three fourths of the representation in the state legislature; and its population, being composed almost wholly of Mexicans, would naturally be disposed to keep the former in subjection. Hence the administration of justice in Texas was neglected; the right of trial by jury was postponed; the laws were published in a language unknown to the colonists; and many other abuses and ills they suffered, which, with a state organization of their own, they might have remedied.*

Having found themselves able to drive the Mexican soldiery out of their territory, the Texans believed their department was "in a situation to figure as a state," and took measures to call a convention to adopt a constitution, and lay it before the supreme Congress for its resolution. Accordingly, after a short notice, the convention met at San Felipe, in October, 1832, and entered upon the discussion of a separate state constitution. The work was one of delicacy. Two things were to be attained: the instrument was to be so framed as to pass the ordeal of the national Congress, and not come too much in conflict with Mexican prejudices; and it must contain all those elements of Anglo-Saxon liberty usual in such cases — such as trial by jury, the *habeas corpus*, the absence of restraints upon the rights of conscience, and opposition to a standing army. The shortness of the notice given for the assembling of the convention, and the absence of a number of the delegates, prevented a satisfactory conclusion of their labors. Accordingly, after sitting a week, they adjourned. What they had done, however, was important, inasmuch as the subject was brought

* Chambers's Pamphlet, 1833.

before the public mind; and the convention which, in the April following, met for the same purpose, came together more fully instructed and prepared.*

The civil war between Santa Anna and Bustamente continued to rage in Mexico; but after the death of his favorite general Teran, Bustamente proposed terms of peace, which were accepted by Santa Anna. It was agreed that Pedraza, the legally-elected president of 1828, should be reinstated in his office, and that both parties should unite in support of the constitution of 1824. The national Congress, however, refused to ratify this agreement. The two generals, notwithstanding, enforced it, and, on the 26th of December, 1832, placed Pedraza in the presidential chair.† Having accomplished this object, Santa Anna retired to await the reward which he expected for his patriotic efforts in behalf of the constitution of 1824.

Thus, in the autumn of the year 1832, Texas seems to have been at peace; and, at the close of that year, the ship of state in Mexico appears to have got under way. But these were treacherous signs of peace. Already were some engaged in forging the chains of slavery, and others in storing up munitions of war.‡

On the 28th of April, 1832, the state legislature made an

* Kennedy, vol. ii., p. 18.

† Ib., p. 11. The convention between Santa Anna and Bustamente was concluded at Zavaleta, on the 23d of December, 1832.

‡ What reliance can be placed upon historians, when we find such contradictions as the following, in regard to the last months of 1832 in Texas? "The Texan colonists were exposed to severe trials at the close of this year. Hardly had they been relieved from the Mexican soldiery, when they were threatened with a formidable irruption of frontier Indians. Against these savages their own moral and physical resources constituted the sole means of defence, with the exception of less than seventy soldiers maintained by the citizens of Bexar." — *Kennedy*, vol. ii., p. 14. "For a short period now, Texas enjoyed peace, prosperity, and happiness. Immigration began to flow in again from the United States, and to strengthen the claims of the province to admission into the Mexican confederacy as a coequal member thereof." — *Foote*, vol. ii., p. 25.

entire change in the colonization law. They repealed the general colonization law of 1825, known as Decree No. 16, and, instead thereof, limited the *empresas* to Mexicans; modifying the terms of sale to Mexican purchasers, extending the rights of colonists, and excluding natives of the United States.* Yet they showed some liberality in recognising existing contracts, and even in extending the time within which some of the *empresarios* were to introduce the requisite number of colonists.† The legislature also, at the instance of the Texan delegation, introduced the practice of creating municipalities, and directing the election, by the people, of municipal officers.‡ This was a point gained—a continuance of that decentralizing process by which the people were extracting power from the political chiefs. These municipal corporate bodies, elected by the people, sympathized with them, and two years afterward became *nuclei* around which they rallied and organized in defence of their rights.

In the midst of all these scenes, Colonel Austin was calm. His object was to consummate his great work. He desired that his colony should live, and grow, and prosper. At the same time he wished it to be free; and, although he foresaw, as did all men of discernment, that a people of the elevated and independent character of his colonists could not and would not long live in subjection to the changing, antiquated system of government followed by Mexican statesmen, yet, before the separation came, he wished to see his people in their manhood—able to grapple with an enemy who would not easily surrender so great a prize.

The statesmen of Mexico looked at these scenes with very different eyes. They would gladly have cherished Texas, and conferred upon her many favors; but they were afraid of her.

* Decree No. 190. † Decree No. 192. ‡ Decree No. 196.

The Anglo-Saxon love of liberty—the lofty bearing of the humblest of the colonists—their enterprise, intelligence, and abhorrence of the bloody scenes of Mexico—and their general contempt for the Mexican rulers—made them an object of dread to the supreme government at the capital. The active movements of the summer of 1832 began to attract the attention of the people of the United States, and the love of adventure drew to the colonies many enterprising and daring spirits. These, by the prominent stand they took in Texas, increased this dread.

Among the new-comers into Texas in the year 1832 was Sam Houston, late governor of the state of Tennessee, a man of extraordinary fortunes. By birth a Virginian, but brought up in Blount county, among the mountains of East Tennessee, he volunteered at an early age as a soldier in the army; was promoted to the rank of lieutenant; fought at the battle of the *Horse-shoe*, in which he was severely wounded; returned to Tennessee, where he attracted the attention of General Jackson, and was taken into his military family; was appointed Indian agent for the Cherokees; he afterward studied law, was elected attorney-general for Tennessee, and major-general of the state militia; represented the Nashville district in Congress; was elected governor of the state; married—which soon proving unfortunate, he resigned his office of governor, and in April, 1829,* went into voluntary exile, among those

* Houston was appointed second lieutenant in the 39th regiment of infantry, by President Madison, on the 20th of April, 1815, "to rank as such from the 20th of May, 1814;" and first lieutenant in the 1st regiment of infantry, by President Monroe, on the 5th of March, 1818, "to rank as such from the 1st of May, 1817." In November, 1817, he was appointed sub-agent of the Cherokee Indians. On the 14th of December, 1821, he was elected major-general of the middle division of Tennessee militia. In August of the years 1823 and 1825 he was elected a representative to Congress; and in August, 1827, he was chosen governor of the state of Tennessee.

Cherokee Indians for whom he had been agent twelve years before. But they had been removed, and in 1829 were living on the Indian lands near Cantonment Gibson. Houston had been adopted by the chief John Jolly, and on the 21st of October of the above-mentioned year was admitted to the rights of citizenship,* by an official act of the authorities of the nation. Among these people he subsisted by trade, making an occasional trip to the older states until 1832. During the time of his exile, the papers were filled with stories in regard to the gigantic projects he had in view. At one time he was represented as intending to join Mexico against the Spanish invasion of 1829. At another, it was said that he intended to retreat into the Rocky mountains, and engage in the fur-trade. Again, that he intended to invade and detach Texas from the Mexican confederacy—one account stated, with the Cherokee Indians; another, with adventurers gathered from all parts of the United States, meeting at a rendezvous in Arkansas. All these reports were equally untrue. Houston, stricken with a grief strictly private, and of which the world knew not, had gone from society to find a resting-place for a troubled spirit. Time alone could restore his mind to its wonted elasticity. It may well be supposed that, during that period of depression and gloom, he was hatching no treason against the Union, nor was his mind employed in any such gigantic projects. These reports, however, had spread far and wide. They had reached

* The instrument says: "In consideration of his former acquaintance with and services rendered to the Indians, and his present disposition to improve their condition and benefit their circumstances, and our confidence in his integrity and talents, if he should remain among us—we, as a committee appointed by order of the principal chief, John Jolly, do solemnly, firmly, and irrevocably grant to him for ever all the rights, privileges, and immunities, of a citizen of the Cherokee nation, &c. . . . .

"WALTER WEBBER, *Pres't Com.*
"AARON PRICE, *Vice-Chief.*
"JOHN BROWN, *Clerk.*

"APPROVED, JOHN JOLLY *Principal Chief.*"

the ears of President Jackson. A letter from him, dated at Washington city, June 21, 1829, shows that he disbelieved them: "It has been communicated to me," said he, "that you had the *illegal enterprise* in view of conquering Texas; that you had declared you would, in less than two years, be *emperor* of that country, by conquest. I must have really thought you deranged to have believed you had such a wild scheme in contemplation; and particularly, when it was communicated that the physical force to be employed was the Cherokee Indians! Indeed, my dear sir, I can not believe you have any such chimerical, visionary scheme in view. Your pledge of honor to the contrary is a sufficient guaranty that you will never engage in any enterprise injurious to your country, or that would tarnish your fame."*

In December, 1830, President Jackson received a letter from a Dr. Mayo, stating that Houston had imparted to him his design of conquering Texas by means of the "Indians in the Arkansas territory, and recruits among the citizens of the United States." The president, on receipt of this letter, wrote confidentially to William Fulton, secretary of state for Arkansas, at Little Rock, stating the intelligence he had received, and that, although he "believed the information was erroneous," yet such was his detestation of the criminal steps alluded to, that he wished him to watch the course of things, and keep

* An eloquent passage from this same letter will not be unacceptable: "My affliction was great, and as much as I well could bear, when I parted with you on the 18th of January last. I then viewed you as on the brink of happiness, and rejoiced. About to be united in marriage to a beautiful young lady, of accomplished manners and of respectable connections, and of your own selection—you the governor of the state, and holding the affections of the people: these were your prospects when I shook you by the hand and *bade you farewell!*—You can well judge of my astonishment and grief in receiving a letter from you, dated at Little Rock, A. T., 11th of May, conveying the sad intelligence that you were then a private citizen, '*an exile from your country!*' What reverse of fortune! How unstable are all human affairs!"

him constantly advised of any such movements. Colonel Fulton made the proper inquiries, and informed the president that there were no such hostile movements on foot in Arkansas against Texas or Mexico.* This correspondence obtained consequence from the use made of it by Ex-President John Quincy Adams in 1838.

As to the time when Houston first determined to come to Texas, it is useless to inquire: it is, however, tolerably certain that he did not determine to make it his home until 1833. As early as the autumn of 1829, he received strong solicitations from his friends to immigrate hither.† It was on the 10th of December, 1832, that he first crossed Red river, near Jonesborough, on his way to Nacogdoches. He had two objects in view: first, to act as a confidential agent of the government of the United States in looking into the condition and disposition of the Indian tribes, particularly the great nation of the Camanches; and to examine into the character of the country, with a view to its value to the United States should they purchase it. His second object was that of an agent for claimants of lands. In furtherance of the first object, he was furnished by the secretary of war with a passport requesting all the tribes of Indians, "whether in amity with the United States, or, as yet, not allied to them by treaties," to permit him to pass freely through their territories.‡ He was also furnished with secret

* See these letters in the "Extra Globe," July 21 and September 13, 1838. Also in John Quincy Adams's speech in the house of representatives, from June 16 to July 7, 1838.

† Letters of John A. Wharton and Leonard W. Groce, October 25, 1829. Wharton says: "I therefore request you once more to visit Texas. It is a fine field for enterprise. You can get a grant of land, and yet be surrounded by your friends; and what may not the 'coming on of time' bring about?" — "I am now on my way to Texas, in company with my brother and his lady, Major Boyd, and Mr. Groce."

‡ Passport, August 6, 1832.

instructions to induce those Indians who had come to Texas from the United States to return.*

Between Jonesborough and Nacogdoches, Houston found but two houses. After remaining a while at the latter place, he proceeded to San Felipe, with a view to meet Colonel Austin; but the latter was not at home. Houston, after partaking of a Christmas-dinner at San Felipe, set out for San Antonio, in company with Colonel James Bowie. Arriving there, he made the acquaintance of Beramendi, the vice-governor of the state, and father-in-law of Bowie; also that of Ruis, the Mexican commandant. Having stated his object, with their permission he held a consultation with the Camanche chiefs, and distributed to them medals. He then returned to Nacogdoches, by way of San Felipe, where he reported himself to Colonel Austin, and made his acquaintance.† At Nacogdoches, Houston was urged by the American residents to settle among them, which he partially promised, and shortly afterward concluded to do. On his return to Natchitoches, he reported to the president, and also to the commissioner for Indian affairs.‡

Notwithstanding the consultation with the Camanche chiefs was held in the presence of the Mexican officers at San Antonio, and through their interpreter, and they were distinctly informed that the object of the United States was to get them to meet commissioners at Cantonment Gibson to make a treaty of peace, yet a feeling of jealousy prevented the consummation of that desirable end. Although the authorities at San Antonio did not openly oppose it, they did not aid it, but, on the contrary, by their conduct and objections prevented it.‖

* The Mexicans were complaining of these intrusions of the Indians. They were in violation of the thirty-third article of the treaty of friendship between the two countries. — *Exec. Doc., Senate, No.* 14, 32*d Congress, 2d session*, p. 4.

† Letter to Guy M. Bryan, November 15, 1852.

‡ See Appendix No. 1.

‖ Houston to the Secretary of War, July 30, 1833.

The Indians along the Texan frontier were generally mischievous. In fact, there was scarcely a month that passed, but some murder or robbery was perpetrated by them. The year 1832 was not an exception. Hence it was some consolation to the Texans that, during that year, the different tribes had a good deal of fighting among themselves, especially a great battle between the Camanches and Shawnees, in which the former were badly defeated.*

According to the federal constitution of 1824, the legislatures of the several Mexican states were required, on the 1st day of September, 1832, to vote for president and vice-president of the republic. This, it appears, they did not do until the 29th of March, 1833.† Santa Anna was elected president without opposition. He took his seat on the 16th of May following, the most popular man, with the exception of the viceroy José Galvez, that had occupied the national palace. A hero of the revolution of 1821, the conqueror of the tyrant Iturbide, the friend of Victoria, the victor over Barradas in 1829, and the supposed unyielding friend of the republican constitution of 1824, he declared, in his inaugural address, that it had been the object of his life to secure to Mexicans the full enjoyment of their rights, and to break the triple yoke of ignorance, tyranny, and vice; that he would attend to the interests of education; and that his administration, like his own character, should be mild and tolerant. Such were his professions, and such the happy auspices under which he assumed the reins of power. In making these professions, he seems to have exhibited his contempt for the Mexican people, for he seized the first occasion to give the lie to all he had said!

* In 1832, a party of five hundred Camanches came into San Antonio. At that time a party of Shawnees, twenty-five in number, were encamped in the hills, about thirty-five miles north of the town. A Camanche Indian attempted to carry off one of the Shawnee women, who was in the town. She fled to her people, gave them information of what had occurred, and they prepared an ambush for their enemies at a point where they expected them to encamp. The Camanches came as anticipated, and took off their packs. Just at this time the Shawnees opened a fire on them; and, though they rallied often, so deadly was the fire, and so secure the position of the attacking party, that the Camanches at last fled, leaving one hundred and seventy-five dead on the field! The discomfited party returned to San Antonio, and the Mexican authorities sent out a large force to assist them. — *Telegraph and Texas Register, August* 14, 1839.

† Mexican Constitution, Section 7, Article 79: Niles's History of Mexico, p. 204.

In the meantime, on the first of March, 1833, the people of Texas had renewed their election of delegates to the postponed convention to frame a constitution. The Mexicans did not participate in this election, because it had not been ordered by the political chiefs. The delegates assembled on the first of April following, at San Felipe. A body of more distinguished men had not met in Texas. Among them were Branch T. Archer, Stephen F. Austin, David G. Burnet, Sam Houston (one of the five delegates from Nacogdoches), J. B. Miller, and William H. Wharton. The latter was chosen president of the convention. The members entered upon their labors in earnest. The requisite committees were appointed: among them were the important committees on the constitution, and on a memorial to the supreme government of Mexico. Sam Houston was appointed chairman of the first and David G. Burnet of the second named committee. The constitution framed was a model of republicanism, with now and then an indication, however, that some clauses were inserted and some principles retained to please the Mexican ear. The right of trial by jury, the writ of *habeas corpus*, the right of petition, freedom of the press, direct and universal suffrage, and all those clauses usual in a bill of rights, were inserted. On the subject of religious liberty, however, they were silent.

A considerable debate was had on the subject of the *banking* clause. B. T. Archer was in favor of, and Sam Houston op-

posed to allowing them. The latter prevailed; and it was declared by the convention that no bank, or banking institution, or office of discount and deposite, or any other moneyed corporation or banking establishment, should ever exist under that constitution.*

The convention completed its labors, and adjourned on the 13th of April. The memorial to the supreme government was drawn up by David G. Burnet. It is an excellent document, and delineates with forcible elegance and correctness the unhappy position of Texas.† There were other matters claiming the attention of the convention. Unprincipled men, for the sake of gain, had been engaged in the piratical practice of importing negroes from Africa into Texas; and, though some of them had been arrested and hung by the British cruisers, the business still continued. Strong resolutions were offered and passed prohibiting this traffic.

It was necessary to select delegates to present to the supreme government the wants and wishes of the people of Texas. Stephen F. Austin, William H. Wharton, and J. B. Miller, were chosen for that purpose, the former by the largest vote. They were instructed to present to the central government, not only the application for a separate state organization, but also for the repeal of the odious decree of April 6, 1830, prohibiting natives of the United States from emigrating to Texas; also the enactment of a law establishing regular mails in Texas, the defence of the colonies against the Indians, and the regulation of the tariff.‡

For various causes, Austin was the only one of the commissioners that went to Mexico. He set out shortly after the

* See the constitution of 1833, in Edward, p. 196.

† See Appendix No. 2.

‡ Victor Blanco to the Governor of Coahuila and Texas, October 6, 1834, MS.

adjournment of the convention, and reached the capital in time to see it the scene of confusion and intrigue. As his stay in Mexico was lengthy, and greatly prolonged by political events, it will be proper to refer to them in this place.

On the first of June next following the installation of Santa Anna, General Duran *pronounced* in favor of the church and the army—that is, a *strong* government—at the same time nominating Santa Anna as dictator. It has been suggested that Santa Anna was at the bottom of this movement, though without any other evidence than that of his subsequent conduct. He sent out a strong force, under the command of Arista, for its suppression, accompanying the expedition in person. On the march, Arista himself declared for the plan of Duran, and secured the person of the president, at the same time proclaiming him dictator. This declaration was echoed back from the army in the city. But Gomez Farias, a civilian, and an honest supporter of the constitution of 1824—the vice-president, and acting as president in the absence of Santa Anna—suspecting that the latter had some hand in this matter, proceeded, with the aid of Lorenzo de Zavala, then governor of Mexico, to raise a force of republicans, and in a short time put down this attempt upon the constitution. Santa Anna appears to have remained a willing captive in the hands of Arista. It was only when he found that the movement was abortive, that he pretended to escape from his captors, and returned to the capital.* Arista was pardoned, and Duran banished. This little farce is an epitome of the life of Santa Anna, and co-ordinate with the Mexican mind.

Upon these new laurels Santa Anna retired to his estates, leaving the government in the hands of Farias and a republican Congress. The country was deeply in debt, the revenues

* Niles, p. 204; Kennedy, vol. ii., p. 24.

were exhausted: the active means and resources of the nation had fallen into the possession of the clergy. To lighten the public burden, the army was reduced; and, to raise further means to meet the public wants, a part of the revenues of the church were appropriated. These admirable decrees of the Congress were duly approved by Farias. The church was thereupon aroused, and, uniting with those opposed to the federal form of government, poured in their petitions for the repeal of these laws. Santa Anna, while in his retirement, meditating on his ambitious projects, had determined in his mind to abandon the republican party, overturn the constitution, and establish an absolute government. His instruments to be used for the accomplishment of these ends were the church and the army—acting at once on the superstitions and fears of the people. Hence he gave countenance and encouragement to these petitions, and openly expressed his dislike for Farias and his administration.

While Santa Anna was thus fanning the flame of a civil war, in which he expected to reap the principal harvest, Austin, the faithful representative of Texas, was endeavoring in vain to obtain the action of the government upon the matters by him laid before it. His petitions were referred to a committee of Congress, where they slept, while a revolutionary contest was raging in many parts of the republic, and especially about the capital.* To add to the confusion, the cholera broke out with great virulence, and in a few weeks carried off ten thousand of the inhabitants in the metropolis alone.† The epidemic had deranged the meetings of Congress; and so desponding were the hopes of Austin, that, in his letter of the 2d of October,

* Austin's letters of the 14th of August and the 2d of October, 1833.

† It also extended to Texas, where it made fearful inroads among her scattered population. Among the victims were the gallant John Austin and Asa M. Edwards.

1833, to the municipality of Bexar, he recommended that all the municipalities of Texas should unite in organizing a state, under the provisions of the *Acta Constitutiva* of May 7, 1824, and, by union and harmony, prepare for a refusal of their application by the supreme government. He further advised them that, if they did not take matters into their own hands, Texas was ruined for ever. While this letter was on its way, Austin succeeded in procuring the repeal of the law of April 6, 1830, prohibiting natives of the United States from immigrating hither as colonists, and set out for home on the 10th of December, 1833. But his letter of the 2d of October was transmitted by the municipality of Bexar to Vice-President Farias, who, finding in it what he believed to be treasonable matter, despatched an express for Austin, had him arrested at Saltillo, and taken back to Mexico and imprisoned.

Farias, though in principle a republican, was not accustomed to the freedom of speech natural to the Texans. In the October previous, Austin had told him very plainly that the Texans had determined, if the federal government did not remedy the evils which threatened them, "to remedy them themselves, without waiting any longer—on the ground that self-preservation rendered such a step necessary, and would justify it." Farias construed this into a threat and personal insult; and, though he had become partially reconciled to Austin before he departed on the 10th of December, the letter to the corporation of Bexar renewed and increased his exasperation.*

Austin was shut up in prison on the 13th of February, 1834, where he remained in close confinement for three months, excluded from the use of books or writing-materials, or even the light of day.

We will now turn our attention to the state legislature and

* Austin's letter of August 25, 1834.

its proceedings. This body, having met on the first of January, 1833, reaffirmed its recognition of Pedraza as president of the republic; at the same time it declared that the state would not support any agreement (*convenio*) tending directly or indirectly to attack the federal form of government and the state sovereignty. It further declared that it recognised as the wil of the nation only what was approved by a majority of the legislatures.* It shortly after proceeded to attack the right of petition, and declared that any person or corporation, who assumed the voice of the people by making any petition, usurped the rights of society, and excited disorder. More than three persons were forbidden to join in a petition! The entire law is an attack upon the liberties of freemen:† but we must see and know the people of Coahuila before we pronounce too strongly against the legislature.

On the 9th of March following, the legislature carried into effect its previously-expressed determination to remove the seat of government to Monclova, and ordered the state officers to appear at the latter place by the first of April. This exasperated the people of Saltillo, and they were found ready to join any party that might rise in opposition to the legislature. This feeling was increased, on the meeting of that body, by the enactment of a decree disbanding the civic force of thirty men at Saltillo which had been supported by the state.‡

Among other things, the legislative body repealed the law of the 9th of April, 1832, prohibiting persons not born in the republic of Mexico from retailing goods in the state.‖ This law had given just cause of offence to the people of Texas, and its repeal was due to their growing influence. To this influence may likewise be assigned the law granting to Madero (a

* Decrees Nos. 205 and 206.
† Ib., No. 212: March 1, 1833.
‡ Ib., Nos. 214 and 216.
‖ Ib., No. 217.

favorite with the Texans) the exclusive right to navigate the Trinity.*

During the latter part of the year 1833 began the settlement of the colony of Beales and Grant. They had obtained a concession for eight hundred families, to be located between the Rio Grande and the Neuces. In the last days of December, about sixty colonists, under Mr. Beales, reached the new settlement, and laid off the town of Dolores, on Las Moras, a small stream about ten feet wide and two feet deep. They remained there about a year, when they dispersed. They were Europeans, and but poorly qualified for such an enterprise. Kennedy—himself an Englishman—speaking of the failure of this colony, says it supplied "further evidence of the superiority of the Anglo-Americans in forming colonies. The North Americans are the only people who, in defiance of all obstacles, have struck the roots of civilization deep in the soil of Texas. Even as I trace these lines, I reflect upon their progress with renewed wonder and admiration. They are indeed the organized conquerors of the wild, uniting in themselves the threefold attributes of husbandmen, lawgivers, and soldiers."†

The year 1834 was occupied in Mexico in changing the form of government from that of a republican confederation of states to a purely national government, controlled by a single man, without any other restraint than he might choose to place upon his own actions. Farias met the complaints and petitions of the clergy and the monarchists by banishment and the prison. Santa Anna, who had been watching the progress of things, now discovered that the combined influence of the clergy, the army, and the monarchists, would be sufficient to answer his purpose. He accordingly came out from his retreat, and re-

* Decree No. 218.
† Kennedy, vol. ii., p. 57.

sumed his seat as president of the nation. It was very soon ascertained that the Congress would not repeal the obnoxious laws lately enacted; and that body, in consequence, became very odious to the centralists. By the constitution of the republic, Congress was required to close its sessions annually on the 15th day of April, with liberty to continue its sittings thirty days longer (Sundays and solemn festivals excepted), should they deem it necessary, or if the president should require it.* At the close of its regular session in 1834, Congress declared it necessary to sit thirty days longer. This period would expire on the 14th of May following. It appears that, on the day preceding, Santa Anna notified the members that, if they did not disperse, he would use a military force to turn them out of their hall. The Congress adjourned on the 14th, declaring that its rights had been invaded by Santa Anna. The latter, however, immediately appealed, by a proclamation, to the people, setting forth the alleged tyranny of the vice-president Farias and the majority of the Congress.†

The popularity of Santa Anna gave weight to his address; and the consequence was a *pronunciamento* and *plan*, drawn up at Cuernavaca, on the 25th of May. It proposed—first, that the late laws against the church, and those for the banishment of the monarchists, who had taken an active part against the federalists, should be declared void; second, that the Congress should be dismissed, and another convened with power to form a new constitution; and, third, that Santa Anna should be sustained in carrying into execution the views he had published. This plan was almost universally adopted; but, as it required some time to go through a decent formality, and to elect a new Congress, we will return to other events.

* Mexican Constitution, Section 7, Article 71.

† Democratic Review, April, 1838, p. 110; Edward, p. 218.

The legislature of Coahuila and Texas met on the first of January, 1834; and, in default of the governor and vice-governor, Councillor Francisco Vidaurri y Villaseñor was duly invested with the executive functions.* The influence of Texas was much felt in this body, and the presence of Thomas J. Chambers at Monclova added greatly to that influence. The new municipalities of Matagorda and San Augustine were created at this session;† Texas was divided into three departments, and it was provided that both the Spanish and English languages should be used in public affairs; an additional representative in the legislature was also allowed her,‡ thus giving to Texas three out of eight in that body. Acting in the spirit of Gomez Farias, the legislature did what they could to restrain the privileges of the clergy: it prohibited the founding of edifices by charitable donations; also debarring any one from disposing of more than one fiftieth of his estate for the benefit of his soul; likewise forbidding the ecclesiastical authority from intervening in civil affairs, and the bishops from making the testament visit (*visita testamentos*).‖ It may be proper to state here that the *political chiefs*, of which Texas was to have three, were selected in the following manner: the *ayuntamientos* of each department named three persons to the council of state; if that body approved of them, it nominated them to the governor, out of which he selected and appointed one as political chief for the department. He held his office for four years, and received a salary of eight hundred dollars per annum.§

* Decree of January 8, 1834.

† Decree of March 6, 1834. San Patricio and Mina were established subsequently at the same session.

‡ Decree of March 18, 1834. The new department of Texas was that of *Brazos*, having its capital at San Felipe.

‖ Decree No. 263.

§ Article 147, Constitution of the State of Coahuila and Texas: Decree No. 270.

Another decree, passed at this session of the legislature, for the sale at auction of vacant lands, is important for other matters embraced in it.* Its provisions exhibit considerable liberality. The lands were to be surveyed into *labors* (one hundred and seventy-seven acres each), and sold for not less than ten dollars each, the purchaser paying down one third in cash, and the balance in one and two years. Foreigners were likewise allowed to purchase; and, what had not before been permitted, they were allowed a year in which to bring their families to Texas. But the most important article provided that "no person should be molested for political and religious opinions, provided the public order was not disturbed."

This law for the sale of lands was in a few weeks dispensed with, to make way for more gigantic projects. The Mexican members of the legislature, who themselves set no value upon wild lands, had discovered that the Texans did. As the former loved money, and the latter real estate, an arrangement of interests was mutually effected. At this time the memorial sent by Austin, for a separation of Texas from Coahuila, was still pending before the federal government, and the issue was uncertain. The state legislature, fearful of losing the rich lands of Texas without consideration, was disposed to make the most of them while it had the power.† Many complaints had been made of the depredations committed by the Indians on the Texan frontier. A proposition was therefore made to provide a body of rangers,‡ and to pay them *in lands*, for which purpose four hundred leagues were to be set apart. The proposition passed into a decree; but, in its engrossment, a fraudulent alteration was made, by which the executive was author-

* Decree No. 272, March 26, 1834.

† Thomas J. Chambers's Pamphlet, 1837.

‡ Decree No. 278. April 19, 1834.

ized to *sell* the lands.* Accordingly, the lands were sold, and the settlers on the frontier left to battle with the Indians as they had done before.†

The great necessity for a well-organized judiciary, and the numerous complaints of the Texans on that subject, induced the passing of a decree on the 17th of April, 1834, making Texas a judicial circuit, dividing it into three districts, and prescribing the mode of procedure. The most important feature in this law was the provision establishing *trial by jury*. In other respects it was as much assimilated to the rules of common-law courts as Mexican prejudices would permit. Thomas J. Chambers was appointed judge of the circuit; but, after making efforts to organize the courts in the several districts, such was the confusion incident to the approaching revolution, that the law became useless.

The legislature closed its session on the last of April, leaving the government of the state in the hands of Villaseñor, the acting governor, and the council and standing deputation.

* In General Chambers's own words: "The article of the decree relating to the subject required, in the first place, that the executive should call out a sufficient number of the militia to repress the audacity of the savages, and then provided that the troops should be paid, or rewarded, with vacant land, in the following terms: '*Y para pagar ó premiar á los milicianos podra hechar mano de las tierras valdias hasta in cantidad de cuatro cientos sitios*, REPARTIENDOSELOS *bajo las reglas y condiciones que establesca.*' These were the terms in which it received the sanction of Congress, and, if it had remained thus expressed, the executive could never have sold the land to speculators. For *repartiendoselos* is a compound word, composed of the participle of the verb *repartir* (to divide among), and the two pronouns *se* and *los*, one of which refers to the land and the other to the troops; making it obligatory upon the executive *to divide the land among the troops*. But the ingenious member caused the pronoun *se*, referring to the troops, to be omitted in engrossing the decree; and it received the sanction of the executive, and was published as a law, with the compound word changed into *repartiendolos*, leaving the executive free to dispose of the four hundred leagues of land, by dividing them out, without determining among whom." — *Pamphlet*, 1837.

† Abstract of Land-Titles, p. 175.

These functionaries, on receiving intelligence of the plan of Cuernavaca, assembled on the 24th of June, and declared that the state would not permit the exalted name of religion to be invoked within her limits, under any such pretence; that the executive should take measures to banish from the state such as endeavored to do so; and that he should not permit the troops of the standing army to be introduced into the state under any pretence.*

On the same day, an extra session of the legislature was convoked to meet on the 11th of August, to take measures for the safety of the federal system of government, and for the regulation of the public treasury, which was exhausted. The acting governor was also authorized to levy and organize such number of the civic militia as he might deem necessary for the defence of that system.† In a short time, however, the will of the nation having expressed itself so fully in favor of Santa Anna and his strong government, the executive of the state and his council withdrew their opposition, and declared for the dictator.‡

Four days previous to this, however (July 19), the town of Saltillo issued its *pronunciamento* against the government of the state, and established a government of its own, appointing the licentiate *José Maria Goribar* as governor. At the same time it declared all the acts of the state congress and government, since the first of January, 1833, to be a nullity!‖

Thus a civil war was about to commence in the state. The respective parties flew to arms. The call for an extra session of the legislature was not obeyed. To add to the confusion, a meeting, composed of the ayuntamiento of Monclova, three

* Laws of Coahuila and Texas, p. 278.
† Decree of June 26, 1834. ‡ Ib., July 23, 1834.
‖ Sketch of General T. J. Chambers, p. 32, *et seq.*

members of the legislature, and two of the council, was held on the 30th of August, at which the constitutional governor was deposed, and Colonel Juan José Elguezabal appointed in his stead.* On the next day, Elguezabal issued his proclamation, declaring that he had "taken the administration by the free suffrage of the representatives of the people;" and that the state recognised Santa Anna as president, and would conform to whatever a majority of the national Congress, with his approval, would do. He then advised the two parties of Saltillo and Monclova to make peace.† The warlike preparations of these rival factions, however, continued. It was only after some skirmishing, and the speedy prospect of bloodshed, that the acting governor, on the part of Monclova, and Vicente Campos and Ignacio de Arispé, on the part of Saltillo, met at the former town, on the 6th of November, 1834, and at midnight made a treaty of peace. The terms of the agreement were, that the question of difference between them should be referred to Santa Anna; that, in the meantime, all prisoners and property taken should be restored, the troops disbanded and sent home, and everything placed in the position it occupied before the difficulty occurred.‡

The Texans were not a party to these disgraceful scenes. They beheld with astonishment two petty aspirants claiming to be governor of the state in which they lived, neither one having the least color of a claim to the office! But they were not indifferent. The pending confusion had prevented the constitutional recurrence of the elections; the government under the constitution was in fact destroyed. Under these circum-

* Decree of August 30, 1834. This decree is not published in Carbajal's collection. The fifth article of the decree softens the facts considerably. The governor is said to be deposed "because of his infirmities."
† Dated August 31, 1834. MS. ‡ MS.

stances, José Antonio Vasquez and Oliver Jones, the Texan representatives to the state legislature, and Thomas J. Chambers, superior judge of Texas, in a short address, dated at Monclova, on the 1st of September, 1834,* presented to the people of Texas the unhappy condition of their affairs, and proposed a congress, to meet at Bexar, on the 15th of November following, to take into consideration the political situation of their own department of the state, and, if necessary, to form a provisional government. The adoption of this measure, it is believed, was prevented by the uncertainty of their affairs in the Mexican capital. Santa Anna, after his resumption of the reins of power, on the 13th of May, 1834, released Austin from the dungeon of the Inquisition, in which he had been confined, but kept him in confinement elsewhere until the 12th of June, when the military tribunal, to whom his case had been referred, decided that they had no jurisdiction over it. It was then referred to a civil tribunal, which also disclaimed jurisdiction; a like decision was made by the judge of the federal district of Mexico, to whom the case was referred. The matter was then submitted to the supreme court of the nation, that they might declare what court had jurisdiction. This body never made the decision, nor was Austin ever tried; neither can it be for a moment supposed that he was made to run the round of these courts for any other reason than to gain time, and hold him as a sort of hostage for the good behavior of Texas. His letter of the 25th of August following, and the flattering attention of Santa Anna, show this fact conclusively.† But, after the reference of the affair of Monclova and Saltillo to the decision of the president, and a temporary calm was experienced in the state of Coahuila and Texas, Santa Anna found it to be good policy to enter seriously into the discussion of the peti-

* Sketch of Thomas J. Chambers, p. 31. † Edward, p. 210.

tions with which Austin had been charged by the Texan convention of 1833, and to decide upon them. Accordingly, on the 5th of October, 1834, the president convoked a meeting, composed of his four secretaries of state, the three representatives from Coahuila and Texas, three of his confidential generals, Lorenzo de Zavala, and Stephen F. Austin. The session was opened at eleven o'clock in the morning. The president having stated the topics to which the discussion was limited, Austin laid before the meeting the object of his mission, and the grounds of his petition. After a discussion which lasted three hours, embracing every head of the question, and in which several of the members participated, Austin urged lastly the separation of Texas from Coahuila, and its formation into an independent state. This was opposed by the representatives of the state in the national Congress, and particularly by Victor Blanco, who spoke last on the subject. Santa Anna then resolved—

1. That he would meditate maturely the decree repealing the 11th article of the law of the 6th of April, 1830, and, if no objections were presented, would give it his sanction.

2. That a corps, composed of cavalry, infantry, and artillery, four thousand strong, should be stationed at Bexar, for the protection of the *coast* and frontier of the country, to be under the command of General Mexia.

3. That proper steps should be taken to have regular mails, and to remove all obstacles to the agricultural and other industry of the inhabitants, "who are viewed with the greatest regard."

4. That Texas must necessarily remain united with Coahuila, because it had not the elements warranting a separation, nor would it be convenient. And, though it might be allowed to form a territory, if the inhabitants called for it, yet the dis-

membering of a state was unknown to the Mexican laws, and he would be at a loss how to proceed.*

Thus was decided all the matters embraced in Austin's mission. Still he was detained in Mexico. His continued absence necessarily produced much feeling in Texas. This, added to the chaotic proceedings in the state and federal governments, not only excited but exasperated the colonists against Mexico, and everything that pertained to her.

The reference of the dispute between Saltillo and Monclova to Santa Anna was accepted, and a solution given. It was as follows:—

1. The seat of government should remain at Monclova.

2. Alguezabal to continue to act as governor until a new election.

3. A new election for governor, vice-governor, and members of the legislature, to be ordered for the entire state.†

This arrangement referred the matter to the people; and, although there was no law for the election, it was satisfactory. The decision was made on the 2d of December, 1834; and Austin hastened to communicate the fact, in a letter of that date,‡ advising the people of Texas to sustain this adjustment of their difficulties by the president. "All is changed," said he, "since October of last year. *Then* there was no local government in Texas; *now* there is, and the most of your evils have been remedied, so that it is *now* important to promote *union* with all the state, and keep down all kind of excitement. All is going well. The president, General Santa Anna, has solemnly and publicly declared that he will sustain the *federal*

* Victor Blanco to the Governor of Coahuila and Texas, October 6, 1834.

† The time for the election, under the constitution, was the previous September. Texas had elected Messrs. Austin, Jones, and Vasquez; but the civil war in Coahuila had prevented the elections there.

‡ Austin to Messrs. Durst and Thorn, MS.

representative system, as it now exists, and he will be sustained by all parties."

In the spring of 1834, Colonel Juan N. Almonté, who, after his return to Mexico, had become distinguished, was sent by Santa Anna to visit Texas, and report upon its condition, physical and moral. He devoted some months to this business, spending most of his time with his old friend, and the friend of his father, Colonel Ellis P. Bean.* On his return, he published so much of his report as was deemed expedient. In that report, he attributes the rapid advance of the Texans to their industry, and the absence of that civil strife so common in Mexico. He estimated the population at twenty-one thousand souls,† though there were doubtless at that time thirty thousand. He computed the number of negroes at only eleven hundred, when they were undoubtedly three times that number. The trade of the three chieftaincies of Texas was estimated as follows: Brasos, six hundred thousand dollars, mostly in cotton; the imports about three hundred and twenty-five thousand dollars: Nacogdoches, four hundred and seventy thousand dollars in cotton, skins, grain, and cattle; the imports about two hundred and sixty-five thousand dollars: Bexar, only eight or ten thousand skins of exports, and a few articles imported from New Orleans—thus making the total foreign trade of Texas, in 1834, about one million, six hundred and eighty thousand dollars.

* After the Fredonian war, Colonel Bean ceased to be actively engaged in public affairs. He continued to hold his appointment as a colonel in the Mexican service, and was Indian agent. During the troubles of 1832, he was stationed with a detachment of troops at Fort Teran. His command was ordered to Nacogdoches by Piedras, and were taken prisoners by the Texans. Bean, not wishing to lose his commission, did not take part in that contest.

† Population of Texas in 1834, by municipalities: Bexar, 2,400; San Patricio, 600; Matagorda, 1,400; Nacogdoches, 3,500; Jonesborough, 2,000; Goliad, 700; San Felipe, 2,500; Gonzales, 900; San Augustine, 2,500; Victoria, 300; Columbia, 2,100; Mina, 1,100; Liberty, 1,000. Total population, according to Almonté, 21,000.

On the return of Colonel Almonté to Mexico, in the autumn of the foregoing year, it was proposed that he should again proceed to Texas, in the capacity of *colonial director*, and aid in introducing a larger number of Mexicans into that department; but the subsequent troubles prevented, and he did not return till he came with the army in 1836.

It was during the year 1834 that an attempt was made by the Creek Indians to obtain a settlement in Texas. Through some influence, the chiefs Apothtayoha and Ben Hawkins came to Nacogdoches, and entered into an agreement to procure the lands lying north of that town, which were then under the control of a New York company. A part of the purchase-money was advanced by the Indians, and further steps were taken to complete the title. In the meantime, the report of this project having gone abroad, and been made public by the newspapers, aroused the American settlers, and also the Cherokees. Colonel Bean, the Indian agent, was consulted; and in a short time the public mind became so exasperated, that the matter was abandoned. Hawkins was killed by the Cherokees.*

* "September 15, 1835: F. Thorn, president; T. J. Rusk, secretary. *Resolved*, That General Houston be appointed to take such steps as he may deem necessary in attempting to arrest the progress of one Benjamin Hawkins, who, we have every reason to believe, is attempting to introduce a large body of Indians from the United States into Texas."—*Proceedings of Vigilance Committee, Nacogdoches.*

CHAPTER XXI.

THE first strictly revolutionary meeting in Texas was held at Bexar, on the 13th of October, 1834, in pursuance of the recommendation of the representatives and superior judge of the department. At this assembly, on motion of Erasmo Seguin, the call for a convention, to meet at Bexar, on the 15th of November following, was approved. The proceedings were sent to the other municipalities; but, as previously stated, the movement did not succeed. A meeting followed on the 20th of October, at San Felipe, under the auspices of the political chief of Brasos, which went further than was at first recommended, by proposing a perpetual dissolution of the connection between Coahuila and Texas. But it appears that the convention of April, 1833, previous to its adjournment, had appointed a grand central committee to look after the public interests. This committee, considering that the movement was premature —that Austin was still in confinement, and his safety jeoparded by such action—and following his advice, as transmitted from Mexico—replied to these proceedings, and recommended acquiescence for the present.*

The Mexican national Congress met on the first of January, 1835, in pursuance of the plan of Cuernavaca. The central-

* See the arguments of each party in Edward, p. 220, *et seq.;* Kennedy, vol. ii., p. 64.

ists had triumphed everywhere, except in the two states of Zacatecas and Coahuila and Texas. Zacatecas resolved that she would adhere to the constitution of 1824, and so instructed her representatives. Among the first acts of Congress was the banishment of Gomez Farias, the vice-president, who, though a rough believer, was at the head of republicanism in Mexico. Another act was to declare Zacatecas in a state of rebellion; and yet another, reducing the number of the militia to one soldier for each five hundred inhabitants, and *disarming* the remainder. This arbitrary decree was a sufficient justification of Texas for her subsequent acts.* Every one who knows the Texans, or who had heard of them, would naturally conclude that they never would submit to be disarmed. Any government that would attempt to disarm its people is despotic; and any people that would submit to it deserve to be slaves!

In the meantime, in pursuance of the award of Santa Anna, the state of Coahuila and Texas proceeded to hold elections for governor, vice-governor, and members of the legislature. Augustin Viesca was elected governor, and Ramon Musquiz vice-governor.† They were both republicans; the legislature was of the same political character. It may be stated in advance, that, however patriotic these gentlemen assumed to be, they were men of easy virtue; and, in escaping from under the ruins of a falling government, they managed to carry off more plunder than belonged to them. The first evidence of legislative corruption appeared in a decree, passed on the 14th of March, 1835, authorizing the governor to sell four hundred leagues of land, without being subject to the provisions of the general colonization law of 1825. The lands were shortly dis-

* Democratic Review, April, 1838; Kennedy, vol. ii., p. 82.

† Decree No. 294. Governor Elguezabal sent in his resignation at the opening of the session; and, as the votes for governor had not yet been returned, José M' Cantu was invested with the executive power for the time being.

posed of to speculators; but the law itself was abrogated by the general Congress on the 25th of April following.* The town of Saltillo, devoted to Santa Anna, and ever ready, since the removal of the seat of government from that place, to take advantage of any errors committed at Monclova, seized this occasion to revolt. Her deputies retired from the legislature, leaving their protest. On their return home, the people of Saltillo *pronounced*. General Martin Perfecto de Cos, commandant-general of the eastern states, gave them aid and countenance, by a letter to Governor Viesca, supporting their views: and not only this, but he set out, with a body of troops, for the capital of the state, to enforce the points laid down in his letter!†

The legislature, being informed of these facts, passed a decree, dated the 7th of April, authorizing the governor to raise such force as he might deem necessary to secure the public tranquillity, and to protect the civil authorities in the exercise of their functions. That body further declared that no portion of the standing army should be stationed in the capital, except by the express orders of the president of the nation.

At the time Santa Anna determined against the admission of Texas as a *state*, he held out some hope that he would organize it into a *territory*. The Texans did not desire this, any more than their union with Coahuila. However, the idea had become general in the state; and Governor Viesca, on taking his seat, published an address, advising union between all sections: and in a note appended to the address it was stated that Santa Anna wished to reduce Texas to the condition of a territory—"to separate her from Coahuila, in order that the people might be considered as foreigners." This address was dated on the 15th of April, 1835—for Viesca did not in fact assume the

* Laws and Decrees, p. 301. † Ib., p. 284.

executive functions until that day; but Austin, writing from Mexico, under date of the 15th of March, said: "The territorial question is dead. The advocates of that measure are now strongly in favor of a state government; and that measure is now before Congress. A call has been made upon the president for information on the subject; and I am assured the president will make his communication in a few days, and that it will be decidedly in favor of *Texas and the state.*"*

Thus was Santa Anna temporizing with Texas, through Austin, until he could get the country occupied with his troops. Coahuila, at the same time, was courting her regards, and urging her to remain as part of the state, while she was heartily tired of them both.

The state government, finding that the transfer of so large a body of the public lands of Texas into the hands of speculalators had produced quite an excitement in the mind of the general community, undertook an apology, which was published in "*La Gaceta del Gobierno Supremo del Estado*" of the 1st of April. Therein it was stated that, by the defection of Saltillo, the treasury of the state was exhausted, and that the government must have means. Still, this hardly justified the private sale of four hundred leagues of excellent lands at less than two cents per acre! But much was promised to Texas.

"For the satisfaction of the people of Texas," says '*La Gaceta*,' "and the friends of freedom generally, we will state that bills are now presented to the legislature, and others will soon be presented, which will greatly promote the advancement and prosperity of that fair portion of our country—such as the regulation of the colonization system upon a liberal and practicable basis; the regulation and termination of Indian claims and Indian wars; the appropriation of sufficient sums

* Edward, p. 241.

of money out of the proceeds of public lands to establish in Texas a state college and good rudimental schools; the settlement of all the loose families in Texas; the decision of all land claims and disputes; and to put an end to many abuses practised upon the people, and ultimately many other projects highly favorable to the state in general, and to Texas in particular."

Thus were the hopes of the Texans flattered, while they were robbed of their fair domain; and thus did this legislature render itself worthy to be driven from its halls by the minions of Santa Anna. The federal Congress had under consideration a decree of conciliation and amnesty. It proposed only to extend the act of oblivion to a time limited, and to include none but natives of Mexico. The state legislature very properly recommended that the provisions of the amnesty should be enlarged, so as to cover the entire past, and also include naturalized foreigners.* This suggestion, had it been adopted, might have postponed the impending political crisis somewhat longer: for Texas, composed almost entirely of foreigners, would not otherwise obtain any benefit from the decree. The legislature, forgetting awhile its selfish ends, and being witness to the scandalous and bloody scenes enacting in the city of Mexico, declared, in an address to the federal Congress, that notwithstanding *plans* were formed, and *pronunciamentos*, accompanied by appeals to arms, constantly occurred, and the principles of the constitution and the rights of the people were as constantly proclaimed, yet, unfortunately, action had never corresponded with declaration; but that, on the contrary, distrust, discord, and a disposition to persecution and revenge, constituted their settled course of procedure. That body further declared that it represented a people who were proud of

* Decree of April 8, 1835.

having always sustained the constitution of 1824, and that they would firmly continue to sustain it. It warned the federal Congress that "reforms," at all times and in all places dangerous, would then be still more so in Coahuila and Texas; that it was bordering on a flourishing sister-republic, and was settled by thousands of inhabitants with whom the changes contemplated would not agree, as they could not conform to them;* and that such changes would *highly compromit*, not only the internal peace of the country, but the very integrity of the nation.

Santa Anna and his pliant Congress disregarded these prophetic warnings. That body, after declaring its own almost unlimited powers, proceeded gradually in its work of destroying what little of republican liberty yet remained in the Mexican confederacy. In April, the president-dictator set out, at the head of three thousand four hundred troops, to chastise the people of Zacatecas; and, about the same time, he ordered his brother-in-law, General Cos, then stationed at Matamoras, to proceed, at the head of a suitable force, to disperse the legislature at Monclova.

Don Francisco Garcia, governor of Zacatecas, had assembled, on the plains of Guadalupe, not far from the city, a force of five thousand men, with several pieces of artillery. On the 10th of May, Santa Anna approached with his army, and sent a demand to the governor to surrender. The latter refused with spirit. On the next morning, at five o'clock, the battle commenced, and, after a bloody engagement of two hours, the Zacatecans were entirely routed. Two thousand of them were killed, and twenty-seven hundred more were made prisoners. All their arms and ammunition fell into the hands of the victors. Santa Anna, with his troops—of whom, according to

* Laws and Decrees, p. 288.

his own bulletins, he had scarcely lost a hundred in the battle—marched into the capital of the state, where for two days they were engaged in the butchery of the unfortunate inhabitants and the plunder of their city! Zacatecas was one of the wealthiest mining-districts in Mexico. It had likewise been one of the earliest and most constant friends of the national revolution, in which it had suffered greatly. The spirit of liberty had taken deep root in the state; but this great blow had utterly prostrated her, and submission to the dictator was the only alternative.* The intelligence of this disaster produced a painful sensation in Texas.

Meantime, General Cos with his force was slowly approaching the capital of the state of Coahuila and Texas. The legislature prepared to meet this invasion of its rights, not by force of arms, but by the enactment of laws for extending land-titles. It found time, during its last days, to create a bank, to be organized, under the auspices of an *empresario*, in Texas.† Governor Viesca called out the militia, to defend the legislature; but the public mind of the state, especially in Texas, was so thoroughly convinced of the selfishness and corruption of that body, that the stirring appeals of his excellency could not arouse them. They declared that it was too much to risk their blood to sustain those who had wantonly squandered their lands.‡ The legislature, therefore, after passing a decree authorizing the provisional location of the seat of government at such point as the governor might select, hastily adjourned.‖ Thus closed for ever, on the 21st day of April,

* First official account of the battle, May 11, 1835; Niles's Mexico, p. 207.

† Decree, No. 308.

‡ Kennedy, vol. ii., p. 89.

‖ Decree No. 325. The legislature of Coahuila and Texas granted to José M. Carbajal a license to publish in the Spanish and English languages the laws and decrees of the state (Decree No. 319). Through Colonel Carbajal, a copy was procured by the government of Texas, translated by Dr. Kimball, and published in both languages in 1839.

1835, the legislature of Coahuila and Texas. It fell by the hands of a tyrant, but unpitied by the people.

The governor, having selected Bexar as the future temporary capital of the state, collected the archives, and set out on his journey thither, with an escort of one hundred and fifty of the militia, and some few Texans. After proceeding as far as Hermanos, he returned to Monclova, with a view to surrender and make terms with Santa Anna; but subsequently, apprehending that he would be safer in Texas, he set out on his way to that department, in company with Colonel Milam and John Cameron. The party were, however, captured in the mountains by the forces under Cos, and started to Vera Cruz. Milam escaped at Monterey, and the others at Saltillo, and finally all reached Texas. Such of the legislators as did not escape were imprisoned and banished. The federal Congress afterward deposed the state authorities, and annulled all the decrees of the late session.*

We will return to the occurrences in Texas. The people of that department were now without a government; and it devolved on them, either to establish a system of their own, or submit to the will of Santa Anna. From their character, the latter could not be expected. The national decree, dissolving the civic militia, exposed the country to the constant depredations of the Indians, who had already become very troublesome and dangerous. As an instance of this, early in 1835, an Italian and several Mexicans, engaged in transporting goods, were attacked in the morning by about seventy Indians, on the road, fifteen miles west of Gonzales. The merchants, forming a breastwork of their goods, continued the fight till evening. But gradually their numbers were thinned by the fire of their adversaries, till they were no longer able to defend their position. An assault was then made on the survivors by the savages, and every one was butchered and scalped.* Such a scene, on the great thoroughfare of the country, was sufficient to prove the necessity of an organized militia, and that militia well armed.

* Kennedy, vol. ii., p. 90.

The first step toward an independent organization in Texas was through *committees of safety*. The first committee of safety was appointed at Mina (now Bastrop), on the 17th day of May, 1835. It was chosen, not in reference to a rupture with Mexico, but in consequence of repeated outrages committed by the Indians. The people assembled on that day, to make some arrangement for their protection.† Samuel Wolfenbarger was called to the chair, and J. W. Bunton appointed secretary. A previous meeting of the ayuntamiento and a few citizens had convened on the 8th of the month, and nominated D. C. Barrett, John M'Gehee, and B. Manlove, as a committee of safety. The meeting of the 17th confirmed it, and added to it the names of Samuel Wolfenbarger and Edward Burleson. This example was soon followed by all the municipalities; so that in a short time they were found in the active discharge of their functions, laboring with a zeal and constancy worthy of the noble cause in which they were engaged.

Early in 1835, Captain Tenorio, with twenty Mexican troops, was stationed at Anahuac, to guard and protect the port of Galveston. Some of the Texans, headed by William B. Travis, determined that taxes should not thus be collected from them to support a standing army in their own country, attacked and drove them off. They retired to San Felipe, where they were hospitably received, and assisted on their way to Bexar.

* Indianola Bulletin, 1853.

† Proceedings of the Committee of Mina, MS. I am indebted to B. C. Franklin, Esq., for this, as well as some other valuable papers, emanating from that municipality.

Santa Anna, having deposed the governor of the state, filled the office by the appointment of Don Miguel Falcon, a creature of his own; but Falcon shortly afterward proving impracticable, he removed him, and invested the commandant-general Cos with the civil as well as the military power. This, added to the rumored approach of a standing army, increased the public alarm. Colonel Ugartachea, the Mexican commandant, was stationed at Bexar. He was a man of courage, and of many amiable qualities; in fact, he was personally popular with the Texans. He saw the approaching storm, and did what he could to avert it; but he was a soldier, and acted under orders. Cos was a different man; yet he was capable of as much hypocrisy as he deemed necessary to conceal his designs and ensnare the Texan patriots. He did not, however, deceive them long. He sent them a circular, dated the 12th of June, 1835, full of the paternal views of the national government. At the same time he despatched a message to the commandant at Anahuac, informing him that the two companies of New Leon and the battalion of Morales would sail immediately for Texas; and that they would be followed by another strong force, which he had solicited the government to send. With this despatch also went another, from Ugartachea, giving the information that the force which had conquered Zacatecas, and which was then at Saltillo, had likewise been ordered to Texas, and would soon regulate matters! The courier bearing these documents was arrested by a party at San Felipe, and the papers opened and read.*

The intelligence thus received served only to increase the public excitement. There were two parties in San Felipe,

* Address of R. M. Williamson, chairman of the meeting of San Felipe, of June 22, 1835. Letter of J. B. Miller, political chief of Brasos, to General Martin Prefecto de Cos, July 1, 1835.

and, in fact, throughout Texas. The war-party, on receipt of the news of the flight of Governor Viesca, and his subsequent arrest, held a meeting, and resolved to rescue the governor, and drive the Mexican troops from San Antonio. Notwithstanding this, the peace-party did not co-operate, but urged the bad faith of the governor and legislature as a reason why they should not interpose in their behalf. "But," rejoined the war-party, "the sale of the four hundred leagues of land has nothing to do with the subject. You are justly indignant at that sale—so also are we; but that can and ought to have no weight with the public mind at this time. It is too inconsiderable to be noticed when compared to the importance of our country, our property, our liberty, and our lives, which are all involved in the present contest between the states and the military."* Thus, while the peace-party were engaged in making apologies, and in soothing Cos and Ugartachea, the war-party were publishing flaming documents, full of the wrongs of Texas, and of her threatened ruin.

The meeting of the war-party, on the 22d of June, was followed by an address from the chairman, R. M. Williamson, which produced a powerful effect on the public mind. As Ramon Musquiz, the vice-governor, was in Bexar, and was willing to act as governor if the colonists would sustain him, it was proposed to take that place, install him in the executive office, and have him appoint commissioners to extend to the colonists the titles to their lands. The legislature, before its flight, had authorized such appointments, but the governor was arrested before he could make them.

These views were supported by several of the municipalities, but others rejected them. The ayuntamiento of Liberty, on the 1st of June, issued an address, denouncing the conduct of

* Williamson's Address, July 4, 1835.

the party that had expelled the troops from Anahuac, declared them a mob, and threatened to punish all such offenders against the laws of Mexico.* John A. Williams, a considerable personage in the jurisdiction of Liberty, published a circular, denouncing the meeting at San Felipe of the 22d of June.† "We are told," says he, "much about extravagant reforms, dangerous innovations, and extraordinary prerogatives assumed by the general Congress, yet not one word is said about the public fraud committed by the governor and legislature in the illegal sale of four hundred leagues of land to their favorite speculators. . . . . I fear," he continues, "the people are now ready to plunge headlong into the yawning jaws of a hopeless civil war. It seems to me that I never heard of an attack so daring, so ungrateful and unprovoked, as that held forth by the people of San Felipe. To capture and occupy San Antonio, to make treaties with the Indians, to send forces and rescue the governor, to protect the frontiers, and sustain our position against the combined forces of the Mexican United States, are what we are urged to do! O vanity! O ignorance! what have ye done? Will my countrymen ever be the prey of political jugglers?"

Dr. James B. Miller, the political chief of Brasos, while he despatched a letter of peace to General Cos, proceeded to organize the militia of his jurisdiction — though this he might well do to oppose the Indians, for they had become troublesome. In pursuance of previous notice, however, there was held on the 17th of July, at San Felipe, a meeting of the representatives sent from the jurisdictions of Austin, Columbia, and Mina,‡ to take into consideration the state of the country,

* Edward, p. 235. † Pine Bluff, July 3, 1835. MS.

‡ *Delegates from Columbia:* John A. Wharton, James F. Perry, Stirling M'Neil, James Knight, and Josiah H. Bell. *From Austin:* A. Somerville, John R. Jones, Wylie Martin, Jesse Bartlett, and C. B. Stewart. *From Mina:* D. C. Barrett. — *Journal of Proceedings, MS.*

and the alleged outrages against Mexico. Wylie Martin was chosen president, Charles B. Stewart secretary, and the meeting duly organized. After a session of four days, but little was accomplished. A reply was made to the letter of Ugartachea, in which he had assured the Texans of the good will of the central government. The reply represented the existence of a like conciliatory spirit on the part of Texas, and expressed regret for the recent outrages, requesting Ugartachea to interpose with Santa Anna and Cos. Captain Tenorio, who was present at this meeting, was mollified, by sending to Harrisburg for his arms, and to Patrick H. Jack for his private papers that had been taken from him at Anahuac.* On the second day of the convention, John A. Wharton moved for a call of a *general council* of the people of Texas, but the proposition was voted down. A committee of five was then appointed, to draw up a statement of facts in regard to the late disturbances, but the next day it was discharged, for want of the necessary information as to what constituted the facts. A commission, however, consisting of two persons (D. C. Barrett and Edward Gritton), was appointed, to proceed to Matamoras, and explain to General Cos the recent occurrences, and to assure him of the adherence of Texas to the general government and its institutions.† The meeting, having left all unfinished business in the hands of the political chief at his request, adjourned to meet again on the first of August following.

* "This day, 25th of July, gave Captain Tenorio an order from the political chief to Wray, *comisario* at Harrisburg, for the arms and accoutrements which were taken at his surrender; also an order to P. Jack for his (Tenorio's) private papers." — *Journal.*

† Journal, p. 6. Edward Gritton was an Englishman, who had been for some time domiciliated in Mexico, and had come to Texas in 1834, in company with Colonel Almonté. There remains now but little doubt of his treachery. The meeting raised by subscription five hundred and forty-seven dollars, and paid it over to these commissioners as an outfit. Gritton was a brother-in-law of Colonel Carbajal.

The proceedings of this convention had the effect to calm the feelings of the war-party, and place them in the minority. In the letter of Ugartachea, referred to on the previous page, he stated to the Texans that they had nothing to fear from the introduction of troops into Texas; that they would be placed in detachments at the commercial points to prevent smuggling, and also on the frontiers to repress the incursions of the Indians.* Nevertheless, it was the object of the peace-party to prevent, if possible, the introduction of troops into Texas; and they declared to Colonel Ugartachea, in their reply of the 17th of July, that if troops were despatched to attack the colonists, or were sent in great numbers for any purpose, it would cause the reunion of all parties, and a fearful civil war would be the result.

The people on the Navidad took a warlike view of public occurrences. They held a meeting at the house of William Millican, on the 19th of July, and, after appointing James Kerr chairman and Samuel Rogers secretary, declared their belief that Santa Anna was hostile to state sovereignty and the state constitution; that they would oppose any force that might be introduced into Texas for other than constitutional purposes; that, whereas there were then at Goliad two hundred infantry, on their march to Bexar, they recommended the chief of the department to intercept them; and they further advised the taking of Bexar. They concluded their proceedings by calling on the militia, and directing them to be ready to march at a moment's warning. An account of these spirited proceedings was speedily sent to San Felipe, but a change of feeling had occurred there since the meeting of the 22d of June, and the people were awaiting the result of the mission of Messrs. Barrett and Gritton.

* Letter of July 7, 1835, MS. This was brought from Ugartachea by Gritton.

The people of Nacogdoches, though farther removed from the seat of disquiet, had already chosen a committee of safety and vigilance. Henry Rueg,* the political chief of that department, was friendly to the war-party, and aided the committee in its labors. Among the leaders of the war-party, the most prominent at that time were Travis, Bowie, Williamson, and Johnson. A letter from Travis, at San Felipe, to Bowie, at Nacogdoches, dated July 30, 1835, will give some idea of the views of his party at that date. "The truth is," says Travis, "the people are much divided here. The *peace-party*, as they style themselves, I believe are the strongest, and make much the most noise. Unless we could be united, had we not better be quiet, and settle down for a while? There is now no doubt but that a central government will be established. What will Texas do in that case? Dr. J. H. C. Miller, and Chambers, from Gonzales, are, I believe, for unqualified submission. I do not know the minds of the people upon the subject; but if they had a bold and determined leader, I am inclined to think they would kick against it. . . . . General Cos writes that he wants to be at peace with us; and he appears to be disposed to cajole and soothe us. Ugartachea does the same. . . . God knows what we are to do! I am determined, for one, to go with my countrymen: right or wrong, 'sink or swim, live or die, survive or perish,' I am with them!"

On the 12th of July, General Cos addressed a letter to the political chief of Brasos, inquiring as to the late proceedings,

* Henry Rueg was a native of Switzerland. He came to the United States in 1818, and, with his partner Norgelle, brought a number of Dutch families to a tract of land near Compté, on Red river; but the colony, not prospering, was abandoned, and Rueg proceeded to Texas in 1821. After engaging for a while in the mule-trade, he set up a small store in Nacogdoches. Here an intimacy sprang up between him and Piedras the commandant, which, when that town was erected into a separate chieftaincy, resulted in his appointment to that office. He was the first and last political chief of the department.

and directing him to take measures for the suppression of disturbances. J. B. Miller was absent and sick at the time this paper reached San Felipe, and it was answered by Wylie Martin, the chief *pro tem.** He assured General Cos that he had already taken steps to allay the disturbances, and had made known to the people the friendly assurances of his excellency. He further informed him of the appointment of commissioners to visit him at Matamoras, and make explanations.

In the meantime, early in July, Lorenzo de Zavala, late governor of the state and city of Mexico, and embassador to France, had fled from the tyranny of Santa Anna, and sought refuge on the shores of Texas. No sooner had the Mexican authorities learned this fact, than an order was despatched to have him arrested. Captain Antonio Tenorio, late of Anahuac, made the application for arrest to Wylie Martin, acting political chief, on the 24th of July. On the 26th the chief replied that he could not, in his civil capacity, proceed to arrest Zavala, because he had received no order to that effect from the government; and therefore he refused.

But there were spies at San Felipe, watching and reporting to Ugartachea the movements of the war-party. Dr. James H. C. Miller, of Gonzales, who was then at San Felipe as a delegate to the approaching convention of the first of August, thus wrote to John W. Smith, of Bexar, under date of July 25, 1835: "All here is in a train for peace. The war and speculating parties are entirely put down, and are preparing to leave the country. They should *now* be demanded of their respective chiefs—a few at a time. First, Johnson, Williamson, Travis, and Williams; and perhaps that is enough. Captain Martin, once so revolutionary, is now, thank God, where he should be, in favor of peace, and his duty; and by his influ-

* Letter of Wylie Martin to General Cos, July 25, 1835. MS.

ence, in a good degree, has peace been restored. But now they should be demanded. The moment is auspicious. The people are up. Say so, and oblige one who will never forget his true allegiance to the supreme authorities of the nation, and who knows that, till they are dealt with, Texas will never be quiet. Travis is in a peck of troubles. Dr. J. B. Miller disclaims his act in taking Anahuac, and he feels the breach. Don Lorenzo de Zavala is now in Columbia, attempting to arouse, &c. Have him called for, and he also will be delivered up. Williams, Baker, and Johnson, are now on a visit to him, and no doubt conspiring against the government. Fail not to move in this matter, and that *quickly*, as now is the time."

Smith immediately exhibited this letter to Ugartachea, who, being misled by it, and supposing the people of Texas would surrender their leading men, issued an order to each of the alcaldes, ordering them to take every possible means to arrest Zavala, Johnson, Williamson, Travis, Williams, and Baker; and, when in safe custody, to deliver them to Captain Tenorio at San Felipe. He further stated in the order, that, should they not do so, they would not only be compromitted themselves, but he would send a respectable force to arrest those persons.*

The commissioners to General Cos reported their proceedings to the committee of safety at Mina, and they were approved on the 29th of July. Having made the necessary preparations, the commissioners set out. Their correspondence is long and pointless. They left Bastrop on the 30th of July,† and arrived at Gonzales on the night of the 1st of August, where they met

* Order from Bexar, July 31, 1835.

† Letter from Edward Gritton to Wylie Martin, July 30, 1835. The principal business of the commission on the route appeared to be the collection of funds.

the order of Ugartachea for the arrest of Zavala and the other suspected persons. They succeeded in detaining the express until Gritton could hasten to Bexar, and endeavor to effect the revocation of the order. He succeeded only so far as to have rescinded that portion which required the prisoners, when arrested, to be delivered to Captain Tenorio.

The commissioners reached Bexar on the 5th of August, and had several interviews with Colonel Ugartachea. He could not understand what was meant by conventions, commissioners, and committees of safety, but looked upon them with jealousy as a sort of *pronunciamentos*, and of rebellious tendency. But they were operating, as they supposed, favorably upon the kind-hearted Mexican commandant of Texas, when—"Lo! at this auspicious moment," say the commissioners, "a courier from General Cos arrived, *interdicting all communication* with the colonies, leaving them to go to the devil in their own way!"* Cos had received a copy of the 4th-of-July address of R. M. Williamson: hence the interdict.

That night the commissioners went to bed—not to sleep, but "haunted by visions of broken heads, mangled limbs, and an ill-natured and unnatural conflict, unnecessarily provoked, and for the want of time to effect a proper understanding among all the parties concerned." But the next morning another courier arrived from Cos, countermanding the order of the preceding evening. He had received the account of the proceedings of the peace-convention of July 17–21, which changed the face of things, and consequently his own feelings. In his last despatch, however, General Cos still required, as a condition of peace, that the disturbers of public order should be given up. Nor did he act without the authority of Santa Anna. In a letter from Tornel, the minister of war and marine, to Cos,

* D. C. Barrett to the political chief of Brasos, August 8, 1835.

dated the 1st of August, he stated that it was Santa Anna's "will that the delinquents be chastised. . . . . that those who had attempted to disturb order should be given up, to be placed at the disposal of the tribunals." The order was also repeated on the 3d, so that General Cos had no discretion in the matter; and, while he was determined to obey these commands, as far as he could, he took care to make them public.* As the Texan commissioners were not authorized to surrender any one to the Mexican authorities, or to agree that it should be done, it was concluded to send back Mr. Gritton for further instructions, thus intimating pretty clearly that the surrenders should be made.

In pursuance of the foregoing arrangement, Mr. Gritton returned to San Felipe, while Mr. Barrett remained at Bexar; both, however, were to meet at Goliad on their way to Matamoras. But to return to more important events.

Santa Anna was extremely solicitous to obtain possession of the person of Zavala. The latter had been his friend, and had sustained him in a trying hour. But the aid was given for the cause of liberty! Santa Anna had deserted that cause, and now wished to sacrifice an ancient friend, who might live to reproach him for his perfidy. "I give this supreme order," says Tornel to Cos, "having the honor to direct it to you, requiring you to provide and bring into action all your ingenuity and activity in arranging energetic plans for success in the apprehension of Don Lorenzo Zavala, which person, in the actual circumstances of Texas, must be very pernicious. To this end I particularly recommend that you spare no means to secure his person, and place it at the disposition of the supreme government."

* I have before me certified copies of these orders distributed by Colonel Ugartachea.

Cos, in transmitting this order to Ugartachea, on the 8th of August, directed him, if Zavala was not given up, to proceed at the head of all his cavalry to execute the command, and to give to the local authorities on the route information as to his sole object. General Cos also approved of Colonel Ugartachea's requisition upon the alcaldes for the other obnoxious individuals previously mentioned, and especially Travis, whose arrest he ordered, that he might be conducted to Bexar, to be tried by a military court.

The next point was to execute this "supreme order." Zavala was needed by the Texans in organizing their defence; and the time had not yet arrived when Travis should be shot at Bexar. But efforts to execute the order were postponed, to await the result of the application for new instructions to be furnished Mr. Gritton. The points on which the Texan commissioners wished instructions were—1. What disposition they should make of the individuals demanded for punishment. 2. As to the modification of the Mexican tariff, the general Congress being then in session. 3. With respect to a direct mail communication from Mexico, through Texas, to the United States. 4. As to the right of carrying on a coasting-trade in foreign bottoms. 5. In regard to citizenship. 6. The appointment of commissioners to extend land-titles to those Texans unprovided, and three fourths of them were in that condition. 7. As to the sending of troops into Texas. 8. With regard to the practice of sentencing convicts to Texas, making it a sanctuary for rogues.* Thus it will be seen that the simple embassy of peace, long before it reached its destination, had grown to one of plenipotentiary powers.

It will be remembered that the meeting that had appointed these commissioners had adjourned to meet again on the 1st

* Exhibit No. 7 to Barrett's letter of August 8, 1835. MS.

of August. On that day but three municipalities were represented. After waiting till the 3d of the month, the political chief dissolved the council, saying that, if anything should occur, he would call another meeting;* so that, when Mr. Gritton presented himself, he found no one able to furnish him with instructions. The acting political chief, Wylie Martin, in reply, however, stated that the body that had appointed the commissioners had ceased to exist; and that a new election and convocation would require four weeks, and that would defeat the object of the mission—which was simply one of pacification. He regretted their delay, believing their powers sufficient for the main object; and concluded by informing them that those persons proscribed had left the department of Brasos, and that the balance of the war-party were still urging Texas to ruin, by attempting to bring about a general convention of the department.

The report that the proscribed persons were on their way to the United States was eagerly seized by Ugartachea as an excuse for not marching in pursuit, at the risk of losing all his cavalry. General Cos wrote to him on the 20th of August, stating that it was useless for the commissioners to come to see him, for the purpose of making explanations, unless the disturbers of public order were first given up. But, in order to make matters easier, Ugartachea procured Barrett to write to the political chief of Brasos on the subject, and request of him affidavits of the fact that Zavala had left the country. The affidavits, however, were not made.†

In the meantime, the news of the demand made for these men had been extensively circulated in Texas, and excited a thorough war-spirit. The war-party was in the ascendency.

* Journal of the council, MS.

† Barrett to the political chief of Brasos, August 17, 1835. MS.

Rueg, the political chief of Nacogdoches, had become fully aroused on the subject. He addressed a circular letter to his department, declaring his adherence to the federal form of government. It was published in the "New Orleans Bulletin" of the 7th of August, and met the eye of General Cos. "You are made responsible," said Cos to him in his letter of the 17th of the month, "for the consequences which such a document may produce; for it is your duty to give to your subordinates an example of submission and respect to the laws of the country. You have invited and conducted them toward rebellion and open resistance to its superior dispositions. The plans of the revolutionists of Texas are well known to this commandancy; and it is quite useless and vain to cover them with a hypocritical adherence to the federal constitution. The constitution by which all Mexicans may be governed is the constitution which the colonists of Texas *must obey*, no matter on what *principles* it may be formed."

It is clear enough that the Texans could not subscribe to this military dogma of General Cos, without a total abandonment of their rights.

The people of the "Red Lands" had also organized. In a series of resolutions introduced by Sam Houston, at a meeting in San Augustine, they declared their adherence to the *Acta Constitutiva*, and the constitution of 1824; that the arrest of Governor Viesca and the members of the legislature, and the intended introduction of an army into Texas, were evidences of tyranny, dangerous to liberty, and a violation of the terms on which the colonists had been invited hither; and that there was no legitimate head to the state government, the governor being imprisoned, and a creature of Santa Anna's being placed in his stead—in the exercise of powers unknown to the constitution. The resolutions further provided for negotiations with the Indian tribes, for raising and organizing the militia, and for appointing a committee of safety. They also declared that those who should fly the country should forfeit their lands.

In the meantime, Santa Anna was engaged in Mexico in the consolidation of a despotism. There were in that nation many genuine friends of liberty, ardent supporters of the constitution of 1824; but the terrors of banishment and death restrained them. Those who dared to oppose him were pursued and hunted down like wild beasts! Of this number were Zavala and Mexia. The Congress was completely in his hands. With the clergy and the army he fulminated his spiritual and military thunders. Over a timid and superstitious people his power had become nearly omnipotent. All but Texas had bowed the neck to the imperious tyrant. To him she was like "Mordecai sitting in the king's gate." His plan for her subjugation was, however, skilfully laid. It was, to fill the country gradually with military forces, under different pretences. In fact, five hundred troops were embarked for Texas in April of the present year (1835), but the disturbances in Zacatecas caused them to be recalled. The time which the dictator had fixed for the overthrow of the constitution was in the following October. Events had, however, hurried him on so rapidly, that he was compelled to change his plan, and despatch troops to Texas more rapidly. In July, he accordingly sent two hundred and fifty; in the first days of August, three hundred more; and there were a thousand more on the route.*

Under these threatening circumstances, the peaceful mission of Messrs. Barrett and Gritton died a natural death. So much was the public mind directed to the impending danger, that the diplomatic functions of the commissioners expired like an

* Address of the Committee of Columbia, August 20, 1835.

exhausted taper, and no record was left to inform us of the closing scene. It is certain, however, that they never reached the court to which they were accredited.

The western and middle colonies of Texas, during the summer of 1835, prepared and sent out an expedition against the Indians. The four small companies of Captains Robert M. Williamson, John H. Moore, George W. Barnett, and Philip Coe, assembled on the last days of July at Tenoxtitlan—whence, on the 31st of that month, they marched to Parker's fort, on the Navasoto, to the relief of Captain Coleman. Here they organized by the election of John H. Moore as major of the command. Thence they proceeded to Twowokana. The Indians, however, getting news of their approach, abandoned the town. The expedition returned after a campaign of some weeks, in which they had a number of adventures with the retreating savages. This seasonable display of force on the frontier was of great service, as it overawed the Indians, and also tended to discipline the volunteers, and prepare them for the toils and triumphs that awaited them at home.*

By the month of August it was clearly understood that the federal constitution was to be destroyed. The plan of Toluca—countenanced and perhaps started by Santa Anna—proposed a central government. The doctrine had already gone forth that the authority of the national Congress was unlimited—that it could do anything which Santa Anna desired. It was further understood that the president was to hold his office for eight years, and was to have some sort of advisory body, a council or Congress, but this body was to be dependent on him.

In regard to the Mexican policy toward Texas, it had been manifestly hostile since 1832. The troops were to be in that department by the time of the change in the form of govern-

* Captain Williamson to the political chief of Brasos, August 16, 1835.

prospect of a successful resistance; but, having absolutely no voice in making the laws, the proposition was wholly inadmissible, and incompatible with civil liberty.

To add to the war-feeling among the Texans, positive intelligence arrived that General Cos, with an additional force, was on his march to Bexar, to overrun and disarm the country, to drive out all Americans who had come into Texas since 1830, and to punish those who had trampled upon Mexican authority. On the receipt of this news, the committee of safety at San Felipe, of which Stephen F. Austin was chairman, warned the people that "war was their only resource," and advised that volunteer companies be immediately formed.*

About the middle of September, Cos landed at Matagorda, with five hundred additional troops, and proceeded on his way to Bexar.† On his arrival in Texas, active operations commenced. In 1831, the commandant at Bexar had furnished the corporation of Gonzales with a piece of artillery, to aid them in their defence against the Indians. They continued to retain it, and claimed it as a gift. The Mexicans averred that it had only been loaned.‡ Ugartachea, wishing to disarm them of this cannon, despatched, through the political chief of Bexar, an order for it. They refused to deliver it up, on the ground of the alleged gift, declaring that the only object of the military at Bexar was to disarm them; and that they had no use for the cannon at Bexar, as they had there, besides those mounted, eighteen pieces unmounted. This refusal being made known at the latter place, Ugartachea despatched a force of one hundred cavalry, under Captain Castonado, to exact the delivery, giving him orders first to send a demand to the

* Circular of Committee, September 19, 1835.

† John W. Moore to Sam Houston, September 20, 1835.

‡ Ugartachea to Austin, October 4, 1835: MS. Letter of G. W. Davis.—*Foote*, vol. ii., p. 69.

alcalde for the cannon, and, if refused, then to employ force. When Castonado with his cavalry arrived on the west bank of the Guadalupe, he found that the ferry-boat and canoes had all been removed to the left bank of the river. This was on Tuesday, the 29th of September. On the first demand, however, the committee of safety for Gonzales had despatched an express eastward for aid, as they anticipated this force of the enemy. A movement had already been made to send a body of Texans to Copano, to intercept the troops under Cos; but, on the receipt of the news from Gonzales, the volunteers directed their course, by a forced march, to that point.* The intelligence of the Mexican advance reached Bastrop on the morning of the 27th. Energetic measures were immediately taken, and the volunteers from that quarter rendezvoused at the "house of James Curtis" on the 28th.†

On the 29th, the actual force at Gonzales was only eighteen men, under the command of Captain Albert Martin. In reply to the demand for the cannon which was made by the Mexicans across the river, they were informed that the alcalde was not at home, but would return in the evening. This answer was given in order to gain time. The enemy then retired to a point on the prairie about half a mile from the ferry, where they encamped.‡

The alcalde not having made his appearance, the *regidor* of the town informed the Mexicans that the authorities could do nothing until they had consulted with the political chief of Brasos. It is proper here to state that Santa Anna had lately appointed Don Rafael Musquiz governor of Coahuila and Texas,

* Austin to F. W. Johnson, of Nacogdoches, September 30, 1835: MS.

† Journal of the Committee of Safety at Mina: MS.

‡ Letter of David B. Macomb. — *Foote*, vol. ii., p. 99. Kennedy says Castonado had one hundred and fifty men; Foote says two hundred. As it was only a captain's command, Ugartachea's statement is most probably correct.

and that the political chief of Bexar had surrendered to his authority, but no other chief of Texas had done so. The people on the right bank of the Guadalupe, at the first alarm, had passed over to the side of Gonzales, and swelled the number of its defenders. The volunteers from the Colorado and Brasos did not wait to organize, but advanced rapidly to the point of danger. On Wednesday, the 30th, the Texan force numbered about a hundred men. The enemy made one or two feints at the ferry and at the ford, about half a mile below, but, finding the Texans vigilant, they retired to a mound about three hundred yards from the ford, where they passed Wednesday night. By Thursday, the Texan force had increased to a hundred and sixty-eight men. They now organized, and elected John H. Moore colonel, and J. W. E. Wallace lieutenant-colonel.

Finding themselves strong enough to make an attack, on Thursday evening, at seven o'clock, the Texans set out on their march across the Guadalupe river. Fifty of their men were mounted; and they likewise carried with them the brass six-pounder, the bone of contention. The Mexican picket having fired on the advance of the Texans, aroused the main body of the enemy, and both parties immediately formed in order of battle. Here they rested on their arms; but at four o'clock, on Friday morning, the 2d of October, the enemy, taking advantage of a thick fog, retired to a high mound, and formed. The Texans did not discover this movement till daylight. As soon as they saw it, they advanced upon the Mexicans, under cover of the fog. The Texan scouts discovered the enemy, fired their pieces, and retired, the Mexicans in pursuit; but a discharge from the six-pounder caused the latter to retreat precipitately to their former position, three hundred and fifty yards distant. The Texans then took possession of a cornfield,

and levelled the fence, so as to make room for the fire of the six-pounder.

At this moment, the enemy sounded a parley, and sent —— Smithers (a Texan, who, in retiring from San Antonio, they had made a prisoner) to request an interview. By this time the fog had cleared away, and the opposing forces were in full view of each other. Colonels Moore and Wallace met Captain Castonado on the prairie, when the latter demanded why they were fighting. Moore replied that the cannon which the Mexicans were attempting to take had been placed at Gonzales for the defence of the constitution and the constitutional authorities, and that no other authority would be obeyed. Castonado stated that he was a republican, and did not wish to fight the Texans; that his orders were to demand the cannon, and, if not delivered up, to take a position in the vicinity, and await further order. But Colonel Moore was not to be evaded in this manner: he accordingly summoned Captain Castonado to join the Texans, or to surrender. This not being admissible, the commanders retired to their respective lines. The Texans now opened the battle with their artillery, and charged upon the enemy. The latter soon fled in the direction of Bexar,* and the Texans returned to Gonzales, where they arrived at two o'clock in the afternoon, well satisfied with this first rencontre, and without the loss of a man. The Mexicans had a few killed.

The ball of revolution was now fairly put in motion. The news of the defeat of the Mexicans reached San Antonio on the 4th of October, when Colonel Ugartachea, as an old friend

* Letter of David B. Macomb. — *Foote*, vol. ii., p. 99. Kennedy states that when Gonzales applied to Bastrop (Mina) for aid, the latter referred the application to San Felipe. Not so: the volunteers of Bastrop repaired to the aid of Gonzales with as great speed as ever aid was furnished a neighbor in distress. —*Kennedy*, vol. ii., p. 105; *Journal of the Committee of Mina.*

of Colonel Austin, addressed him a letter referring to that and previous transactions. After stating that Captain Castonado had *retired* from Gonzales by his order, he informed him that he would himself set out the next day (the 5th), "with the knowledge of Cos, with a force composed of every description of arms, sufficient to prove that the Mexicans would never suffer themselves to be insulted." He stated, however, in conclusion, that if Austin "would use his influence with the political chief to have the gun delivered up to the writer, wherever it might meet him, from that spot he would immediately return; if not, he would act militarily, and the consequence would be, a war declared by the colonists, which should be maintained by the nation with corresponding dignity."*

The news of the affair at Gonzales soon spread throughout Texas. In the extreme eastern settlements the people were aroused. On the evening of the 5th of October, they held a meeting at San Augustine. Great enthusiasm was manifested, and a company was raised to leave for the seat of war on the 10th. Houston and Rusk were there. They set out for the west on the 6th. F. W. Johnson, one of the proscribed, started on the 5th.† Zavala quitted his residence on the San Jacinto, and repaired to San Felipe. Expresses and circulars were sent everywhere, to raise volunteers. The object, "to take Bexar, and drive the Mexican soldiery out of Texas," was

* In this letter, Ugartachea, speaking of the conduct of Captain Thompson, of the *Correo*, says: "I know you are right to complain of Thompson's proceedings, which I still less approve, as they were arbitrary; he having no authority to act in such manner." In the note of Monasterio, minister of foreign relations, to the secretary of state of the United States, dated Mexico, November 19, 1835, he says: "The ship *Correo*, commanded by Thompson, was a ship-of-war, under the full authority of the government; Captain Thompson, as well as the whole of his crew, belonged to the national marine of the Mexican republic, and were found in the seas of Texas in the execution of the orders received from the competent authority."

† Houston and Rusk to the committee at Nacogdoches, October 5, 1835: MS.

boldly announced at San Felipe, and repeated by every committee of safety in the country.* Then came a stirring appeal from Colonel John H. Moore, dated at Gonzales, on the 6th of October, at eleven o'clock at night. Colonel Ugartachea had set out from Bexar on the 5th, with five hundred troops and three pieces of artillery, and was expected at Gonzales on the 7th. "Hasten your march," says Colonel Moore, "and join us as soon as you possibly can." Moore then had three hundred men at Gonzales; but Captain W. D. C. Hall and others were on the march.

At this period, Texas had no head, but the nearness of danger enabled the people to act energetically without one. By common consent, however, San Felipe was adopted as a sort of centre of action, and Stephen F. Austin was looked to for orders and advice.

While these events were passing in Texas, the destruction of the federal constitution was consummated in Mexico. By a decree of the 3d of October, 1835, the state legislatures were abolished, and their places supplied by a department council. The governors of the several states, and, in fact, all officers, were made dependent on the supreme power. This was the work of Santa Anna, yet his name does not appear in the decree.† It was the finishing blow in the overthrow of civil liberty in Mexico. The people of Texas saw it, and foresaw it. The arrival of the news did not change their purpose or their action, for these had been already determined on. The affair at Gonzales was the first overt act on the part of their oppressors. They met and repelled it, as did the people at Lexington and Concord. There was no time to enroll, organize, or to provide for pay and rations. The instinct of patriotism was sufficient for the crisis, and the Texans met it like men who knew the worth of liberty.

* Circular from the committee at San Felipe, October 3, 1835.—*Foote*, vol. ii., p. 84.

† Kennedy, vol. ii., p. 111.

The people of San Augustine nominated General Sam Houston to take the command of the troops in eastern Texas; and on the 8th of October, the committee at Nacogdoches concurred in the nomination, requesting him to take measures to raise volunteers in Texas and the United States. In the absence of ready means, the land and customhouse dues, in the hands of government-officers in Texas, were appropriated.* For the rest, and for horses and other property occasionally pressed into the service, promises of payment were made, and certificates given.

The volunteers continued to arrive at Gonzales, and in a short time the force there was such, that Colonel Ugartachea halted in his purpose. The Texans were well supplied with provisions, but needed arms and ammunition; and, to obtain these, extraordinary exertions were used by the committees. As a temporary head was requisite to give direction to these hasty and energetic movements, the committee at San Felipe proposed that one member from each of the other committees of safety should be appointed to repair without delay to San Felipe, and form a permanent council.† The proposition was immediately accepted: a council was organized, and R. R. Royall chosen president. This plan of organization came from Austin, who up to that time had been obliged to act as "a kind of natural chief," which was a responsibility he did not wish to assume. The appointment of this council enabled them to dispense with the services of Austin at San Felipe, that they might be employed in the army. He arrived at Gonzales on

* Proceedings of the committee of San Augustine, October 7, 1835: MS.

† Circular of the committee at San Felipe, October 4, 1835: MS.

the evening of the 10th of October, and was elected commander-in-chief of the forces.

It was determined to set out on the march for Bexar on the 12th of October, with a force of five hundred men, together with the notable six-pounder.* On that day they crossed the Guadalupe, and encamped on its western bank. Previous to Austin's arrival, the force at Gonzales had been reduced by sending off a detachment of one hundred and ten men, under the command of Captains Benjamin Fort Smith† and Allen, to the protection of Victoria. Before the departure of the army from Gonzales, a popular meeting was held at that place, requesting a postponement of the assembling of the general consultation until the first of November following. This arrangement was proposed for the reason that many of the members elect were in the army, and the others were requested to join in the attack upon Bexar. Austin also sent an express to Houston, to summon the Redlanders to unite with him. The latter complied with this request, and despatched a messenger for the purpose to eastern Texas.‡

It was likewise determined, on the part of the patriot forces, to capture Goliad as well as Bexar, and drive the Mexicans out of Texas. About forty of the planters from the banks of Caney and Matagorda, under the command of Captain George Collingsworth, set out on the march for the former place. His

* M. T. Martin to Dr. Clow; Gonzales, October 11, 1835: MS.

† Benjamin F. Smith was a native of Kentucky. He removed with his father to Hinds county, Mississippi, and was the first representative from that county to the legislature. He was for a while agent among the Chickasaw Indians. At the age of sixteen he volunteered for the army, was with General Jackson in every engagement with the Indians, and during the whole of the campaign of 1814–'15. "He always sustained the character of a brave and valuable officer." —*Letter of General Jackson, July* 18, 1827; *Foote*, vol. ii., p. 109.

‡ Sam Houston to G. M. Bryan, November 15, 1852: MS. Houston says, "I gave to the express the only and last five dollars I had, to bear his expenses east."

ment, fixed for October. Customhouses were to be established and defended. All those who had immigrated into Texas from the United States, since the law of April 6, 1830, were to be driven from the country. A number of proscribed, of which a long list was preserved, were to be arrested and tried by a drum-head court! The slaves were to be freed, and introduced to citizenship. The *empresarios* were to be dismissed from their functions, and future immigrants supplied from Mexico.* This appears to have been the future designed for Texas, and digested, no doubt, from the notes of Almonté.

* H. A. Alsberry to the People of Texas, August 28, 1835.

CHAPTER XXII.

THE idea of a general consultation of all Texas had its origin in the jurisdiction of the municipality of Columbia. The people approved and recommended it in a meeting held there as early as the 23d of June, 1835. At another assembly, in the town of Columbia, on the 15th of August, a committee of fifteen persons was appointed, to be called "a committee of safety and correspondence for the jurisdiction of Columbia." It was "instructed to prepare an address to all the jurisdictions of Texas, requesting them to co-operate in the call for a *consultation of all Texas*."* The committee published its address, and it was sent by express to every municipality in

* Address of the People of Columbia to the People of Texas, August 20, 1835. The committee appointed at the meeting of the 15th of August consisted of John A. Wharton, W. D. C. Hall, Henry Smith, Silas Dinsmore, James F. Perry, John G. M'Neil, Robert H. Williams, W. H. Jack, F. A. Bingham, John Hodge, Wade H. Bynum, Branch T. Archer, William T. Austin, P. Bertrand, and Isaac T. Tinsley. — *Journal of the Consultation*. p. 4. To do justice to Zavala, it is proper to state that, in an address made by him on the 7th of August, 1835, at Harrisburg, he said that "Coahuila and Texas formed a state of the republic, and, as one part of it is occupied by an invading force, the free part of it should proceed to organize a power which would restore harmony, and establish uniformity in all the branches of the public administration, which would be a rallying-point for the citizens, whose hearts now tremble for liberty. But as this power can only be organized by means of a convention, which should represent the free will of the citizens of Texas, it is my opinion that this step should be taken, and I suggest the 15th day of October as a time sufficient to allow all the departments to send their representatives." — *Foote*, vol. ii., p. 83.

Texas. This was a genuine *pronunciamento;* the consequent *plan* being that each jurisdiction or municipality should elect five individuals as representatives, the elections to be holden on the 5th of October, and the consultation to convene at the town of Washington on the 15th of the same month. Each member elect was to ascertain and bring with him the number of people in his jurisdiction; and those jurisdictions that had not already appointed committees of correspondence and safety, were to do so.

This arrangement for a consultation was wise: it was intended to unite and direct the energies of the whole people in compliance with the wishes of the majority. There were in Texas, at that time, three parties, as follows: the war-party, who thought the country should fight at once; a second party, that wished to consult and be united before adopting warlike measures; and a third party, known as *submissionists*, who were opposed to war under any circumstances. A general consultation would heal these divisions, and enable Texas to present an undivided front to her enemy.

The Mexicans commenced their warlike movements at Goliad. Colonel Ugartachea had been too long in Texas, knew too much of the character of her people, and was entirely too humane in his disposition, to answer the ends of General Cos; besides, he had not been as active in arresting the persons proscribed as it was supposed he ought to have been, though his experience at Velasco had taught him the necessity of great prudence in his dealings with the colonists. He was accordingly made to give place in the Texan commandancy to Colonel Nicholas Candelle, a man of barbarous antecedents, and much prejudiced against the Texans. He commenced his career in Goliad by putting the alcalde in jail, and extorting from the *administrador* the sum of five thousand dollars, under

the penalty of being sent on foot a prisoner to Bexar in ten hours. He also stripped the town of its arms, pressed the people into the ranks as soldiers, and gave notice that the troops would be quartered upon the citizens—five to a family—and should be supported by them.*

The movement for a general consultation met with a general and favorable response from the different municipalities; and, after some correspondence with regard to the place of meeting, it was concluded, inasmuch as the principal political characters resided near San Felipe, and a printing-press was located there, that the meeting should occur at that place. Accordingly, the public mind was directed to the points to be settled by the consultation, and to suitable persons to carry out the will of the people.

Shortly after the capture of Captain Tenorio and his force at Anahuac by Travis, General Cos despatched the schooner-of-war *Correo Mexicano*, commanded by Captain Thompson, to the scene of action, to give protection to Mexican commerce in that quarter. Thompson remained some time in Galveston bay, and was quite insolent to traders and citizens, threatening to burn down the town of Anahuac.† While engaged in "protecting the revenues," he captured a small vessel engaged in the Texan trade. This conduct exasperated the public mind against him; and a merchant-vessel, the *San Felipe*, was purchased and armed at New Orleans, placed under the command of Captain Hurd, and sent in pursuit of him. By the aid of the steamboat *Laura*, the *Correo* was captured (in September, 1835), and Captain Thompson sent to New Orleans to be tried for piracy.‡

* Address of the people of Columbia, &c.

† Travis's letter to Bowie, July 30, 1835. MS.

‡ Letter of Captain Thomas M. Thompson to the editor of the "Telegraph," October 15, 1837. Captain Thompson remained six months in prison in New Orleans, at the expiration of which time he was tried and acquitted. He was an Englishman, and had been in the Mexican service some years. He was very kind afterward to Texan prisoners at Matamoras, and ultimately took the side of the Texans.

In the first days of September, Stephen F. Austin, after a detention so long and painful in Mexico, returned to Texas. The old pioneers who had come with him into the country, and been with him in days gone by, and who had witnessed and partaken of his toils and privations, gathered round and received him as one risen from the dead. Such demonstrations of regard were fully reciprocated by Austin. He was a genuine lover of his race, and especially of those for whose happiness he had devoted the best energies of his life. If there was any one desire nearer to his heart than all others, it was to see his colony prosper. He was greatly distressed to find Texas in her then unsettled condition. "I fully hoped," said he, "to have found Texas at peace and in tranquillity, but regret to find it in commotion—all disorganized, all in anarchy, and threatened with immediate hostilities. This state of things is deeply to be lamented."

Austin's many friends invited him to a dinner at Brasoria, on the 8th of September. On that occasion he addressed them in some sensible remarks touching their affairs. He declared in favor of their "constitutional rights, and the peace and security of Texas; also for a general consultation of the people." The great popularity and personal influence of Austin sufficed to bring over to the side of a consultation nearly all its opponents. Wylie Martin, the acting political chief, who had been so strongly opposed to revolutionary measures, and who had, in fact, been at the head of the peace-party, surrendered his opposition, and joined the friends of civil liberty. In his address, Austin stated that Santa Anna had "verbally and expressly authorized and requested him to say to the people of

Texas that he was their friend, that he wished for their prosperity, and would do all he could to promote it; and that in the new constitution he would use his influence to give to the people of Texas a special organization suited to their education, habits, and situation."

In a few days, Austin was placed on the committee of vigilance and safety at San Felipe, and gave a fresh impulse to the revolutionary correspondence of the committees. On the 12th of September, the committee at San Felipe sent out a circular, noticing, among other things, the rights of the Indians. It is true they qualified it by speaking only of their *just* and *legal* rights. This was a point of vast importance to eastern Texas, and, in fact, to the whole country, for there were more than a thousand warriors among the different tribes that had emigrated from the United States, and almost surrounded the frontier of eastern Texas. Colonel Bean, who had been for a long time Mexican agent for these Indians, possessed great influence over them; and they had only to turn their savage arms upon Texas to decide the contest in favor of Mexico. It was generally admitted that they had some rights, though they had never been distinctly defined by the Mexican government. The committees of San Augustine and Nacogdoches had jointly sent a deputation, which included the names of Houston and Rusk, to conciliate them. They declared to the Indians that "they had ordered all their surveyors to keep away from their lands, and not to make any marks on them; that they did not intend that any white man should interrupt them on their lands." These promises, to which others were afterward added, as we shall see, served to keep the Indians quiet.* Besides, Bean was probably at heart in favor of the Texan cause; but he had

* Letter to the Cherokees, September 18, 1835: MS. Big Mush and Bolles to the political chief of Nacogdoches, September 17, 1835: MS.

grown old, was very poor, and was receiving a colonel's pay in the Mexican service: therefore he did not wish to compromit either his office or his countrymen.

The desire of the colonies to perfect the titles to their lands was not suspended by the approach of war; and many, who had bought up headright claims, were still more anxious to have the titles extended. On the 3d of September, Colonel Ugartachea addressed an order to the political chief at Nacogdoches to suspend all persons, so engaged, from giving titles, till the further commands of the supreme government should be received. This order was referred to the committee of safety, who resolved that, under the laws, the settlers were entitled to their lands, and that, under the constitution, Colonel Ugartachea had no right to control the *civil* authority; and that therefore they would resist such an assumption of power, and would sustain the land-commissioner in extending titles. This was all manly and patriotic in the committee, though it would have been better if *they* had restrained the commissioner; for, during the contest which followed, and while the worthy of the land were in the army, monstrous frauds were perpetrated by the commissioner, and hundreds of leagues perhaps were passed away in the names of fictitious persons, and of such as had fled the country, never to return!

In the beginning of September, very few doubted that war was inevitable. The commission of Messrs. Barrett and Gritton will be remembered. Gritton had been sent from Bexar to San Felipe for instructions. He returned without them, but with a letter from Wylie Martin, stating that no further instructions were necessary. Barrett himself then returned to San Felipe, leaving Gritton at Bexar. It was shortly afterward discovered that Gritton was a spy; at least, the facts looked strongly that way. His intimacy with the Mexican

officers; his desire to have the proscribed persons surrendered; his holding out the olive-branch to Texas until the enemy had almost filled the country with troops—these, and other facts, rendered him justly suspected. Barrett was advised, by a letter from Gonzales, of the suspicious conduct of his colleague, and, for a while at least, did not write to him.*

The Mexican officers, though they had seen, in the proceedings of the great meeting at Columbia, of the 15th of August, a resolution declaring that the proscribed persons would not be surrendered, still renewed and revised the list, and sent it to the different political chiefs. Even as late as the 3d of September, a new list was sent off.† With this list, they informed the Texans, through Edward Gritton, that they would certainly march into the colonies; and, among other things, when they came, they would remove intruders from the public lands.

At length, a despatch was received from the secretary of state of the supreme government,‡ declaring that "the colonists, in adopting Texas for their country, subjected themselves to the laws which a majority of the nation might establish." If the colonists had been allowed a voice in making those laws, even then there would be a limit to their obedience—which limit would depend upon the character of the laws, and the

* E. Bailey to D. C. Barrett, September 10, 1835: MS.

† "Lista de los yndividuos cuya aprehension se há recomendado en verificativo al gefe politico de los Brasos:—

"Jonson,	"Baker,
"Willerson,	"Juan H. Moore,
"Travis,	"Dn. J. Ma. Carvajal,
"Villiams,	"Dn. Juan Zambrano.

Ademas los que abrieron la correspondencia oficial de la Coma. Gral. y de esta Prat. Bejar, 3 de Septe., de 1835. "UGARTACHEA."

The above is from the original before me. Carvajal and Zambrano were taken shortly afterward, and sent into the interior.

‡ Secretary of state to Mr. Ponton, August 12, 1835.

advance reached the ford of the San Antonio, below the town, just before midnight on the 9th of October. Two or three men were sent into the town to reconnoitre, while the others waited for the arrival of the main body of the command. The latter, having got lost, were detained; but on their route they fell in with the gallant Milam, who, having escaped from prison in Monterey, had rode night and day to reach Texas. He had stopped in a musquit-thicket to rest, when the Texans discovered and recognised him. A nobler volunteer could not have joined their ranks. Their number now being forty-eight, they advanced upon the town, guided by pioneers acquainted with the localities. They first attacked the quarters of Lieutenant-Colonel Sandoval, the commandant. The sentinel having fired, was shot down; the door of the commandant was then broken open with axes, and he was taken prisoner. The Mexicans were completely surprised, and surrendered unconditionally. Of the enemy there was one killed and three wounded; the Texans had one slightly wounded, and they took about twenty-five prisoners—the balance escaped.

The most important results of this capture were the acquisition of military stores to the value of ten thousand dollars, some pieces of artillery, and three hundred stand of arms, all of which were greatly needed;* also the interruption of the communication between the Mexicans at Bexar and the gulf, which the latter were never afterward able to restore. Santa Anna, in subsequently attempting it at Anahuac, lost his army and his liberty. The commands of Captains Smith and Allen reached Victoria only after the enemy had retreated. They then marched to join the force under Collingsworth, hoping to overtake it before the assault upon Goliad, but they were too

* Foote, vol. ii., p. 115; Kennedy, vol. ii., p. 117; Austin to the committee at San Felipe, October 13, 1835.

late; the place had been taken the night before, as previously related.

A portion of the members to the consultation had assembled at Washington, and others at San Felipe. The former, after advising together, repaired to the latter place. They found everything in the right spirit, and the people all united. "It required," said the committee of San Felipe, in their circular of the 13th of October, "more patriotism to keep men at home than to get them into the service." The consultation met on the 16th. R. R. Royal was called to the chair, and Samuel Whiting chosen secretary. Thirty-two members were present, which not being a quorum, they adjourned till the next day. A communication from General Austin, inviting the members to repair to the army, and assist in taking Bexar, was read. On the 17th, a quorum not being present, they adjourned until the 1st of November, in the meantime granting leave for such as desired it to go and join the army, and others to remain and assist the council in keeping up the revolutionary correspondence.*

A large number of the members accepted the invitation of General Austin, and repaired to the army. Austin reached the Cibolo on the evening of the 16th, when he halted to await reinforcements from eastern Texas. At San Augustine, Bevils, and Nacogdoches, the committees were active in sending forward men, arms, and provisions. The intelligence of the capture of Goliad kindled a flame of enthusiasm throughout the country.†

The jurisdiction of Liberty, which had held out the longest on the side of peace, at length came over to the party of the

* Journal of Consultation, p. 5; Houston to Bryan, November 15, 1852: MS.

† Austin to Committee at San Felipe, October 16, 1835; Committee at Nacogdoches to Committee at San Felipe, October 20, 1835: MSS.

revolution. They announced their position in an address (from the spirited pen of David G. Burnet), and sent forth their assistance to the army. To sustain the finances of the country, a committee, consisting of J. L. Hood, Jacob Garrett, and Peter J. Menard, was appointed by the council to receive and receipt for public moneys at Nacogdoches and San Augustine; and R. R. Royal and J. H. G. Borden were appointed a like committee for the other jurisdictions. The several vigilance committees collected more by subscriptions and donations. All who could contributed. The call for assistance was made, not only on the Texans, but on the friends of the cause in the United States, to aid in men, provisions, arms, and ammunition. The people of Natchitoches responded nobly at a public meeting on the 7th of October. At New Orleans, still more energetic measures were pursued. The *Grays*, two fine companies were fitted out in that city: one left by way of Natchitoches on the 17th, and the other by the gulf-route on the 19th of October. These companies will be noticed hereafter.

On the 20th of October, Austin moved forward to the Salado, a small creek, five miles east of San Antonio, where he was joined by the members of the consultation. The army remained at this point some days, having an occasional skirmish with detachments of the enemy, in which the latter were invariably worsted. Houston, though he had been selected by some of the eastern committees to the command of their forces, did not assume any leadership over them. In a conversation between him and Austin, while at the Salado, the latter frankly stated that his attention had not been directed to military subjects, and that he was satisfied he could render more service to the country in other situations than at the head of the army, and urged Houston to take the command. The latter declined it, and for the reason that Austin had been elected by the

troops, at their first assembly at Gonzales, and those who had subsequently joined had done so with the belief that he was to command them; and if, from any cause, Austin were to resign the command, it would furnish a ground for discontent. Austin replied that, as the committees of Nacogdoches and San Augustine had nominated Houston to the command of the forces east of the Trinity, there could be no reasonable objection to his assuming the supreme charge as commander-in-chief. Houston assured him, however, that he could not, under the circumstances, in any way interfere with the command, unless it should be to carry out the orders of General Austin.* Here the matter dropped.

Austin had been waiting for reinforcements. Impatient of further delay, and receiving some additional forces, he prepared to move. Before leaving the Salado, however, it became necessary that the members of the consultation should decide as to their return to San Felipe. The force under Austin did not much exceed six hundred men. General Cos had been diligently engaged in fortifying San Antonio, and in providing munitions for a siege. He had received large reinforcements; and it was concluded by the Texans that the place could not be taken in a short time, without a loss which they were not able to sustain. In the meantime, it was necessary to organize a provisional government, and provide means for its support. The matter was submitted by Austin to the army, and it agreed almost unanimously that the members should return. Nevertheless, at the suggestion of Austin, they remained with the army some days longer. The forces then marched to the mission *L'Espada*, on the San Antonio river, about nine miles below Bexar. The members of the consultation left them on the night of their arrival, and returned to San Felipe.

* Houston to Bryan, November 15, 1852: MS.

The commander-in-chief, wishing to obtain a position nearer to the enemy, despatched Captains Fannin and Bowie, with a command of ninety men, to examine the missions above that of L'Espada, and select the most eligible situation near Bexar for an encampment. They set out on the 27th of October, and, after visiting San Juan and San José, they proceeded to the mission of *Concepcion*, about one and a half miles from Bexar, and selected a piece of ground in a bend of the river, about five hundred yards from the mission. The river was skirted with timber; the prairie, which was a level plain, extended into the bend; but within the bend there was a river-bottom, nearly a hundred yards wide, from six to ten feet lower than the plain in front. This depression of the surface presents a bluff of that height, except in two places. The command was divided into two parties, each one taking a position along the skirt of timber on the upper and lower sides of the bend, having the open plain in front of them. It was naturally a strong position, the river and timber being in the rear of each division, with this natural parapet to fall behind in case of an attack. Having placed a strong picket-guard, they encamped for the night. Half an hour after sunrise the next morning (Wednesday, October 28), the advance of the enemy rode upon the Texan line. This was, no doubt, accidental, for a dense fog obscured every object. Henry Karnes* happened to be

* Henry Karnes is another of those remarkable characters whose true history is a romance. He was raised in Tennessee. At an early age he joined a company of Arkansas trappers, who turned their attention to attacks on the Pawnee villages on the head-branches of Red river; but, having disagreed, they separated. Karnes, with three or four others, proceeded across to the head of the Trinity. Here, having their horses stolen, they obtained a canoe, and floated down the river to Robbins's ferry. Karnes procured employment at Groce's Retreat, where the war found him. He entered the Texan service, and fought with a hearty good will. One who was often with him, and by his side at Concepcion, says he never knew him to swear before or since that day. But when he came into the lines, after being shot at so often, and began to load his rifle, he

the sentinel at the point of contact. The Mexicans fired on him, and he returned the fire. Some of them then charged on him, and he fired with his pistol, which caused them to retire, when he retreated within the Texan lines.

At the first alarm, the Texans flew to their arms, but could not see the enemy, who had almost surrounded their position, and opened a fire on them — at such a distance, however, that it produced no effect. Shortly after, the fog cleared away, when the Texans discovered that they were nearly hemmed in by their foes. The right flank of Fannin's division, occupying the lower part of the bend of the river before described, was extended to the south, and Bowie's detachment was placed on the same side, on the left of Fannin; so that, if the enemy should attempt to charge into the angle formed by the two skirts of timber, they could rake him without being exposed to the fire of their own men. This disposition brought the whole Texan force together, so that the two detachments could aid each other. In the meantime, the men cleared away the bushes and vines under the hill and along the margin; and, at the steep places, steps were cut in the side of the bluff, so that they could easily ascend to fire, and descend to reload. Before this work was fairly completed, however, the Mexican infantry was seen to advance with trailed arms, to the right of Fannin's division, and form a line of battle about two hundred yards from the Texan right flank. It was supported by five companies of cavalry, covering the front and flanks of the Texan position.

exclaimed, with some wrath, "The d——d rascals have shot out the bottom of my powder-horn!" Karnes rose to the rank of colonel in Texas. He was of low stature, and weighed about a hundred and sixty pounds; was quite sober and temperate, and had an effeminate voice. He was wholly illiterate, yet he had remarkable gentleness and delicacy of feeling, and was otherwise amiable in private life. He died at San Antonio, in August, 1840, surrounded by his numerous friends.

About eight o'clock in the morning, the battle was opened by the crack of a rifle from the Texan right. Immediately the firing became general. The Mexican line presented a continual sheet of flame; the Texans fired more slowly, but with deadly aim, each one falling below the bank to reload, while another took his place to fire. In about ten minutes, the enemy opened a fire of grape and canister from a six-pounder stationed about eighty yards from the Texan right flank, and at the same time a charge of cavalry was sounded. "But the cannon," says a narrator of the engagement, "was cleared, as if by magic, and a check put to the charge." Three times did the enemy repeat the attempt to charge, supplying the places of those who fell at the cannon, but without success. In the meantime, the Texans were moving by the right flank under the hill nearer to the cannon. So instinctively and harmoniously was this movement made, that "The cannon and victory" became the war-cry. The enemy had fired it but five times, and the Texans had cleared it three times, when the former made a precipitate retreat. The Texans advanced and took the cannon, and turned it upon the retreating foe; but it was found that there were but two cartridges remaining, and Bowie ordered his men to withhold their fire, as the Mexicans might rally. But the latter did not return. The enemy's loss in the engagement, which lasted only thirty minutes after it fairly commenced, was about sixty killed, many of them officers, and perhaps as many wounded.* The Texans lost but one killed (Richard Andrews), and none wounded. The Mexican force engaged was about four hundred men.

Among the incidents of these two days, it may be mentioned that the Texans had reached the battle-ground on the 27th by noon. Their presence was discovered by the Mexicans, whose

* Report of Bowie and Fannin. — *Foote*, vol. ii., p. 121.

cavalry appeared on the prairie that evening. There was an occasional skirmish between detachments the entire afternoon. Bowie, seeing the danger of their situation, despatched M'Comb at sunset as express to Austin, eight and a half miles below; but the main army of the Texans did not reach the battle-ground until half an hour after the affair was over. At the second fire of the enemy's artillery, the Texans killed the mule-driver in charge of the *caisson* containing the ammunition. When the driver fell, the team ran off with great fury through the lines of the Mexican infantry, throwing them into confusion. There were sixteen of the enemy found dead around the cannon when it was taken. The last one killed was attempting to spike the piece, when he was shot by Samuel Whiting. The enemy pointed their artillery to the north skirt of the bend, which had been occupied by Bowie, supposing him to be still there; hence they did no execution.

At noon, on the 28th, a flag came out from the Mexicans, in charge of the parish-priest, for leave to bury the dead, which was granted.*

This battle was a brilliant affair, and well deserved the commendation bestowed by the consultation, which, on the 3d of November, on motion of Sam Houston, thanked the officers and men for their heroic gallantry and valor.†

To return to the civil government of Texas. On the recommendation of the committee of San Felipe, that one from each of the other committees should attend to form a central council, a temporary head was formed. Those of the consultation that assembled on the 16th of October, found it in session;

* When the Texans first encamped at Concepcion, the enemy, in order to ascertain if Austin was present, sent out a Mexican with a bag of *piloncillos* and a bottle of *muscal*, as a present from the priest to General Austin. In the absence of the latter the officers in command received and used the gifts.

† Journa. of the Consultation, p. 9.

and when, on the 17th, they adjourned till the first of November, they recognised it by declaring that those members "who could not join the army, might remain, with the permission to unite with the council of Texas, and have access to all the intelligence in possession of the council relative to the [then] present crisis." This body was thus the government of Texas, duly acknowledged, and never disputed. It proceeded to a further organization by appointing A. Huston, one of the members from San Augustine, as secretary.

To prevent further depredations upon the public lands in the absence of the volunteers, the council declared that "all land-offices be closed until the present difficulties of Texas are removed, or until the consultation meets and acts on the matter; and further that all commissioners cease to grant orders of surveys, that all surveyors cease their operations in surveying, and that all transactions in regard to public lands whatsoever shall cease until the consultation meets and acts on the subject." The council directed copies of this order to be served on the land-commissioners, which was done. The committees of Nacogdoches and San Augustine, taking up this subject, fixed upon the first of November when all such officers should cease their functions.* The council proceeded further to declare and recommend that the four hundred league transaction be declared void.

On the subject of the Indians there was much difficulty in the council. Their position was threatening, their disposition wavering. The word of promise had for thirteen years been given them, and during that time they had occupied their lands. They had also made improvements: those of the Cherokees a short day's journey northwest of Nacogdoches; those of the

* Order of the General Council. Letter of Committee at San Augustine to Committee at Nacogdoches, October 29, 1835: MSS.

Shawnees between the Cherokee improvements and the Neches; and those of the Cooshatties on the east bank of the Trinity. A deputation had been appointed, as has been already stated, by the eastern committees, to confer with them. The mouth-piece of the upper Indians was a free negro by the name of William Goyens, who on all occasions proved himself honest and faithful to the Texans. Arrangements had been made, through Goyens, that the Indians should have a representative before the consultation. On the 14th of October, Houston wrote them that they should "have their land above the road, and between the Neches and the Angelina, so as to include their villages." On the 25th of the same month, Austin wrote that he was "decidedly in favor of securing to the civilized Indians who had emigrated to Texas their lands and rights; and would agree to whatever the consultation did on the subject, so far as it depended on him." On the 26th of October, the council invited them to come to San Felipe, where "their case would be attended to." These promises kept the civilized Indians quiet. To overawe the wild tribes, rangers were sent out on the frontier, and, upon the representation of the people of Bastrop, the ranging-service was extended west of the Colorado.

The Texan government—that is, the council—had much to do. The correspondence was immense; the authority of the councillors limited by the precarious tenure of their offices. But they had willing co-operators. The union was complete. With their slender resources they managed to send a weekly mail through Texas to Fort Jesup, thus keeping up a regular communication with the United States. Messrs. Baker and Borden had established a printing-press at San Felipe, which sent out the weekly "Telegraph," and *extras* without number. The people of eastern Texas were also about establishing, at

Nacogdoches, "The Emigrant's Guide." Thus the elements of civilization and progress were mingling with the ravages of war.

During the brief existence of the council, that body appointed Sims Hall army-contractor; it sent an able address to the people of the United States; it appointed T. F. M'Kinney an agent to contract a loan at New Orleans of a hundred thousand dollars; it granted to several persons letters of reprisal: these were some of the more important acts of this first government of revolutionary Texas.*

* Journal of Consultation, p. 11.

APPENDIX NO. I.

OLD RECORD IN THE ARCHIVES OF BEXAR.

Suppor Govno. Año—De 1744.

Testimo de un Parecer dado en los Auttos fechos en Virtud de Real Cedula en qe S. M. manda se le imforme sobre surttos abusos comettidos en la Provincia de Texas en el tiempo que se expressa; y Tambien de un Parrapho de ottro Parecer dado en los proprios Auttos, uno y ottro del Sor Auditor Grál de la Guerra.

Srio. Dn Joh. de Gorraez.

Un Quartillo.

Sello quarto, un quartillo, año de mil setecientos y quarenta.

Con cuio motivo podra tambien V. excelencia repettir à dicho governador aplique todo su mas debido punttual zeloso desvelo aque los Franceses se conttengan denttro de sus limittes, sin propassar los en manera alguna, proporsionando aestte fin los medios mas oporttunos, y celando, que el numero deaquellos religiosos missioneros y presidiales estte siempre completto por las pernisiosas gravissimas consequencias delo conttrario, y solicittando con la mas exactta eficacia diligentte y acttivo exmero familias Españolas, quese avezinden, y pueblen aquella fronttera para su mayor resguardo, y que

asu exemplo aquellos Yndios se docilitten, y radiquen en nuestra Santta Fée, fidelidad, Lealttad, y aplicacion al travajo procurando sean bien ttrattados, agasajados, y acariciados delos reverendos padres missioneros, delos soldados precidiales y demas vezinos Españoles como ttan importtante todo al servicio de ambas magesttades en que V. excelencia mandara lo que mejor estitimare Mexico marzo seis de mill settesientos quarentta y quattro.

El Marques de Alttamira.

Excelenttissimo Señor: Ademas del serio imforme pedido en la precedentte Real Cedula de quinse de Julio de settesienttos quarentta, tiene su magesttad ordenado por la via reserbada en cartta de veintte yttres de Marzo, y por el Consejo en Real Cedula de primero de Diziembre de settesienttos quarentta y uno, se le embie testtimonio deesttos autos; lo que muchas vezes se ha mandado por esa capittania-general, y han embarazado los recurzos delas parttes, y el cumulo del processo, compuestto de treentta confusos inttrincados quadernos. Compendio el audittor lo principal deellos con sus foliaxes en dicttamen de dos del passado al final del quarderno formado sobre ocho mill, y mas pesos demandados por el sittado Don Carlos Franquis Benittes de Lugo asu anttescessor el Capittan Don Manuel de Sandoval. Ahora summara dicho compendio, y la sittuassion con finis calidades descubrimientto, progressos, y esttado de la provincia de Texas, Nuevas Philipinas con algun razgo deestta septentrional America.

Opuestto el ysthimo de Panama a la reunion de los dos mares de nortte, y Sur quitta el ser Ysla a la America Austtral trabandola à la septtentrional. Corre des de alli estta, enttre ambos mares como mill leguas al nortte hastta esta capittal de Mexico, quedando en sus disttancias los Obispados de Nicaragua, Honduras, Guatthemala, y Chiapa en disttintto de la Real Audiencia de Guatthemala, y los de Campeche, Oaxaca y Puebla en territtorio de estta Real Audiencia Mexicana Tiene Mexico al orientte el puertto de Nueva Vera Cruz en el Ceno Mexicano mar del nortte; y al Poniente quazi en igual disttancia, el puertto de Acapulco en el mar del Sur o Pacifico; disttanttes enttre si ambos puerttos como cientto, y cinquentta leguas.

Des de Mexico para el nortte sigue estta Nueva España hasta el esttrecho de Anian, pero solo hay des cubierttas pocomas de seis cienttas leguas enttre ambos referidos mares. La costta del Sur,

aunque no bien poblada estta entteramentte pacificada cuyas ultimas conce guttibas provincias del Rosario Culiacan, Sinaloa, Osttimuri, y Sonora componen la capittania-general, y governacion de Sinaloa, Sique su rumbo (con intterposission del Mar Bermejo, o canal de Californias) la Ysla de estte Nombre; en lague ay tambien pacificadas como doscienttas y cinquentta leguas.

En la costta del mar del nortte o Ceno Mexicano solo hay pobladas como settentta leguas des de dicho puertto de Nueva Vera Cruz hastta el de Tampico. Aun por lo mas intternado se ofrece anttes la Sierra Gorda, Rio Verde, y ottros desierttos demas de ottras settentta leguas en que havittan podavia Yndios barbaros Chichimecos cuya pacificacion solicitta hay de orden de V. excelencia sin costto alguno de la Real Hacienda el Thenientte de Capittan-General Don Joseph de Escandon. Siguese à esttos des poblados la capittania-general y governacion del Nuevo Reyno de Leon, que disttara de Mexico como cientto y cinquentta leguas, y ttendra ottras cientto de Sur, à nortte; pero pocomas de veintte de Poniente à orientte mediando al Ceno Mexicano ottras sesentta lequas ocupadas tambien de Yndios no reducidos.

Fertilizado de muchos Rios el Nuevo Reyno es tan pinque que annualmentte enttran ainvernar en el des de Noviembre à Mayo como veinte y seis haciendas de Obejas, llevando cada una quattro, seis, o mas sirvienttes armados quellaman escoltteros (con salarios de à cientto y cinquentta pesos) para resguardo conttra los Yndios genttiles. Al mismo fin previenen la ordenanza cientto settentta y seis y siguiente del nuevo reglamentto de precidios que el capittan, y los doce soldados del de San Gregorio de Serralvo se manttengan todo el referido tiempo en la fronttera. Traspassan estta algunas de dichas haciendas, enttrandose alas no menos ferttiles tierras de los Yndios genttiles, à quienes tambien suelen probocar ottras inconcideraciones de los pasttores; y como los Yndios son natturalmentte propenzos à robos, facilmentte se despechan, à executtarlos con muerttes, y todo genero de barbaras attrocidades, que no han remediado en ttanttos años, ni dichos precidiales de Serralvo ni el crecido numero de escoltteros dettanttas haciendas enttre si dispersas. Pudieran ácaso remediarse, si con lo que se gastta en dichos precidiales, y escolteros se formase una compania volantte de cinquentta o quarentta hombres escogidos, que al cargo de un capittan y thenientte en dos ttrossos recorriessen aquilla fronttera orienttal, y escolttasen missioneros celosos que reduxessen los genttiles à los

pueblos que se les formasen en sus mismas tierras attrahiendolos aello con los agasajos, y el buen ttrattamientto prebenido en las Leyes.

Al Nuevo Reyno de Leon sigue la provincia y governacion de Coahuila o Nueva Estremadura, larga de Sur â nortte mas de cientto veintte leguas hastta el Rio de Medina en que comienza la siguientte ulttima nuesttra provincia, y governacion de Texas ô Nueva Philipinas. Enttre la de Coahuila, y el Seno Mexicano median tambien Yndios genttiles, y lo propio sucede en la de Texas. Viben esttos Yndios en rancherias de pocas familias quellaman naciones, sustten-ttandose solo de fruttas silbestres sin havittacion ni cultto de religion alguna, y regularmentte esttan opuesttas enttre si dichas naciones of rancherias. No solo no estta poblada la referida costta del Ceno Mexicano des de Tampico à lo ultimo de Texas sino que quazi ttoda ella es entteramentte desconocida. Lattierra es ttan vaja que en ella forma el mar frequenttes cienegas entteros, o lagunas que acasso haran menos apreciables sus immediaciones, bien que hay confussas verosimiles notticias dettener esttimables quanttiosas salinas como se experimentta en la descubiertta costta de Tampico.

Son nottorias las provincias, cuidades, villas, y pueblos intternados en dichas seis cienttas leguas de Mexico para el nortte, comprehendidos en el disttricto deestta Real Audiencia, Arzovispado de Mexico, y Obispado de Valladolid, en el territorio de la Real Audiencia de Guadalaxara o Nueva Galicia obispado deestte nombre, y el de Durango o Nueva Viscaya, queesttienden sus espirittuales jurisdicsiones auna, y ottra costta Toda la del nortte es deestta Real Audiencia Mexicana, y nada de la de Guadalaxara; pero su obispado tiene alli las provincias del Nuevo Reyno de Leon, Coahuila y Texas. Enttre la governacion, y capittania-general de Guadalaxara o Nueva Galicia, y la de la Nueva Viscaya se halla la estteril provincia del Nayaritt pacificada de pocos años à estta partte.

Sigue despues intternada para el nortte dicha capittania-general y governacion de la Nueva Viscaya comprehensiva de varias provincias llamada tambien del Parral por el Real de Minas de este nombre, que distta doscienttas noventta leguas de Mexico, y trescienttas sesentta su recomendable villa y Mineria de San Phelipe el Real de Chiguagua. Como cien leguas mas adelante deestta, al misma Rumbo del Nortte sehalla el Real Precidio del Passo, quees la enttra da para la provincia y governacion del Nuevo Mexico cuya capittal es la villa de Santta Fée, que distta de Mexico seis cienttas leguas.

La Nueva Viscaya tiene al poniente la referida governacion y Capittania General de Sinaloa, y al orientte las del Nuevo Reyno y Coahuila. Estta como superior attodas la de el Nuevo Mexico comunicada solo por el Sur con la de la Nueva Viscaya, y por las demas parttes rodeada de Yndios genttiles. Deestta provincia del Nuevo Mexico vaja el Rio nombrado del Nortte, qui viniendo derecho al Sur corre immediatto à dicha capittal de Santta fée, y al expressado Real Precidio del Passo. Despues tuerse al orientte, y cortta alguna partte de la Nueva Viscaya de donde recive el Rio de Conchos. Attraviesa luego por medio de la Provincia de Coahuila pasando tres leguas mas adelantte de su Precidio de San Juan Baupttistta, llamado por ello del Rio Grande. Tiene alli de ancho dicho Rio como un ttiro de vala de fucil, y mas de una vara de profundidad, la que en tiempo de avenidas suele subir aesttado y medio. Conttinua siempre à orientte, y cruzando veintte leguas mas alla de la fronttera de dicho Nuevo Reyno, y de su Precidio de Serralvo, desahua con nombre de Rio Bravo, par tierras de Yndios genttiles desconocidas de los nuestros.

A la provincia de Texas siguen como cientta quarentta leguas partte de la luciana en que habra veintte y ocho años se nos mettieron los Franceses vanda de Aca del famoso Rio Misisipi corre estte de nortte à Sur ocho sienttas leguas, y con dos de ancho desemboca donde comienza à cerrar el Ceno Mexicano franqueando asu vueltta tanttas o mas ttierras, que ttodas las ya indicadas. Con dichas ocho sienttas leguas de nortte à Sur divi de el Misisipi toda estta Septtentrional America en dos mittades. La de aca se forma de ttodas nuesttras provincias des de el sittado Ysthimo de Panama hastta los ulttimos des cubrinicenttos de Sonora, Nuevo Mexico y Texas, y aun hastta el no descubiertto esttrecho de Anian; vajo ttodo del nombre de Nueva España. La de alla incluye la ottra partte de la Luciana, y su capittal la Nueva Orleans sobre el Missisipi, que anttes era la ciudad de la Mobila quarentta leguas mas adelantte.

Doce leguas de la Mobila al Ceno Mexicano esta nuesttra Bahia y plaza de Santta Maria de Galbe o Pansacola de donde corre nuesttra costta de la Florida hastta la plaza y ciudad de San Augusttin siguen dominios Ynglezes y Suecos, y passada Terranova se ofrece al orientte de aquellas disttancias el Mar que rebuelbe por ttodo lo descubiertto del nortte donde tienen sus colonias los Dinamarqueses.

No solo se nos mettieron los Franceses con su Luciana de la partte de aca del Misisipi ciñendo nuesttra provincia de Texas sino que

enttre estta, y el Nuevo Mexico intternaron sesentte leguas mas aca su Precidio y colonia de Candadachos sobre el Rio de estte nombre. Por el vajan en canoas hastta su ottro Precidio de San Juan Baupttistta de Nochittoos donde se junta dicho Rio de Candadachos con el que nombran Colorado o Rojo, yamas navegable hastta el Misisipi. Desde estte conttinuan su navegacion por el de Ylinois à los cinco Ynsignes Lagos tambien navegables y comunicados enttre si por canalis.

Prosiguen despues dicha su navegacion por el Candaloso Rio de San Lorenzo que naciendo de dichos Lagos desemboca al orientte en el Mar con quarentta leguas de ancho, haciendo Ysla à Terranoba. Sobre este Rio tienen los Franceses à Quebec, cappital y mettropoli de sus grandes colonias de Nueva Francia, y Canada. Posehen en ttodas muchos precidios, crecidos pueblos, numerosas naciones de Yndios con quienes facilmentte congenian rayandosse y pinttandose como illos los rosttros hablando sus Idiomas, asisttiendo à sus bayles casandose con las Yndias, y rescattando pieles por Bujerias cuchillos y armas de fuego aque son mui propensas los Yndios. En estte conttinuado trafico navegan los Franceses mas de mil y ocho sienttas leguas desde donde deshagua dicho Rio de San Lorenzo hastta el sitado Precidio de Candadachos que dandoles por el Ceno Mexicano ottro mas vrebe viaje.

Don Gabrill de Cardenas en el ensayo para la Histtoria de la Florida (años de mil sette sienttos quattro y siguientes) dice, que por attencion à nuesttro cattholico monarca repelio el Christtianissimo Luis Decimo quartto las repettidas insttancias del Mercader Frances Crozat, que queria enttonces poblar de Franceses loque oy essu Luciana, y que muertto el Christtianissimo en Septiembre del año de settesienttos y quince logro Crozat sus ideas se formo una compania de comersianttes obligada à conducir cada año ciertto numero de familias y gentte de guerra con que esttendieron sus poblaciones por las riveras del Rio Misisipi o de la palizada corttando una provincia de mas de mil leguas. Enttonces no se havian aun propasado de la vanda de aca del Misisipi pues sus Precidios de Nachittos, y de Candadachos comenzaron el año de settesienttos dus y seis como ya se dira. Lo siertto es, que quantto poseen los Franceses de la partte de aca del Misisipi lo cercenan y abstrahen de nuesttra Nueva España, abreendo puertta franca para exttender se cada dia mas, Su vecindad hace mas belicosos, y osados los Yndios genttiles que frequentte mentte nos hosttilizan pues los Franceses les dan armas de fuego, y cavallos en cuyo manejo se adiesttran summamentte los Yndios por su nattural inclinacion, y agilidad, y por exercittarde communmentte en la caza de Cibolos, vena dos, Osos y ottros animales de que abundan sus ttierras.

Reduciendo asu debocion los Franceses poblados en Candadachos los Yndios Apaches, y de ottras Barbaras Naciones (que median enttre nuesttras Provincias de Texas, y Coahuila, y la del Nuevo Mexico) pudieran inttroducirse siu ser senttidos hasta la de la Nueva Viscaya, y si hoy no es reselable estto, por la union y enlace delas dos Coronas, puede serlo, siempre que ayga algun rompimientto. Tienin los Franceses mas facil disposission en sus empressas por el mayor numero de Gentte y de Yndios aliados concurriendo el commodo transportte desus apressos por los Rios Navegables, y el eettar conttinuadas sus Poblasones para sosttenerse y auxiliarse.

Hisose ya presentte asu Magesttad en consulttas de quince de Septtiembre de settesientos y quince, y veintte y ocho de Julio de settesienttos dies y siette, quan importtantte era à la seguridad de esttos dominios que se esttablisiese por limitte enttre las dos Coronas dicho famoso Rio Misisipi, y que se poblasen por nuesttra partte sus marjenes de la Vanda de aca cerrando con su Candalosa corrientte toda ocasion de diferiencias y distturbios. El asumptto parece recomendable y que noharia molesttos los recuerdos.

Para el esttado acttual de la Provincia y Governacion de Texas se insinuara algo de la antterior contigua de Coahuila. La capittal deestta es la villa de Santtiago de la Monclova en que recide el governador, quees ttambien capittan de su Precidio de San Francisco con treintta y cinco plazas disttantte de Mexico doscienttas cinquentta leguas, veintte y cinco mas adelantte para el nortte attraviessa el Rio de Savinas que desciende de azia el Poniente donde se halla en dicha Provincia el Precidio del Sacramentto con un Capittan y cinquentta Soldados.

Aottras veintte y cinco leguas del mismo Rio de Sabinas para el Nortte estta el Precidio de San Juan Baupttistta del Rio grande con un capitan, y treintta y dos Plazas: y tres leguas mas adelantte cruza el ya mencionado Rio grande del Norte en cuyas marjenes ay diferenttes parajes reconocidos por buenos para poblaciones y Haciendas. Desde dicho Precidio de San Juan Baupttistta de Rio grande hasta el de San Anttonio de Vejar o Valero (que estta estte seis leguas intternado en la Provincia de Texas) median ottras settentta leguas sui poblacion alguna el ttoda su sircumferencia. Tiene

dicho Precidio de San Anttonio un Capittan y quarentta y ttres plazas, y en sus immediaciones se halla la villa de San Fernando con pocos vezinos Ysleños de Canarias, y algunas ottras familias de aca del Reyno fundada en el año de settesienttos treintta y uno. Esttan alli ttambien conttiguas cinco Missiones de Yndios administtradas por los Reverendos Padres Apostolicos de la observancia de San Francisco de los Collegios de Querettaro y Zacattecas.

Aunque es ferttil aquella Tierra abeneficio de los Rios de San Pedro, y San Anttonio que la bañan no es suficientte para los Precidiales, Pobladores, y Misiones que repettidas veces se han quejado de hallarse estre chados, y sin poder esttenderse por las frequienttes hosttilidades que experimenttan de los Yndios Apaches. La lomiria grande que sttos ocupan comiensa a veintte leguas de dicho Precidio mas intternada al Nortte de donde salen à insulttar, no solo por ttodos los quattro vienttos de dicho Precidio de San Anttonio de Vejar; sino que se intternan hasta la Provincia de Coahuila; ussan de cavallos, Armas de fuego y flechas con mucha desttreza y agilidad sin haverseles escarmenttado con las compañias conttra ellos executtadas los años de settesienttos treintta y dos, y settesienttos y quarentta. Piden la paz quando se concideran amenzados; pero luego la quebranttan traidora y alebosamentte con muerttes, y todo Genero de barbaras attrocidades, teniendo en menos sus hijos y mugeres que el logro de algunos Cavallos.

Sesentta leguas al orientte de dicho Precidio de Vejar sobre el Ceno Mexicano estta la Bahia de San Bernardo (llamada mas comunmentte del Espirittu Santto) en que desaquan dos Rios y ttres Arroyos, y sondeada en Octubre del año de seiscientos y nobentta tema la enttrada dies y ochopalmos en vaja Mar, y en plena veintte y quattro, y dentro dela barra tres, quattro, y siette brazas enparttes. En sus immediaciones sepuso ottro Precidio que hoy se halla treintta leguas mas intternado azia el de San Anttonio de Bejar sobre las marjenes del Rio de Guadalupe donde estta ottra Mission administtrada tambien por dichos Reverendos Padres Aposttolicos.

Cientto settentta y dos leguas de dicho Precidio de San Anttonio estta el paraje nombrado propriamentte Texas, Asinays, o Nechas, y sesentta leguas mas adelantte se hallan ottras tres Missiones, y el Precidio de Nuesttra Señora del Pilar de los Adays con sesentta plazas dequees Capittan el Governador. Es el Precidio de los Adays capittal dettoda aquella Provincia; distta de Mexico seiscienttas leguas, y siette del ya referido Precidio Frances de San Juan

Baupttistta de Nochitos. Desde dicho Rio de Medina en que comienza dicha Provincia de Texas hastta el Precidio delos Adays en que termina; es su longittud de Sur a Norte como de doscienttas quarenta leguas, y su lattittud de Ponientte al Seno Mexicano como de ochentta La tierra es ttoda llana, y attravessada de veintte y siete Rios y Arroyos; pero tan profundos, que son innutiles sus aguas para el regadio. Con sus cresienttes y avenidas forman muchos estteros Cienegas y Lagunas, que hacen panttanoso y poco trancittable el Terreno. Abundan los Rios de Pezca, y los monttes de Cibolos, venados, Osos, Conejos, Liebres, Perdices, Codornises, y Pabos como ttambien de Silbesttres Casttañas, Nuezes, Parraz, Nisperos, Enzinos, Moreras, Pinos y ottros Arboles que parecio de gran commodidad para Poblaciones a los primeros descubridores.

El primero deesttos fue Robertto Cavalier de la Sala nattural de Roan en Francia que vibiendo en la Canada emprehendio por dichos Lagos el descubrimuntto del Rio Misisipi por donde desemboca en el Ceno Mexicano; y conducido a Francia volbio conquattro Navios encargado de poblar las Riveras del Misisipi pensanda penettrar despues hasta nuesttros Minerales de la Nueva Viscaya. Erro la enttrada del Rio Misisipi, y dio con nuesttra Bahia del Espirittu Santto que llamo de San Luiz y del mismo nombre erigio alli un Precidio en principios del año de seiscienttos ochentta y cinco. Dexada Guarnicion busco por ttierra el Misisipi, attravesando el reforido paraje nombrado de Texas le mattaron el año de seiscienttos ochenta y siette sus mismos compañeros, que luego se restittuyeron a la Nueva Francia. Frusttadas varias diligencias deestte Govierno sobre los designios de Robertto los descubrio en el año de seiscienttos ochentta y ocho un Frances nombrado Jean Enrrique, aprehendido en las immediaciones de la Provincia de Coahuila enttre los Yndios Barbaros que yattenia asu debocion.

Sabida assi la enttrada delos Franceses a dicha Bahia passo aella de orden deestte Govierno con cien hombres el Governador de Coahuila Alonzo de Leon, que hablo arruinado dicho Precidio, muerttos los Franceses de su guarnicion, y arrojados los pelttrechos por aquellos Yndios Barbaros, Buscaronle dos de cinco Franceses quese manttenian entre los Yndios Texas, y vueltto a Coahuila los embio a Mexico imformando bien de aquellas tierras y de los Yndios Genttiles para su reducion.

Fue embiado segunda vez, año de seiscienttos y noventa, el mis-

mo Governador Alonzo de Leon con ciento y dies soldados, y algunos Religiosos que esttablosieron en Texas la Mission de Francisco donde se quedaron los Missioneros con pocos soldados para que las liberttades deesttos no indispusiesion a los Indios. Notticiado su Magesttad de la empressa mando en Reales Cedulas de veintte y siete de Mayo, y veintte de Septtiembre de seiscienttos y noventta a fomenttase la pacificacion y reducion de aquella Provincia como ttan importtantte al resguardo delas demas deesttos Dominios. Passo a este fin el año de seiscienttos noventta y uno Don Domingo Theran de los Rios nombrado para ello Governador de Coahuila y texas, con dos mill y quinienttos pesos de sueldo. Llebo en su compania cinquentta soldados a quattrosienttos pesos cada uno, cattorce Religiosos Franciscanos sacerdottes, y siette Legos para poner tres Missiones en Texas, quattro en los Candadachos y una en el Rio de Guadalupe loquese aprobo despues en Real Cedula de treinta de Diziembre de seiscienttos noventta y dos, mandando se conttinuasen dichas converciones con ttoda Eficacia.

Reconocio Theran los Candadachos, y ser navegable su Rio, fundaronse las Missiones; pero duraron poco, por haver sobrevenido faltta de Coseechas, haverse muertto los Ganados, y exasperadose los Yndios vexados de los soldados; y assi el año de seiscienttos noventta y ttres se salieron ttodos los Religiosos desamparandolo ttodo. Dada quentta deello aestte Superior Govierno se resolbio en junta de Once de Marzo de seiscienttos noventta y quatro, se sobre seyese en las Providencias de aquella pacificacion hastta que el tiempo ofresiese mejor oporttunidad y se dio quentta asu Magesttad en dicho mes de Marzo quedando assi frustradas ttodas las enttradas referidas y sus crecidos gasttos.

Por Agosto de settesienttos cattorce llego al enunciado Precidio del Rio grande en Coahuila Don Luis de San Denis y don Medar Jalet con ottros dos Franceses; y trahidos à Mexico de Orden del Excelentissimo Señor Virrey Duque de Linares exivio aqui San Denis Pattentte del Governador de la Mobila con fecha de Septtiembre del año de trece, para que viniese cen veintte y quattro hombres a Texas, y comprase alli Bueyes, Cavallos y ottros Ganadas para la Colonia de la Luciana suponiendo se manttenian en Texas nuesttras Missiones. Declaro Sn Denis, que havian venido en una Piragua desde la Mobila hastta Nachittos, donde havian desembarcado, y que llegados a Texas, y no en conttrado alli alos Españoles, se havian vueltto los soldados Franceses, que dandose solo quattro en

los Texas, y que con los ottros tres havia pasado hastta dicho Precidio del Rio Grande. Expresso tambien que los Yndios Texas deceaban, volbiesen los Missioneros Españoles.

Vistto todo por su excelencia en Juntta de veintte y dos de Agosstto del año de settesienttos y quince se despacho a Don Domingo Ramon con veintte y cinco soldados algunos Missioneros, y demas apresttos para que resttablesiese en Texas las Missiones; y fue de conducttor el mismo Frances San Denis. Restablesieronse con efectto las Misiones en Texas y se fundaron ottras de nuevo en los Adays, siete leguas mas aca de Nachitoos adonde passo Ramon y vio el Fuertte que en una Ysletta de aquel Rio Colorado o Roxo tenian los Franceses con treinta hombres, esperando ottros cinquentta para alli, y para los Candadachos. En conttrose en Texas Pano azul, Escopettas, Avalorios, y ottros Generos, que los Yndios havian havido de los Franceses; y se supo que desde el año de dies y seis esttavan ya estos poblados en los Candadachos, y Nochittoos.

Haviase casado el Frances San Denis con una sobrina de dicho commandantte Ramon; y ofreciendo volbeerse a vibir con los Españoles passa attraheer de la Mobila los bienes que alli tenia. Traxolos con efectto en cattorce fardillos; pero fue denunciado que havia trahido crecida por cion de comercio ilicitto en quattro Fragattas por el Rio Nachitoos. Denunciosele tambien quecra mui familiar de los Yndios Texas, entre quienes havia esttado por temporadas, y algunas de quattro meses; que savia su lengua, y les era mui gratto. Aumentto conttra el los sospechas el aviso que por enttonces dio el Governador de Panzacola de que los Franceses que el ano detrece havian salido de la Mobila volbieron aella con mucho ganado, publicando havian penetrado hastta Coahuila. En fuerza de esttas sospechas el Excelenttissimo Señor Virrey Marques de Valero (que se hallava recien enttrado en el Govierno) hiso traher preso a Sn Denis encargando esttrechamente la averiquacion desu ilicitto comercio; pero solo se en conttraron los cattorse fardillos. Malogro se assi la quedada de un ttan gran practtico de ttodos aquellos Payzes, y sus natturales, qual era dicho Frances San Denis, querido y esttimado de los Yndios que facilittaria mucho su reduccion y conver sion como lo representtaban los Missioneros, pidiendo se les remittiesse.

Clamaban el comandantte Ramon y los Missioneros por socorros de gentte y apresttos para su subsisttencia en aquellas disttancias por lo que el Excelenttisimo Señor Marques de Valero nombro Go-

vernador de Coahuila y Texas al Sargentto mayor Don Marttin de Alarcon Cavallero del Orden de Santtiago para que pasase con sinquentta soldados maesttros de Carpintteria, Albañileria y Herreria Ganados, y demas Apresttos a poblar en dicha Provincia de Texas. Enttro a principios del año de settesienttos dies y ocho; pero luego se quexaron los Missioneros de que no havia llevado completto el numero de soldados que la Gentte era innuttil, y las Providencias poco arregladas. Al mismo tiempo pidio Alarcon dinero apresttos y ottros cientto settentta y cinco soldados, y haviendo sele negado hizo renuncia del Govierno la que le fue admittida.

Rotta la Guerra enttre España y Francia invadieron los Franceses a Pansacola en dies inueve de Mayo de settesientos y dies inueve y aottro tal dia del siguientte (dia digo) Junio por invacion, o amenaza del expresado Don Luis de San denis commandantte quera, (yes oy) del dicho Precidio Frances de San Juan Baupttistta de Nachittoos se rettiraron nuesttras Miciones de Adays, y Texas al Precidio de San Anttonio de Bejar. Para resttableserlas, paso de Orden de dicho Excelenttissimo Señor Virrey Marques de Valero el Marques de San Miguel de Aguayo con nombramientto de Governador de aquella Provincia, y dela de Coahuila. Llevo los Missioneros que se havian rettirado à San Anttonio, y quinienttos monttados divididos en ocho compañias. Camino hastta los Adayz sin opcion alguna de Franceses mantteniendose esttos en dichos sus Precidios de Candadachos y Nachittoos.

Notticiado su Magesttad de la preparada expedicion mando en Real Cedula de seis de Mayo de settesienttos veintte y uno no se hisiese Guerra a los Franceses recobrada que fuese dicha Provincia de Texas, la que se forttificase, y especialmentte la Bahia del Espirittu Santto con los Precidios combenienttes. Resttablicio el Marques las ttres Missiones de los Adays, y erigio alli el ya nombrado Precidio de nuesttra Señora del Pilar siette leguas mas aca del de Nachittoos, y en el mismo camino. Puso ottro Precidio, y resttittuyo ottras tres Missiones en el paraje llamado propriamentte Texas, queda el nombre attoda la Provincia, y estta como on su medio cientto settentta y dos leguas adelantte del de San Anttonio sesentta leguas anttes tambien del Frances de Nachittoos y treintta del de Candadachos, quees assi mismo de Franceses.

Esttablecio ottro Precidio con nombre de Nuesttra Señora de Loretto en dicha Bahia del Espirittu Santto, o San Bernardo, y en el sittio mismo que havian tenido el suyo de San Luiz los Franceses

inttroducidos por dicho Robertto Cavalier de la Sala. Congrego el Marques ottra Mision de Yndios al abrigo de dicho Precidio; quees el que va referido se intterno despues attreintta leguas del de San Anttonio de Vejar; y oy por miedo de los Apaches se vaja a el para yr a los Adays. Mejoro el Precidio de San Anttonio de Sittio colocandolo enttre los Rios de San Anttonio y San Pedro con sus dos Misiones a quese agregaron despues ottras ttres venidas de dicho paraje de Texas. Dejo en dichos quattro Precidios Doscienttos sesentta y ocho soldados los cientto en los Adays; veintte y cinco en Texas; noventta en la Bahia; y cinquentta y ttres en San Anttonio de Bejar. Ocupo en ttodo lo referido (siu los preparattivos) desde Noviembre de settesienttos veintte hastta Mayo de settesienttos veintte y dos.

Por Reales Cedulas de dies de Mayo de settesienttos veintte y nueve mando su Magesttad viniessen quattro sienttas familias de Canarias (de Dies en dies, o de doce en Doce) en Rexistros a la Havana, de donde por Veracruz se transporttasen a Tejas y alli se les manttubiese un año de Real Hacienda. Nohan venido hastta ahora sino Diez de a cinco Personas, quese condujeron a Texas en Junio de Settesienttos y treintta con no pocos costtos y molesttias; y agregadas ottras familias depor aca sefundola referida Villa de San Fernando, quees la unica Poblacion de Españoles entan dilattada Provincia, y recomendable Fronttera. Menos costtoso, y molesttamentte se transporttarian dichas familias viniendo de la Havana a dicha Bahia del Espirittu Santto pero como se halla despoblada, seria presiso adelanttar alli apresttos para la conducion a los Pueblos destinados, y que en esttos los hubiese para las vibiendas Labores Ganados y demas conducentte.

Las Poblaciones convendrian fuesen consecuttivas, y poco distanttes unas de ottras para poder socorrerse en las invaciones de Yndios enemigos, y ttraficar sus fructos arttefacttos, y demas necessario, vendiendo las sembras, y comprando sus menesttеres. Queda ya dicha la abundancia de Pesca, Casa, Arboles y Frutas de aquel terreno, naturalmentte ferttil aun sui el rriego, que facilitaria la industtria, como ttambien el usso de aquellos Rios y Bahia del Espiritu Santto, para el transportte de fructtos ala Havana, Vera cruz, y ottros Puerttos deestte Reyno. Hallanse alli inculttas tan pingues tierras viendose en lo intternado sobre un cortto pedazo frequentes lasttimosos pleyttos; y muchas familias pobres por no ttener aque dedicarse, ni lo presiso para conducirse à aquellas disttancias, quesi-

endo Barrera de Franceses y resguardo delas demas provincias es mui importtantte su Pueble.

Tres Milliones de pesos llevara gasttados la Real Hacienda en las referidas enttradas, Precidios, y Missiones de dicha Provincia de Texas, y mas de ottros sesentta y tres mill pesos es el gravamen á annual de su manuttencion teniendo hoy menos pueble, que el referido ano de settesienttos veintte y dos; pues para los pocos vezinos augmenttados de la Villa de San Fernando se reformaron de aquellos Precidios (por su nuevo reglamentto de Abril de settesienttos veintte y nueve) el capitan y los veintte y cinco soldados del de dicho parage del nombrado Texas; quarentta plazas del delos Adayz; cinquentta del de la Bahia y dies del de San Anttonio de Bejar que son por ttodos cientto y ttreintta y seis hombres, Jamas se exonerara la Real Hazienda de dicho corrientte annual gravamen y mucho menos podra esperar algun frutto de dicha Provincia por medio de los ttres Precidios, que hoy mantiene; como en los mas antiquos de ottras lo ensiña assi la experiencia. Quasi todos se situaron en sus principios con poca o ninguna attencion a Poblaciones en parajes poco commodos para ellas, debiendo ser estte su principal fin.

Una legua adelantte del Precidio de los Adayz por la partte superior hay una laguna del mismo nombro que boguea dies leguas destta quattro del Precidio Frances de Nachittoos, y la attraviesa el Rio Candadachos, yendo ajunttarsse con el referido Colorado o Rojo. Nottiene dicho Precidio de los Adays (siendo Capittal de aquella Provincia) mas que un cortto ojo de Agua, escaso aun para los Ganados, y Cavallada de la Guarnicion, y sintterreno a propositto para Semillas, las que compran aquellos Precidiales a los Franceses de Nachittoos. De orden de estta Capitania General, se busco paraje en que mejorar dicho Precidio, y no se hallo enttoda aquella circumferencia vexisttrada por quince dias; pero en menos tiempo lo hallarian a casso ottros mas intteresanttes Pobladores.

Apenas gozan aquellos y demas Precidiales cien pesos de los quattro cientos asignados regularmentte acada uno de sueldo, pues aunque por dicho Nuevo reglamento estan Arancelados los precios de los generos en que les pagan los Governadores y Capittanes sacan esttos, y sus corresponsales (que les remiten las factturas de Mexico) crecidas ganancias que reporttan los soldados, y jugando lo poco que les queda viben siempre adendados, y muchas veces sui armas Cavallos, y demas apresttos para las funciones y hechos puros

criados de los commandanttes. Trescienttos sesentta y ocho mill quinienttos noventta pesos annuales paga su Magesttad por esttos veintte y tres Precidios intternos; de que hay dos en la Ysla de California quattro en Sonora uno en el Nayarit, seis en la Nueva Viscaya dos en el Nuevo Mexico, dos en el Nuevo Reyno de Leon tres en Coahuila, y los ottros tres en la Provincia de Texas, importtan ottra gran summa los exttipendios de los Religiosos Missioneros assi de dichas Provincias como ttambien delas de Tampico Sierra gorda y Rio Verde.

Son mui anttiquos los mas de dichos Precidios, y Missiones sin apariencia alguna de que pueda liberttarse desu gravamen en muchos años la Real Hacienda lo grarsase acassa si en lugar de Precidiales se reclutasen por algun detterminado ttiempo (de ocho o dies años) y con los mismos sueldos suficienttes Pobladores casados y del mayor numero de hijos adelantta doseles lo correspondientte de dichos sueldos para su reducion, Aperos y Armas que hubiesen de manttener siempre y concediendose les lo prevenido en las Leyes del Tittulo cinco libro quartto de Yndias. Passados assi los ocho o dies años de la combencion quedavan ya esttablecidas aquellas Poblaciones y cesava el gravamen de la Real Hacienda para poder comberttirlo en ottras con que ordenada y successivamentte se poblasen las frontteras y biniese a discargarse entteramentte con el tiempo la Real Hacienda resguardandose y haciendose uttiles las Provincias cessarian tambien las Missiones pasando a Docttrinas y Curattos pues ala vistta y con el exemplo de los Españoles (y sin las vejaciones liberttades y excessos de los soldados) se docilittarian y aplicarian mas prestto aquellos Yndios.

Muchos de los Precidiales no son Españoles sino de ottras imferiores calidades y regularmentte viciosos y mal enttrettenidos por lo que pudieran dañar mas que aprovechar, Poblaciones suyas en aquellas distancias. Por el medio propuestto se recluttarian solo pobladores Españoles que no falttarian en esttas Provincias, y por el conocimientto que tienen de los Yndios, y del Regional usso, y culttivo de las Tierras serian mas aproposittо, que los Ysleños de Canarias, y menos costtoso, y molestto su transportte. Tampoco falttarian sugettos de comfianza que tomasen por assientto esttas poblaciones, y el solicittar los vezinos sacando de las cuidades y especialmentte deestta cortte algunas dettanttas familias pobres y mal aplicadas que solo sirven de gravamen en la Republica.

Aunque la Ley dies y sietto tittulo uno libro quattro de Yndias

manda que ningun descubrimientto, nueva navegacion ni poblacion sehaga a costta de la Real Hacienda ni gastten de ella cosa alguna en estto los que governaren aunque tingan Poderes e insttrucciones para hacer descubrimienttos y Navegaciones sino lo tuvieren especial para que sea a costta de la Real Hacienda; pero ya se vee que en la forma predicha no resulttarian gravamenes sino ahorros, y sobre ttodo la recomendable publica importtancia de las Poblaciones. Si el assumptto mereciere el superior agrado de V. excelencia podra tambien trattarlo con audiencia de los dos Señores Fiscales en juntta General de Señores Ministtros, y Personas practticas que puedan facilittar ottros medios mas congruentes y eficaces para la Poblacion y resguardo de dichas Provincias y Frontteras, y en especial la de Texas mucho mas attendible por serlo de una Nacion tan numerosa, Polittica dominantte y acttiba qual es la Francesa.

Recojiendo ya el hilo delas expediciones de Tejas para los punttos del Ymforme pedido por la Real Cedula de Quinse de Julio de settesienttos quarentta, queestta por caveza de estte expedientte se halla que al Marques de San Miguel de Aguayo succedio en el Govierno de aquella Provincia su Theniente General Don Fernando Perez de Almazan. Siguiosele Don Melchor de Mediavilla, y aestte Don Juan Anttonio Busttillos y Cevallos. Por su renuncia enttro en dicho Govierno el Capittan Don Manuel de Sandoval, que acavaba de servir el de Coahuila con que havia pasado a estte Reyno el año de Settesienttos veintte o ocho despues de haver servido en los Reales exercittos veinte años y siete meses de cadette, oficial y Theniente de Capittan de Granaderos. Apocesionose a principios del año de settesienttos treinta y quattro, y recidio el mayor tiempo en dicho Precidio de San Anttonio de Bejar para reparar mejor aquellas frequenttes hosttilidades de los inttrepidos Barbaros Apaches, prevenido assi por el excelenttissimo Señor Virrey Marques de Cassafuertte.

Desde el sittado año de settesienttos dies, y seis sittuaron los Franceses dicho su precidio de Nachittoos de la partte de aca de dicho Rio Colorado en una Ysletta formada solo en tiempo de abenidas de un brazo del mismo Rio. Ala partte de aca de estte Braso, tenian los Franceses tambien desde el principio, algunas cassas, Ranchos, Huerttas y sembrados, y un corral para la cavallada de su comandantte Don Luis de Sandenis esttendiendo su goce hastta el Arroyo hondo y paraje llamado la gran monttaña que media las siette leguas de enttre los dos Precidios de Adays y de Nachittoos.

Por esttar bajar inundable y humeda dicha Ysleta a por ottros desttinos, ô mottibos comensaron a mudar los Franceses en fines de setesienttos treintta y cinco dicho su Precidio a lo que anttes era la cassa de uno de dichos Franceses disttantte de la Ysletta un ttiro de fucil segun los testtigos, o un ttercio de Legua segun el mismo commandantte Frances en sus carttas Respuesttas constanttes de auttos.

Prosiguieron los Franceses con eficacia dicha Translacion di ciendo era de orden de la cortte de Paris dada el Governador de la Luciana Don Juan Baupttistta Biembille. Hallavase Sandoval en dicho Precidio de San Anttonio de Vejar docienttas y quarentta leguas mas aca de dicha Fronttera de los Adays. Tenia de su Thenientte General en ella al Alferez Don Joseph Gonzales, quien en cartta de doce de Noviembre de dicho año de treintta y cinco le aviso ttodo lo expressado. Respondiole Sandoval en veintte y nueve del mismo que resisttiese dicha translacion requiriendo por ttres veces al expressado commandante Frances Sandenis para quien le embio carta sobrelo mismo, y duraron los requerimienttos y recombenciones hastta fines de Agostto de settecienttos treintta y seis.

Nottenia Sandoval documentto alguno de aquellos Limittes y referidas anttescedenttes expediciones, y assi solo por verbales nottícias arquia: que dichos Alonzo de Leon, Don Domingo Theran, y Domingo Ramon precedieron a los Franceses en la Ocupacion de aguel terreno: que desde enttonces y siempre despues se havia tenido el Rio Colorado por linde enttrelas dos Coronas poseyendo la de España todo lo de la partte de aca como se havia berificado en algunos expressos acaesimienttos: que en caso de alguna duda devia darse quentta a los Soberanos y esperar su resolucion suspendiendose en intterin los Franceses pues delo conttrario se necessitaria a resisttir los con las Armas.

El commandantte Frances Don Luis de Sandenis Cavallero del orden de San Luis Oponia: que los Franceses fueron los primeros descubridores en el referido año de seiscienttos ochentta y cinco: que en el de settesienttos veintte y uno erigio dicho Marques de San Miguel de Aguayo nuesttro Precidio de los Adays, teniendo mucho anttes el suyo los Franceses en dicha Ysletta y de la parte de aca cassas Corrales, y ottras Poscesiones, que no resisttio el Marques, ni sus successores: que en el año de settesienttos dies y ocho esttubo, y se socarrio dicho Ramon del Precidio de Nachittoos: que al mismo Sandenis debieron los Españoles la postterior ocupacion de los Adays, y fundacion de sus Missiones: que los Franceses represen-

ttavan en aquel Dominio a los Yndios Nachittoos quienes no solo poseyan tierras de la partte de alla del Rio Colorado sino tambien de la partte de aca sin conttradicsion de los Yndios Adays aquienes succedieron los Españoles: que no esttavan dibididas las siette leguas de enttre ambos Precidios ni havia razon para que los Españoles se las apropiasen todas: que el obrava en virttud de ordenes desus superiores, y nopodia suspenderse, y que si fuese invadido con Armas se defenderia con ellas, y serian las consequencias de quentta del culpado.

Hallavase Sandoval prevenido de estte Superior Govierno para que celase, y embarasase a los Franceses por ttodos los medios posibles el quese exediessen de sus limittes pero que no rompiesse con ellos sin dar pumero quentta lo que executto con copia de las respuesttas del commandantte Frances Sandenis. Prohibiose tambien por vando en los Adays toda comunicacion, y ttrato con franceses paraque ni aun se les comprasen las semillas y basttimenttos acosttumbrados. Sin embargo conttinuaron los Franceses la Translacion de dicho su Precidio; que es fabricado de esttacas haciendo alli su Yglesia, y como catorce cassas para el Ministtro Eclesiastico, y de algunos Precidiales y vezinos.

Havia por enttonces venido de España Don Carlos de Franquis conttittulo de Coronel, y futtura del Govierno de Tlaxcala, que hallo preocupado. Confiriole en Intterin el Excelenttissimo Señor Arzovispo Virrey el de texas de quese aposcessiono en Septtiembre de setesienttos treintta y seis. Manifestto luego su Genio borrascoso, pettulantte, y precipittado a quese siguieron quejas de Escandalosos temerarias injurias con que tratta va a aquellos Religiosos Missioneros, de que quittava y abria los pliegos y carttas que salian de aquella Provincia de que sin faculttad alguna havia puestto en el Cepo con dos pares de grillos en la capittal de los Adays asu anttescesor Sandoval, quittadole sus papeles, y processadole despues criminalmentte sobre aparattadas demandas de aquellos Precidiales y sobre dicha translacion del Precidio Frances que abulttava sin limitte. Passo a Texas el Governador del Nuevo Reyno de Leon con Despacho deestta Capittania General de nueve de Julio de settesienttos treintta y siette y pesquiso a Franquis rettirandole antes al Precidio de San Juan Baupttistta del Rio grande en Coahuila que descertto viniendose aestta Cortte. Remitio dicho Governador a estta Capittania General la pezquisa en summaria y por nottener Franquis bienes de que pagar los tres mill qaattrosienttos y mas

pesos de los Salarios y Costtos, sele sacaron a Sandoval y despues se dettermino dicha pezquisa.

El año de settesienttos treintta y ocha dio Sandoval su Residencia convistta delo conttra el processado por Franquis la que remittio el Juez sin detterminar a estta Capittania General, y con previa respuestta del Señor Fiscal Vedoya se senttenciaron en veintte y ocho de Marzo de settesienttos quarentta sus siette cargos. Absolviosele del ttercero, y quartto quintto y septtimo y se le multto en quinienttos pesos por el primero y segundo de no haver recidido en los Adays ni senttado en el Libro Real de filiaciones las Alttas y Vajas de aquellos Precidiales sin embargo de que alegava Sandoval que havia recidido en Bejar por dichas frequenttes hosttilidades de los Yndios Apaches, que desde alli no pudo senttar dichas Alttas, y Vajas en el libro de los Adays disttantte doscienttas quarentta leguas y las havia senttado en apunttes que demonstro por los que alcanzava à la Real Hacienda en un mill trescienttos quarentta y nueve pesos que no se le pagaron.

Por el sextto cargo de la translacion del Precidio Frances de Nachittoos previno la senttencia, que se recibiesen imformaciones en estta Corte, y en los Adays sobre siera o no de Franceses el sittio aque esttos havian mudado dicho su Precidio, no reservando para en vistta de las resulttas la detterminacion del Cargo exivio Sandoval en Reales Caxas los quinienttos pesos de dicha multa, y a los dies y ocho de Julio del mismo año de settesienttos quarentta se libro el Despacho para que el Governador de Texas reciviese en los Adays dicha imformasion.

Nose hiso Cargo a Sandoval de que en tiempo de su Govierno de Tejas estubiese incompletto el numero de los Religiosos Missioneros que paga su Magestad para la administtracion Espiritual de aquellos Yndios. Ymproperabalo assi Franquis en sus carttas y papeles; pero sin consttancia alguna formal de los Religiosos que havia, y devia haver por lo que se desesttimarian sus exprecsiones como apacionadas conttra los Religiosos.

Examinaronse aque en virttud de dicha senttencia seis ttesttigos de los que se hallaron con empleos en dicha expedission del Marques de San Miguel de Aguayo o esttubieron despues en los Adays, y de ttodos resultto, que dicho Paraje nombrado la gran Monttana (medio enttre los dos Precidios de Adays y Nachittoos) se havia tenido siempre por termino dibisorio enttre las dos Coronas, y no dicho Rio Colorado de cuya vanda de aca tenian los Franceses

cassas, y ottras poscessiones exttendiendose hastta la gran Montana.

Aposessionado despues de estte Virreynatto en dies y siette de Agosto de settesienttos quarentta el excelenttissimo Señor Duque de la Conquestta presentto Franquis un difuso escritto con cino mottibo se volbio a acriminar dicho sextto Cargo de la Translacion del Precidio se prendio a Sandoval embargandole todos sus papeles en dies y siete del mes de Septtiembre mantteniendole en la Carcel con Guardia y Centtinela de vistta hastta dies y nueve de Henero de settesienttos quarentta yuno, que se le saltto vajo de Jura mentto digo fianza de Juzgado, y senttenciado por hallarse gravementte emferino sin que constte se hubiesse hecho conttra el ottra diligencia judicial alguna de Oficio ni de partte en todo el tiempo de dicha prission ni despues de ella.

Enttregados a Sandoval de su pedimentto ttodos los Auttos repitio sus defenzas en un largo escritto de veinte y seis de Octtubre de settesienttos quarentta y uno, y dada vistta al Señor Fiscal acttual Don Pedro de Vedoya, y Ossorio respondio en veintte y ocho de Noviembre del mismo año, que se devia declarar a Sandoval exemptto y libre del Cargo reservado sobre la muttacion de dicho Precidio Frances, pues ademas de que havia resulttado suficienttemente debilittado por diferentes testtigos de la Residencia sobre la pregaresta un decima del interrogattorio de la secretta, estava ya entteramente desttruido por la sittada imformacion recivida en estta Cortte, y pidio se declarase no deverse proceder a otra diligencia absolviendole a mayor abundamientto, declarandole havel, y Capaz para los Empleos militares y Politticos.

No hallandose aqui la imformacion recivida en los Adays, que se savia havia remitido aquel Governador se le libro Despacho para que remittiesse Testtimonio de ella, que vino en veintte y nueve de Mayo de settesienttos quarentta y dos. En el constta que no se recivio dicha imformacion en virtud del Despacho librado por la sittada senttencia sino en comformidad de cartta orden reservada de Excelenttissimo Señor Virrey Duque de la Conquestta su fecha dos de Septtiembre de settesienttos quarentta en que mando al Governador de Tejas averiguase segura y juridicamentte, que disttancia havia del Precidio de los Adays a los Franceses nuevamentte inttroducidos y passados de la vanda de aca del Rio, que cassas o fuertte tenian en que tiempo lo executtaron quien era Governador de Texas que diligencias hizo para impedir estte excesso o tolerancia en diminucion de los Dominios de su Magesttad si omittio las que devio hacer por que mottibos, y si desde entonces hubo passo libre a los Franceses ô deesttos a nos ottros por que razon y si hubo alguna negociasion de comercio ilicitto, y que concluyenttementte diesse todas las notticias, y lucis mas fundamenttadas que desentrañasen lo referido despachandolo con Correo y con la posible brevedad.

Recivio dicha Cartta el Governador en los Adays, a ocho de Noviembre del referido año de settesienttos quarentta examino luego a Don Juan Anttonio Amorin Thenientte reformado: Manuel Anttonio de Losoya Sargentto Don Phelipe Muños de Mora Alferez Reformado: Matheo Anttonio de Ybarbu Cavo de Esquadra; Phelipe de Sierra soldado y Don Joseph Gonzales acttual Alferez todos Precidiales anttiguos de los Adays. Contexttaron en que la Tlanslacion del Precidio de Nachitoos fue en paraje reputtado por de los Franceses, y un ttiro de vala de dicha Ysletta en que antes esttava; que desde los principios tubieron casas los Franceses de la Vanda de aca desu Rio Colorado, esttimandose por linde de las dos Coronas el Paraje nombrado la gran Monttaña o el de Arroyo Hondo, que median la disttancia de entre los Precidios de Adays y Nachittoos que resisttio dicha translacion en la forma ya expressada, y que no hubo algun ilicitto Comercio.

Ocupado Sandoval en las Campañas de Vera cruz come Capittan de una de aquellas companias a donde vajo tambien Franquis pausso enttre tantto la expedicion de unos y ottros autos solicitto la Franquis por algunos punttos reservados en la detterminacion de su pesquisa, y V excelencia por Decretto de nueve de Diziembre de settesienttos quarenta y tres, comforme a dicttamen del Señor Oydor Don Domingo Trespalacios de cinco del mismo le absolvio en dichos punttos, y a Sandoval en el reservado de la Translacion del Precidio Frances comforme tambien a la cittada respuestta Fiscal de veintte y ocho de Noviembre de sêttesienttos quarentta y uno. Resisttio todavia Franquis por escrito de dies y seis de dicho Diziembre la absolucion de Sandoval, y V excelencia en Decretto de veintte y tres del mismo, con previo parecer del Señor Trespalacios impuso perpettuo silencio à Franquis. Pidio estte en ocho y trece do henero de estte año se le diese ttestimonio de ttodo el processo, y se le mando dar por Decretto de veintte y nueve del mismo despues de sacado el que se havia de remittir à su Magesttad lo que se hiciese vrebem entte como esttava prevenido repettidas veces. Quedan expendidos no solo los treintta quadernos del assumpto sino mas de

ottros quarentta de las antteriores expediciones de Texas para mayor claridad del imforme pedido por su Magestad en sus Reales Ordenes sittadas. Todo se halla ya repettidamentte examinado, y Juzgado, por lo que parace excusada y no necessaria la averiquacion del acttual Governador de Texas Thenientte Coronel Don Justto Boneo, lo que siendo asi del superior agrado de V excelencia mandara se le partticipe con copia de estte Dicttamen y del ulttimo Parrapho del de seis de Marzo de estte año, y que se le vaelba original el Duplicado de la Real Cedula que remittio que dando testtimonio en estte expediente sobre que, y demas encidenttementte expuestto providenciara V excelencia lo que mejor esttimare. Mexico Junio veintte de mil setesientos quarentta y quatro.

Otro si, respectto a estta quazi inteligibles los auttos del assumpto, que lo seran mas en Testimonio sino esttubiere ya sacado este para la remission mandada a su Magesttad, podra V. excelencia siendo de su Superior agrado, mandar se le remitta en intterin Testtimonio deestte quaderno, y del dicttamen del Audittor de dos del proximo pasado Mayo con los que se pue de venir en basttante conocimientto de ttodo el negocio fecho ut supra.

El Marques de Altamira.

Mexico y Julio quattro de mill settesienttos quarenta y quattro. Como pareco al Señor Audittor y saquen se luego los testtimonios. Señalado con la Rubrica de su Excelencia. Concerda con sus originales que quedan en los Auttos de la Mattheria y Oficio de Govor y Guerra de estte Reyno del Cargo de Don J'ph de Gorraez, que despacho con faculttad y permisso del Exmo Señor Virrey Govor y Cappn Grâl de estta Nueva Spaña; y paraque constte al The de Coronel, y acttual Govor de la Prova de Texas Dn Justto Boneo, en virttud de lo mandado doy el presentte. Mexico Veintte y quattro de Julio mill settos quarentta y quattro.

Felix de Sandoval.

APPENDIX NO. II.

MEMOIR OF COLONEL ELLIS P. BEAN.

(WRITTEN BY HIMSELF, ABOUT THE YEAR 1816.)

Note. — In publishing this memoir, it is proper to state that Colonel Bean was but poorly educated, and his long residence in Mexico had caused him almost to forget his own language. Hence it has become necessary to correct his manuscript, and to rewrite it. In doing this, great care has been taken to preserve, as far as possible, his style and language. — Editor.

As fortune has now favored me, insomuch that I have returned to my native country, where all men rejoice in freedom and union, protected by the just laws of liberty, I shall let my countrymen know what has been my life since the year 1800.

I was born in the state of Tennessee, in the year 1783. I had a common education given me, and such as a frontier country could afford. At the age of seventeen years, I had a great desire to travel, and see other parts of the world. To see some foreign country was all my desire. My father said I was too young, and would not consent. But as the town of Natchez had fallen to the United States, and was a good market for the produce of Tennessee, he consented that I might bring to that country a boat-load of whiskey and flour; all of which being made ready in a few days, I started in company with a young man from the same place, by the name of John Word, who had some lading with me. About three hundred miles below Knoxville, in a place called the Muscle-shoals, I broke my boat in pieces on a rock, and lost all my cargo. I only saved a small trunk of clothes. My companion concluded then that he would return; but I would not, for I wished to see that country.

I knew that I had some relations in Natchez, and, although I had lost my cargo, I could get some money from them to return to my country again. So I resolved to continue my journey. Having at that time but five dollars in my pocket, I bid adieu to my companion, and got into a family boat that was coming to Natchez. After some days' travel, I landed at Natchez, where I at first saw no person that I knew. I was walking on the sand-beach, when a small boy came and asked me if that boat was from Tennessee. I told him it was. He then asked me if there was any man on board by the name of Bean. I told him that was my name. He said his mistress had told him that if there was any one on the boat of that name, he must come to the house with him. But I did not go with him; so in about half an hour came down an old lady, with her daughter. When I began to converse with her, I found her to be my aunt. She then told me she was very happy in seeing me, and that I must go and live with her. I went that night to her house. The next morning I wrote to an uncle of mine, that lived within twelve miles, to send for me. He sent me a horse and saddle, and I went to see him. I liked much better this place; but in about fifteen days I fell sick; and, after suffering very severely for a month, I began to get better.

In this time I got acquainted with a man by the name of Nolan, that had been for some years before trading with the Spaniards in San Antonio. He told me that he was going to make another voyage to that country in October, and entreated me to go along with him. I readily agreed to go, and stated it to my uncle. But he would not hear to it, and said that I should not go. A few days afterward my uncle and aunt were absent from home, and Nolan came by, with some young men, then on his voyage. I immediately saddled my horse and started, to make a voyage for three months; and when my relation came home in the evening, I was gone. We crossed the Mississippi at a place called the Walnut Hills, taking a west course for the Washita.*

Steering a west course, through the Mississippi swamp, for the

* Before we left Natchez, Governor Sargent and Judge Bruin had called a court on the complaint of the Spanish consul Vidal; but, finding our passport, that we had from the commandant-general, Don Pedro de Nava, to be good, it was agreed by the court that Nolan should go. This Vidal wrote to the Spaniards at Washita to stop us; but it seems that cowardice prevented them from fighting.

Bean

I knew that I had some relations in Natchez, and, although I had lost my cargo, I could get some money from them to enable me to return again. So I resolved to continue my journey. Having now but five dollars in my pocket, I bid adieu to my companion, and got into a family boat that was coming to Natchez. After some days' travel, I landed at Natchez, where I at first saw no person that I knew. I was walking on the sand-beach, when a small boy came and asked me if that boat was from Tennessee. I told him it was. He then asked me if there was any man of [illegible] the name of Bean. I told him that was my name. He said his mistress had told him that if there was any one in the boat of that name, he must come to the house with him. But I did not go with him; so in about half an hour came down an old lady, with her daughter. When I began to converse with her, I found her to be my aunt. She then told me she was very happy in seeing me, and that I must go and live with her. I went that night to her house. The next morning I went to an uncle of mine, that lived within twelve miles, to whom I [illegible] a horse and saddle, and I went to see him. I found him very sick; but in about three days I left there, and was obliged to stay severely for a month, before I was able to go home.

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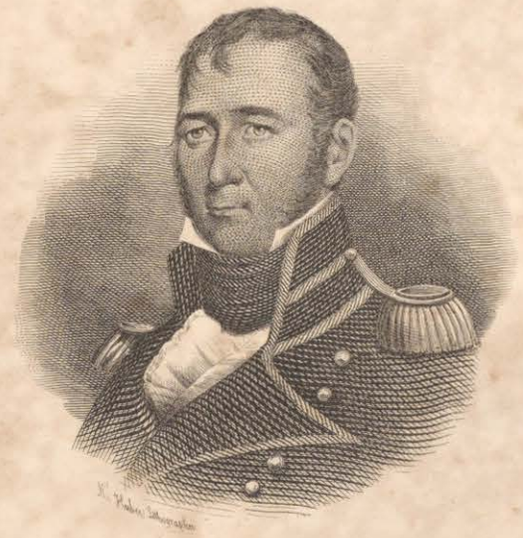
Steering a west course, through the Mississippi swamp, for the [illegible] Ka-Katches, Governor Sargent and Judge Bruin had sailed a short time before, [illegible] Vidal; but, finding our passports [illegible] from the commandant-general, Don Pedro de Nava, to be good, it was resolved by the whole that we should go. This Vidal [illegible] to the Spaniards as Woodis to stop us, but, fearing that cowardice prevented them from fighting.



Bean

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Washita, we were about forty miles from the river, when we met about fifty Spaniards, mounted on horseback, and well armed. They had been sent by the commandant at Washita to stop us; but, though our number was only twenty-one, they were afraid to attack us. We asked them their business. They told us they were in pursuit of some Choctaw Indians, that had stolen some horses. This was false, for they were hunting for our party, though they were afraid to own it. They then passed us, and in a short time returned and passed us again, and went back to Washita, where they put themselves on guard that night, thinking we would go by that place. They had their cannons mounted to receive us; but we left the town to the south of us, and continued our journey still westwardly for the Red river, through a fine country. But there were no roads or inhabitants. Crossing the Washita river the next morning, and finding a large piece of rising ground, we encamped to kill some provisions, as deer were very plenty.

We then set out on our voyage, and prosecuted the same for Red river, but, before reaching it, Mordecai Richards, John Adams, and John King, got lost from our party while out hunting. We stopped and hunted for them several days, but could not find them. We supposed they would return to Natchez, which was a fact. There being now but eighteen of us, seven of whom were Spaniards, we continued our journey, and, after five days, came to Red river at the old Caddo town, where we built a raft and crossed, swimming our horses. In about four miles we came to some large prairies, where we found a large quantity of buffalo-meat and some Indians. These were called Twowokanaes. They were very friendly to us, and sold us some fresh horses, of which they had very fine ones.

In about six days' journey we came to Trinity river, and, crossing it, we found the big, open prairies of that country. We passed through the plains till we reached a spring, which we called the *Painted spring*, because a rock at the head of it was painted by the Camanche and Pawnee nations in a peace that was made there by these two nations. In the vast prairie there was no wood, or any other fuel than buffalo-dung, which lay dry in great quantities. But we found that the buffalo had removed, and were getting so scarce, that, in three days after passing the spring, we were forced, in order to sustain life, to eat the flesh of wild horses, which we found in great quantities. For about nine days we were compelled to eat horseflesh, when we arrived at a river called the Brasos. Here

we found elk and deer plenty, some buffalo, and wild horses by thousands.

We built a pen, and caught about three hundred of those wild horses. After some days, the Camanche nation came to see us. They were a party of about two hundred men, women, and children. We went with them to the south fork of Red river, to see their chief, by the name of Nicoroco, where we stayed with them a month. A number of them had arrows pointed, some with stone, and others with copper. This last they procure in its virgin state in some mountains that run from the river Missouri across the continent to the gulf of Mexico.

During our stay with this chief, four or five nations that were at peace with him came to see us, and we were great friends. We then thought of returning to our old camp, where we had caught our horses, and taking some more; for a great many of those we had taken had died, for want of being well taken care of.* . . . . In about five days we arrived at our old camp. Those Indians stayed with us but a few days, and then went on in search of buffalo.

These red men have no towns, but roam over these immense plains, carrying with them their tents and clothing made of buffalo-skins. They raise no corn, but depend alone on the chase. Once a year they meet with their head chief on the Salt fork of the Colorado river, where he causes all the fire to be extinguished, and then makes new fire for the new year; and the bands also severally change their hunting-grounds. This meeting takes place in the new moon in June. At the place where they meet are lakes of salt water, so covered with salt, that they can break up any quantity they want.

When they left, a party of them stole from us eleven head of horses. They were our gentle horses, and all we had for running wild horses; so that we were left unable to do anything. We concluded to pursue the robbers; but this was to be done on foot. Philip Nolan, Robert Ashley, Joseph Reed, David Fero, a negro man called Cæsar, and myself, were the volunteers of our small party. We pursued them nine days, and came upon them, encamped on a small creek. They did not see us till we were in fifty yards of them, when we went up in a friendly manner. There were but four men, and some women and children: the rest had gone out to kill buffalo. They were twelve men in number. I saw four of

* A few words of the old manuscript eaten off.

our horses close by, feeding. I pointed to them, and told them we had come for them, and that they must bring the others they had stolen, to us. An old man said the one who had stolen them had taken the others out hunting; that he would be in that evening; and that the rogue who stole them had but one eye, by which we could know him when he came. They gave us meat, of which they had a large quantity drying; and then we were glad to lie down and rest.

In the evening, as the old man said, One-Eye came up with our horses. We took him and tied him, the others saying nothing, and kept him tied till morning. His wife then gave us all our horses; and we took from the thief all the meat we could conveniently carry. We then told them all that there were but few of us, but we could whip twice their number, and they were of the same opinion. We then returned safely to our camp, and found all in readiness to run horses, and the pen in good repair. But we concluded to let our horses rest a few days before we began to run them, as we had travelled to our camp in four days.

In four days more it was our misfortune to be attacked by a hundred and fifty Spaniards sent by the commandant at Chihuahua. He was general-commandant of the five northeastern internal provinces, and called Don Nimesio de Salcedo. The troops that came were piloted by Indians from Nacogdoches that came with them. They surrounded our camp about one o'clock in the morning, on the 22d of March, 1801. They took the five Spaniards and one American that were guarding our horses, leaving but twelve of us, including Cæsar. We were all alarmed by the tramping of their horses; and, as day broke, without speaking a word, they commenced their fire. After about ten minutes, our gallant leader Nolan was slain by a musket-ball which hit him in the head. In a few minutes after they began to fire grape-shot at us: they had brought a small swivel on a mule. We had a pen that we had built of logs, to prevent the Indians from stealing from us. From this pen we returned their fire until about nine o'clock. We then had two men wounded and one killed. I told my companions we ought to charge on the cannon and take it. Two or three of them agreed to it, but the rest appeared unwilling. I told them it was at most but death; and if we stood still, all would doubtless be killed; that we must take the cannon, or retreat. It was agreed that we should retreat. Our number was eleven, of which two were wounded. The powder

that we could not put in our horns was given to Cæsar to carry, while the rest were to make use of their arms. So we set out through a prairie, and shortly crossed a small creek. While we were defending ourselves, Cæsar stopped at the creek and surrendered himself with the ammunition to the enemy. Of the two wounded men, one stopped and gave himself up, the other came on with us. There were then nine of us that stood the fire of the enemy, on both sides of us, for a march of half a mile. We were so fortunate, that not a man of us got hurt, though the balls played around us like hail.

In our march we came to a deep ravine. Here we took refuge, and stopped some time. They then began to come too close to us, when we commenced firing afresh. They then retreated; and about three o'clock in the afternoon they hoisted a white flag, and (through an American that was with them) told us that the commander wanted us to return to our own country, and not remain there with the Indians. We quickly agreed to go as companions with them, but not to give up our guns. It was granted, and we went back and buried our gallant leader Nolan.

The next day we started in company with the Spanish soldiers for Nacogdoches. In our journey we had to cross the Trinity which we found running over its banks. My companions and I, in a short time, made a small canoe out of a dry cottonwood, which answered very well to carry the soldiers all over. Their arms and their commander were still on the west side. I told my companions that we had it in our power to throw all their guns in the river, take what ammunition we wanted, and return. Some of them were willing; others said it would be very wrong now we were to be sent home. These last were unfortunate men who put confidence in Spanish promises. These are a people in whom you should put no trust or confidence whatever.

In some days after we arrived at Nacogdoches, the commandant told us he was waiting for orders from Chihuahua to set us at liberty and send us home. We waited in this hope for about a month, when, instead of our liberty, we were seized and put in irons, and sent off under a strong guard to San Antonio. Here we lay in prison three months. Then we were started to Mexico, but were stopped at San Luis Potosi, where we were confined in prison one year and four months. By this time we were getting bare of clothes. I told them I was a shoemaker, and would be very thankful if they would permit me, in the daytime, to sit at the door of my prison, and work at my trade. This was granted to me, and also to young Charles King. We made some money; but, in a short time afterward, orders came that we should be sent to Chihuahua. This order was quickly obeyed; and we started on horseback, with heavy irons. Yet it was cheering to think that we were going to change our prisons, hoping that in some change we might be able, some day or other, to escape.

We came to a town called Saltillo, where we were delivered over to another officer, whose duty it was to conduct us to Chihuahua. This man treated us with more humanity than had been shown us before. He took off our irons, and let us ride all the way foot-loose, a distance of four hundred miles. And along the road, and at all the towns, we could look at places, and walk about and see the inhabitants. And we noticed that everywhere they were mixed with Indian, but of a kind and friendly disposition. They were all exceedingly kind to us, presenting us with fruits, clothes, and money; so that, by the time we reached Chihuahua, we began to think we would soon regain our liberty.

On our arrival in town we were put in prison, and, in five or six days, were tried. Then our irons were taken off, and we had the limits of the town to walk in during the day, and at night we had to come and sleep in the soldiers' barracks. During this time we received a quarter of a dollar a day for our provisions; but, as for clothing, there was no way provided to get any. Some of my companions got leave of the general to go to other towns to live, but I thought I would find out some way of making something. I gave myself out as a hatter. There was a gentleman who trusted me for whatever was necessary to carry on that business. I employed two Spanish hatters to work with me, for, in fact, I was no hatter at all. In about six months I had so raised my name, that no one would purchase hats except of the American. By this means I got a number of journeymen to work with me. I was clear of debt, and making from fifty to sixty dollars per week. I began to lay up money, with which to try to make my escape at a future day. I had gained the good will of all the principal men in that town, as well as the surrounding villages. I continued in this situation about four years, when I thought it was time to try to reach my native country.

I left my shop in the hands of a foreman, and obtained leave to

visit another town forty miles distant, that I might better make my arrangements. When I arrived there, I purchased, through others, four horses, three guns, and as many braces of pistols. Here I was advised by my friends to join the catholic church, and to marry in the country — as they did not expect the general would ever agree to send us home, as we had come so far into the country. I put them off by promises, but was still making my arrangements to start for the United States: for it was not possible that I should forget my country, or resign myself to live under a tyranny after having enjoyed the liberty of my native land. My companions appeared to me to be reconciled and happy; excepting, however, one of them, by the name of Thomas House. He, like myself, was determined to see his native country, if possible. As I thought he was the only one I could get to go with me, I wrote to him. He answered me, saying he would meet me when called on, at any place appointed. A week after, having all things ready, and two Spanish soldiers, who agreed to desert and go with me, I wrote to my friend a second letter, to meet me on a certain day at an old church, from which we would set out on our journey for the United States. But, to my misfortune, my letter fell into the hands of another companion of mine, named Tony Waters, who was from Winchester, Virginia.

As soon as he got it, he broke it open and read it, and immediately reported it to the commanding officer of Chihuahua; thinking thus to ingratiate himself by selling his countrymen and companions. This was no sooner known, than orders came to the town where I was to put me in close confinement, which was done without any delay. After I was in the dungeon, I was put in the stocks for that day. The next day I was ironed with two pairs of strong irons. The third day I was taken out of my prison, and led to the governor, who asked me if I knew why I was imprisoned. I told him I did not. He then showed me my letter, and asked me if I had written it. I told him I had. He asked me if any of my companions were going. I said, no. He asked if the one to whom I had wrote had agreed to go. I said, no; but I wrote to invite him, and had received no answer, nor did I expect any, as the letter did not reach him. He asked me if I had arms. I told him that I had none — for my horses, arms, and other things, were kept at a different place from where I lived, and search had been made, and nothing found, as I had previously been informed.

I was returned to prison, and next morning orders came that I should not talk with any one. I then thought that my undertaking was at an end, inasmuch as I was forbidden to see or talk to any one. But, about twelve o'clock the next day, they brought into my prison one of my companions, who was at the point of death. As I before remarked, my companions had gone to different towns. He was taken sick at a place some distance off, and requested that he might see me before he died. As the catholic religion obliges them to comply in such cases, he was brought to me. But my poor, unfortunate countryman did not expect to find me ironed and in close confinement. When the prison-door was opened, he saw me, came in and sat down, and said to me: "I never thought to see you in this place; but, though it is a prison, I shall not leave you until I die, which I expect will be in a few days. Yet I shall die in the company of a countryman." He then laid himself down. The distress of my friend afflicted me more than ever, but I could not help either him or myself. I had yet a little money; with it I sent and got some wine; and, after a little while, a lady sent me some dinner, and I got him up, and he ate some.

This young man was named Joel Pearce, from North Carolina. Some time after, I asked him if he had not been told, before he came, that I was in prison. He said he knew nothing about it until he came to the town; and that the commandant told him I was a bad man, and was going to run away, for which reason I was put in prison. He said also that it was better for my companion to go to some house in the town, and not come to stay with me; for, as he had done nothing, he could stay where he pleased. My companion said, "No, I will go and stay with him." I told him also it would be better to go to a house of some of my friends, where he would be well treated, and, I hoped, recover. He said, no, he would die there, for he had no hope of recovering. He continued with me for five or six days in this situation, and, I perceived, was daily growing weaker. During this time, I forgot my prison, and thought only of my sick friend. By this time he was able to converse with me but little. In the height of our affliction, the justice of the town sent into our jail a big Indian, charged with murder. He brought with him a jew's-harp, and played on it all the time. This so distracted the head of my poor countryman, that I requested him, in a friendly manner, not to make that noise. He answered me that the harp was his own, and he would play when he pleased.

There was no great difference between us, for he had on one pair of irons, and I had two. I went up to him and snatched the jew's-harp from him, and broke the tongue out. He rose immediately, and we engaged; but in a few blows I was conqueror, and he fell down very quiet. My sick companion, when we began, tried to rise, but was so weak, that he fell back on his mat. He was full of joy, however, when he saw I had gained the victory. In three days after, he died, and was carried away to be buried. Then I was more distressed in mind than ever, thinking it would soon be my time to suffer the same fate.

In this situation I continued for three months, without any communication with the world. At the end of this time I was surprised to see my prison-door thrown open, my irons taken off, and myself turned loose to walk about the town as I before had done. I heard that my friend Thomas House, to whom I wrote the letter, was very ill. So I requested of the commandant permission to go to Chihuahua, where he was, to see him, which was granted. I saw that he was not in a situation to travel; and he told me to make my escape, as it was impossible that he should ever go.

In this town was my good friend Waters, who had broken open my letter. I had it in my power to have taken his life, and in a manner that would not be discovered; but, though he was a man of such meanness, I thought it not right to take his life without giving him a chance. I challenged him to fight me with equal arms, but he refused, and would not see me. I knew of a house to which he frequently resorted. I went there one day, having provided myself with a good stick. I met him there, and told him I must have some satisfaction. He began to beg off, but I gave him no time to excuse himself. I fell on him with my stick, and beat him severely, and left him with two women of the same house.* The next day he was able to crawl to the authorities and lodge his complaint; but the justice was my friend, and he did not succeed so well as he expected. The justice told him he might return thanks to God that I had left life in him, and to go from his presence. He insisted that he was not doing him justice, as I would, perhaps, at some other time, take his life. The justice sent him to jail for a month, because he said he did not treat him with justice.

There was nothing said to me about it. I passed away my time for about a week, and then asked leave of the general to let me go

* The women of Mexico are angels of mercy to those in distress. — Ed.

to New Mexico. I thought if I could get there, I could make my escape with the Camanche Indians by way of the Illinois. My request was granted, and I started.

I must inform my reader that we had passed five years, in all, in Mexico; that our cases in this time had gone to Spain; and had also been sent to the United States, and laid before Mr. Jefferson, at that time president — who said he knew nothing of us, and that we should be tried according to the Spanish laws.* This showed little humanity or feeling, thus to give us up to a nation more barbarous to her prisoners than the Algerines. But what can a poor prisoner expect, when the leading men of his country fail to see justice done him? If I had been brought to my country, I could have been happy under the severest punishment my crimes deserved. But I suppose that Mr. Jefferson was a great friend to the prince of Peace, who at that time commanded all Spain through the favor of his beloved queen. She first raised him from a soldier to a prince. But where there is love, favor may be expected by queens and commanders. As Mr. Jefferson did not know us, and had no expectation of being benefited by us, it was less trouble to say, "Hang them!" But as the Spaniards have no feeling for our distress, it would be better to hang us — which is a momentary pain — than to keep us in prison during our lives.

But I will return to my journey. I left my companion, and departed. Four days after I had set out, an express was sent after me, and I was again brought back and put in irons. The day after I arrived in Chihuahua, my companions began to come in, and were put in the same room with me, and ironed. They said this had all probably happened on account of my journey to New Mexico. I told them that all would be known in a few days; and, if it was on my account, I wanted to suffer, and not them.

In seven or eight days, while we were thinking what could be the cause of our being brought together, our door began to rattle, and two priests came in and asked us, in a friendly manner, how we all were. My companions answered very quickly, and asked them what was going to be done with us. During this time I pretended to be asleep. The parsons made answer that they did not know, but they had come for us to confess, if we wished our sins to be forgiven. Some of my companions were frightened, and said we would all be put to death. I then pretended to wake up, and asked

* Bean was doubtless told this by the Spaniards. — Ed.

them what was the news. They said that, from what those men had told them, we would all be put to death, and they thought the priests were sent to prepare us for it. I said they might prepare if they wished; but, as for myself, I wanted no priest to show me how to die, as I would do that without them: and perhaps it would be best for us, as we would then be at the end of our suffering. Some of them replied that I spoke at random; I said I only spoke for myself. So I lay down again; and some of them told the priests to come the next day. All our conversation that night was in view of our being put to death. I told them that we should trust to fate, and not fret ourselves about what we could not remedy. One of them said the bravest would be cast down to see his open grave before him. "But," said I, "if you find no way to escape that grave, is it not better to march up to it like a man, than to be dragged to it like one dead? It is enough for them to drag me to it when life is gone. The most cowardly, when under sentence of death, have marched up with great bravery. And, as for myself, if I must die, I mean not to disgrace my country." The reason I talked so was, that I did not believe they would put us to death.

Soon the next morning the priests returned, and David Fero asked them if we were to be put to death. They said they did not know — perhaps some might be. I then began to conclude it would be me, and all my companions thought the same thing. I, however, said nothing; for, as I had before talked of valor in such cases, it became necessary for me to support that character. The priests said we must confess all our sins to them, and we should be forgiven.

As for myself, I had been taught that God knew all my crimes, and it was not worth while to relate them to the parsons. But some of my companions began to confess, and had their sins forgiven. When they asked me, I told them I must have four or five days to recollect all my sins — that they were so many, it was doubtful whether I could ever remember them all. The parsons advised me to begin, and God would enlighten me, and help me to remember them. I told them I could not that day, but perhaps by the next day I could remember some things. They then left us.

All that day the talk among us was as to who it would be. I told them I supposed, as I was the worst, it would be me; and, as my friend Tony Waters had been put in with us to share our fate, I thought, as he had broken open my letter, that if the thing went according to justice, and they hung the worst man, it must be him,

for he was, without doubt, the greatest villain, and ought to have been dead some years ago. Waters sighed, but said nothing. The next day the parsons came again, and brought with them a colonel, who read to us the king's order — which was, that every fifth man was to be hung, for firing on the king's troops. But, as some were dead, there were but nine of us, and, out of the nine, but one had to die. This was to be decided by throwing dice on the head of a drum. Whoever threw lowest, was to be executed.

It was then agreed that the oldest must throw first. I was the youngest, and had to throw last. The first was blindfolded, and two dice put in a glass tumbler. He was led to the drum which was put in the room, and there cast the dice on the head of the drum. And so we went up, one by one, to cast the awful throw of life or death. All of my companions, except one, threw high: he threw four. As I was the last, all his hopes were that I should throw lower than he. As for my part, I was indifferent about it, for I had resigned myself to fortune. I took the glass in my hand, and gained the prize of life, for I threw five. My poor companion, who threw four, was led away from us, surrounded by the clergy, to be executed the next day. This was done in the presence of many sorrowful hearts that beheld it.*

The rest of us were returned back to prison, without any other notice; and we so remained three or four days, when orders came that some of us were to be sent away, and I was one of them. The next day the governor came and told us that I and four of my companions were to be sent to the South sea, to a place called Acapulco, and that we had first to go to Mexico.

The next morning horses were brought, and we started with a guard of twenty-five men, to guard five poor Americans, with two pairs of irons on each. The rest of our companions were set at liberty. Our journey to Mexico was nine hundred miles from Chihuahua. The officer commanding our guard favored us in giving us easy-going horses. The people, at every town through which we passed, would flock to see us, for they had never before seen an American so far in the interior. Of those that came to see us, some gave us money, and others sent us provisions. They were all mixed

* Colonel Bean does not inform us who was executed — perhaps for a good reason. The nine that cast lots were — E. P. Bean, David Fero, Tony Waters, Thomas House, Charles King, Robert Ashley, Joseph Reed, Cæsar, and one whose name is not given. — Ed.

with Indian, and showed us real friendship, and seemed to have humanity in their hearts. The Spaniards were hard-hearted and barbarous, and seemed to have no other feeling than to make us as miserable as possible.

About two hundred miles from Mexico we came to a small town called Salamanca, where a number of people came flocking to see us. The place in which we stopped was a large square enclosed by houses and walls, so that we could either stay in our rooms, or walk about as we pleased. The stone-walls were so high, that we were considered safe.

Among those who came to see us was a lady, who directed her conversation to me. She asked me slyly if I wished to make my escape. I answered her that it was a thing impossible, and I had resigned myself to my fate. She said she would free me from those irons I wore, and immediately left me. By this time night had come on us. I asked a man, who did not sit far from me, the name of that young lady. He told me her name was Maria Baldonada; that she was the wife of a very rich man; that he was very old, and had not long been married to her. This brought me to study what she meant by telling me that she would free me. But this soon left my mind, and I moved to my mat and blanket, and lay down to rest myself. But crowds of people kept coming and going. In a short time after I had laid down, I saw this woman returning, in company with a man who had on a cloak. She went to where I had sat down, and asked another lady where the American was who had sat there. Hearing her make these inquiries, I raised up and spoke to her. She came and sat by me on my mat, and told me the man with the cloak on had brought files for cutting off my irons; that I must walk out in the square to a horse-stable, and he would cut them off: and then there was a man on the wall who would drop me a rope and pull me up to the top of the wall; that the same man would conduct me to where I should see her, and then I would be safe.

I could speak the Spanish language very well. I answered her that if I made my escape, my poor companions would perhaps suffer worse on my account, and it would be ungenerous in me to leave them. She said it would not be possible to get all out, but one she could; that she had a regard for me as soon as she saw me. "And," said she, "if I can be the cause of liberating you from your chains and confinement, I hope it will be the means of making you happy;

for I am sure it will make me happy to think that I have been the means of setting you free."—"Madam," I answered, "it is very true I should be happy in being thus freed, but unhappy in thinking that my companions would still suffer." She said, "You must take care of yourself, and let God take care of all."—"But, madam," said I, "I reckon when I reach Mexico, I shall get my liberty, and be sent home by way of Vera Cruz."—"You may think so," was her answer, "and not find it so; and when you think of this chance, you will, perhaps, remember me."

"But, madam," said I, "if I were to be turned loose here in the centre of your country, I could not escape without being taken again, and then my sufferings would be increased." She said, "I have horses and money, and you can have anything without exposing yourself to be retaken. I have several haciendas, in any of which you can stay without its being known."

By this time supper was ready, and I was called to eat. She said to me, "Now it is too late to do anything; but in the morning you can get your horse saddled, and come with a soldier to my house, which is three doors from this place."

Then I parted with the lady; but during all that night my mind was so much occupied with what I would have done had I been by myself, that I could not sleep. I thought of all that my companions might suffer if I were to take such a step. I also reflected that the lady was married; and if her husband should find out that she was the means of getting me away, it might make them unhappy, and be the cause of my being retaken.

In thoughts of this description I passed the night; and, as soon as day broke, I went and asked the officer to let a soldier saddle my horse, and go with me to a store, that I might buy a handkerchief. He ordered it to be done. Instead of going to the store, I went where the lady had directed me the night before. I fonnd her sitting by an open window. I alighted from my horse by placing my foot on the window-sill; and gave the soldier a dollar, and told him to go and buy some bitters—that I would wait for him.

So soon as the soldier left me, she said: "Now is the time for your freedom. I will send my servant to the end of the town with your horse; and when the soldier comes, I will tell him you mounted your horse, and took such a street. So, if he follows, he will find your horse, and not you, and be afraid to show himself again to his officer, but will desert. And I have a safe place to hide you, and

will give the soldier money to make him desert, and you must know that I can do it, for they all love money, and have none."

I answered her, and said: "Madam, you are a married lady, and I should be a most unhappy man to receive such favors from one of your rank, and then be compelled to leave you without any hope of seeing you again. But if, by the king's order, I should get free, I could then come and spend my days in this town, where I should have the happiness of seeing you, and perhaps be sometimes in your company, if admissible."

"Sir," said she, "you need not think, because I am married, I am bound. I do not so consider it. About a year since, I was married to a man fifty-five years old, in order not to displease my father and mother. He is a man of great property; but I can venture to tell you I do not love him. He is not now in town, but is at some silver-mines he is working, and will be absent two weeks. Before he comes, I promise you to go with you to your country, and spend my days with you. Although you are a stranger, I have formed too good an opinion of you to suppose that, after leaving all to go with you to your country, you would then abandon me for any other lady, however fair. Though I am mixed with Indian blood, I would trust to your honor not to cast me off."

These words made a deep impression on my mind. Yet I was uneasy, as I expected every moment to see the soldier return. I told her I was sure of my freedom when I reached Mexico; that my friends had informed me they would write in my behalf, which raised my hopes; and that I could not leave my companions. For the next three years I repented that I did not take this lady's advice, as the reader will see further on in this book.

I waited some time for the soldier to come; and would not agree that my horse should be taken away, as she had desired. When she saw that I would not agree to it, she brought me a heavy package and a letter, and directed me to put them in my pocket, and not look at them till the end of that day's journey. While she was saying this, the soldier came up, and asked if it were not time for us to go. I told her if I was set at liberty, as I expected, in Mexico, I would return to that town without delay. The soldier then helped me on my horse, and I bid adieu to the lovely Maria Baldonada.

When I reached my company, all things were in readiness for our march, and we set out on our journey. We stopped that night

at a place called Arcos; and as soon as we halted, being impatient to look into my package and letter, I sat down to examine them before the people of the village should crowd on us. In the package I found three Joes, in small gold pieces. The letter was as follows:—

"About three days since, the news reached this town that some Americans were coming on as prisoners. I was very desirous to see them; but it has been an unhappy time for me since I first saw you. I hope you will obtain your freedom in a short time, and not forget one who is not ashamed to own that the love she has for you is more than she can bear. Sir, perhaps you may ask how this can be, when you are bound in irons: you may think a woman crazy who could love one in that situation. Perhaps so; but when I first saw you, I was touched with compassion; then I found my heart distressed; and, when I came to examine myself, I found it to be in love.

"I can write no more. If you leave Mexico, you will let me know where you go, as it will give me some satisfaction.

"In this letter is a ring from my finger. I hope you will keep it in remembrance of your love. "MARIA BALDONADA."

After reading the letter, I went into the room where my companions were; but I was unhappy, and could not pass off the time as usual. The next morning we set out, and in a few days arrived in Mexico. Here I was cast into a prison-yard, in which there were about three hundred others, some of whom were negroes and Indians.

I remained here but a week, when I was taken to Acapulco. This is a seaport town, where vessels come once a year from the East Indies. It has a strong fortification. The castle is built of stone, and has about a hundred guns of the largest calibre. The walls of the fort are twelve feet thick.

When I arrived at this place, they called over our names; and, when I answered to mine, they told me to step to the front. I did so. They then directed me to follow an officer, which I also did, but slowly, as I had on two pairs of irons. The officer took me to the side of the castle, and, opening a small door, told me to go in. I did so; and, when the door was shut, I found myself between two stone walls, about three feet apart, and in a room seven feet long.

At the far end of the room I could just discern light through a small opening in the twelve-feet wall, which was grated with iron bars. In the door was another opening of three inches square, also grated. Looking through this last opening, I saw that there was a soldier at the door. I asked him what he had done with my companions. He said they were all put together in a large room. In the evening the officer came and opened the door, and brought me some old clothes I had left with my companions; also a mat for my bed, and some beef and bread, and a pot of water. I asked him why I was separated from my companions. He said it was because something was written from Chihuahua, to the effect that great care should be taken of me; but he could not tell why.

The next day, about nine o'clock, when the relief-guard came round, my prison-door was opened, and my irons searched. I then asked the officer if it was possible that I could be put with my companions. He said I could not, as the governor of that place had ordered that I should be kept by myself. I tried to content myself as well as I could, though there was but little happiness to be found here.

I remembered that Baron Trenck, when he was moved from his first prison to the second, thought how he should escape. So I began to think I should get free; but seeing the strength of the walls, and having nothing to work with, I concluded it was impossible for me ever to escape: and, should I succeed, I would have to travel three thousand miles through their country to get to the nearest part of the United States. As for the distance, I cared nothing about it, if I could only break through those walls.

In about ten days after I was put in there, a soldier on guard spoke very friendly to me. I asked him if he would sell me a small knife. He said he would give me one that night. Accordingly, at night, he slipped through the hole in the door the blade of a knife, for which I paid him a dollar. I began to work on the wall, but found it of stones of such large size, that I could do nothing. Still my spirits did not fail me, and I had a hope that I would make my escape in some way or other, though I could form no idea in what way it was to be done.

For about three months I was in this situation. Every day they gave me a pot of water, and some beef and bread. But I was not allowed to have any conversation with others.

This place lies in sixteen degrees of north latitude, and is very

warm. There is here a lizard—which the Spaniards call *quija*—which is about nine or ten inches long and about three inches thick. It is as white as snow, and, if you hold it between you and the light, you may see the bones in its limbs and body. One day, as I was lying on my mat, I saw one of them, for the first time, on the wall. Watching him, I saw that he was trying to catch the flies that had come into the prison when the door was opened, to get out of the sun. I did not know whether he was poisonous or not, but I determined to feed him. So I caught some flies, and put them on the end of a straw I had pulled out of my mat; these I slipped up the wall to him, and found he would take them off the straw. This was my amusement for some days, when he became so gentle, that he would take the flies off my hand. Every morning, as he came down the wall, he would sing like a frog, by which means I had notice that he was coming. In about a week he was so gentle, that he did not leave me at night, but stayed with me all the time. Every day, when they would open the door to come and examine my irons, he would get frightened, and hide himself under my blanket. When the door was again shut, he would come out and stay with me. I found that he was sincerely my friend: in fact, he was my only companion and amusement.

In about eleven months after I had been put in this place, I found that some of my companions had been sick, and, as the soldier informed me, had been sent to the hospital. I asked him where the hospital was. He told me it was in the town, nearly a half-mile from the castle. I thought I would pretend to be sick too, and see if they would send me to the hospital—hoping I might thus find means to escape. I told the officer of the guard I was sick; and the doctor was sent for. As I heard the door opening, I struck my elbows against the bricks, which raised my pulse so high, the doctor thought I had a fever, and directed that I should be sent to the hospital. They sent an Indian, who carried me there on his back. When I got there, although I had two pairs of irons on me, they put my legs in the stocks. They consisted of two large, hard logs, having each two half-circular holes in it, so that the top one shut down on the other. I found that, with the irons and stocks, there was no chance of extricating myself. In addition to this, there were ten thousand *chinces* biting me day and night. So I resolved the next day to say that I was well, and return to my castle. But, in the evening, I was taken with a violent fever. I suppose

it was caused by my removal from a place where there was no air, to one where there was too much.

It was about twenty days before I began to recover. In this time it had become very sickly in the town; and the hospital was so crowded, that my room was filled. There was a man laid on each side of me. One of them died in about three hours after he came, aud the other that night. The next morning two more died close by me. I began to think that, in a few more days, it would be my time; but I still improved.

In all the time I had been in the hospital, my allowance was two ounces of bread in the morning, with some gruel; and the head of a fowl and some soup for dinner. As I began to recover, I had a great appetite, but my allowance was not increased. I had money, but was not allowed to purchase. One day a parson brought me a hen's head, as usual. As I was almost starved, I was in a very ill humor, and would have destroyed myself, but for the reflection that I should let Him take my life who gave it to me. I took the plate as he gave it to me, and asked him why it was that my share of meat every day was the head and neck. He answered me, in a very short manner, that I must eat that, or go to hell for more! I flew into such a passion, that I rose and threw my plate at him, and hit him on the head, and, as the priests in that country have their heads shaven, hurt him very much; and as I happened to be out of my stocks at that time, I sprang to my water-pot and threw that at him also, but unfortunately missed him. Being very weak, the effort to throw the pot with violence caused me to fall on my back; but I got up again as well as I could, and got back to the plank where I lay. In the spring I made, I had skinned my ankles with my irons. I had scarcely sat down, when the sergeant of the guard came in, and put my head in the stocks, for throwing at the friar, where I was kept for fifteen days. My only regret was, that I did not kill him; as they would then have taken my life, and put an end to my sufferings.

While my head was in the stocks, the chinces ate all the skin off my neck, for I could not help myself. When my head was taken out of the stocks, I told them I was well, and they might send me to the castle. The doctor had my irons taken off my legs, and in their place a chain of about fifteen pounds' weight was fastened to each leg. By wrapping them around my waist, I could walk very well, though I was weak.

I thonght I would try to escape on the road to the castle, for there were but two soldiers guarding me, and they were armed only with sabres. I started off with them, and had got about three hundred yards from the hospital, when we came by a house on the outside of the town, having a large garden. In this house the woman sold a kind of small-beer. As I had money with me, I asked the soldiers if they would drink some. They quickly agreed to it. We went in the house, and called for some. She brought it out, and we drank it, and called for some more. I asked one of them to go with me into the garden, which he did. I walked with him to the back of the garden, and found a large bunch of pinks, which grow in that country as large as roses. I asked him to come and see those fine pinks. He came, and, in handing him one, with the same hand I caught him by the neck, presenting my knife-blade, which I had held ready in my other hand, and told him if he did not give up his sword, I would kill him. He quickly obeyed, and asked me what I meant. I told him I was going off, and, if he would go with me, there would be no danger of being retaken. He said he must do so, or he would be put in prison in my place. I saw, however, that he was unwilling. I then gave him a dollar, and started, telling him to go and buy the worth of it in bread for the journey, as we had no provisions; and that I would wait for him at the burying-ground outside of the town. So I left him, and went out at the back of the garden, and, before he could let the officer of the fort know it, I was safe in the woods.

By means of a steel I had to strike fire, I cut off my irons, and ascended the side of a mountain, so that I could see all the town and castle. I sat down in a shady grove, where the singing of birds and the thought of being at liberty so charmed me, that I was as happy as any monarch. The sweet-smelling blossoms, interwoven with the shade, formed for me a palace; and, though I had been starved in the hospital, I did not feel hungry, nor was I weak. I felt strong and happy, and sat in that pleasant shade till night.

I then made my way into the town, and went to a shop, where I supplied myself with bread, bacon, cheese, and a large gourd of brandy. As I was passing near the door of another shop, I heard two men speaking English in the house. As they came out, I spoke to them, and found that they were Irishmen, who belonged to a privateer, which had that day come into port from the city of Lima. I asked them what sort of a man their captain was, and if they

thought I could talk to him. They said they would conduct me to the house, and ask him if he would be kind enough to have some conversation with me. They did so. He sent me word to come to his room; and when I went in, he asked me of what country I was. I told him I was an American. He could hardly believe me, as I spoke Spanish as well as he could. I told him I wanted to go in the brig with him, and that I had been a prisoner such a time. He said he would clear me from that place, but then we had no time to talk about it; that I must go away and take care of myself till the next night, and then go on board the brig and hide myself well: he would then sail, and I would be safe.

I went to the woods that night, and spent all the next day in listening to the songsters of the forest, being greatly pleased. When night came, I went where the sailors were to meet me, and found them waiting for me. They gave me sailors' clothes, and I went on board like a jolly tar, thinking I was safe. That night we broke the head out of a water-pipe, and at daybreak I took up my abode in it. There were about three hundred such pipes on board.

About ten o'clock next day a guard came and searched the vessel, and, as I was not to be found on board, they returned to the shore. The vessel was to sail in about two hours. There was on board an old Portuguese cook, who knew I was concealed, though he did not know where. The old wretch fell out with some of the Irish sailors, and went ashore, and told the governor I was hid on board the vessel; that he saw me, and heard them knocking on the hoops of a barrel. The poor Irishman was arrested, and told that I was a king's prisoner, and, if he did not show where I was, they would send him to prison. They frightened the poor coward so, that he told them I was on board, and he would tell where I was. They came with him on board, and he showed them the water-cask in which I was concealed. It was rolled out, and I was well tied, so that I could not move. I was then thrown from the vessel down into the boat, which bruised me badly, though no bones were broken. I was then landed and carried to the castle again, where my two pairs of irons were put on me, and I was placed again in my little cell. I consoled myself with the thought that I had enjoyed a few hours of liberty, and had heard the birds sing, and perhaps might hear them again.

After some reflections upon my hard fortune, my mind became easy, and I thought of my poor companion the lizard. As I had

just come out of the light, it was so dark I could not see anything. The next day my lizard came down the wall, and, as soon as I saw him, I reached out my hand for him to come on it, but he was afraid to come into my hand as he had done before my departure. I gave him some boiled beef, and he ate it; but when I wanted to take him, he ran up the wall. It was four or five days before I could get him to know me; then he was as friendly as ever, and was the only companion I had.

One day I began to twist me a small string out of the palmetto of my mat. This was my work for four or five days, when I had a small cord about ten yards long. I laid it aside; and a short time afterward, I went to look out through the small hole in the thick wall. I saw a woman pass by—I called her. She stopped, and said, "Where are you?" I said: "You can't see me; I am a prisoner, and I want you to do me one favor." She asked me what it was. I told her to bring me some spirits. She said if she could get them to me, she would do it. I told her I had a string, and, if she would bring it, I would put out my string, so that she could tie it to the end, and I could pull it into my cell. I had yet some money, and threw some out at the hole, which she took and went on. I got a small piece of mortar out of the wall, and tied it to the end of the string, as a weight. I threw it out at the hole, and when I felt that it struck bottom outside, I tied it to my arm, and sat like a fisherman waiting for a bite. After some time, I felt my string move: then I heard the woman say, "Pull;" then she said, "I am going." So she left me pulling up my line, which I did with great caution. When it came in sight, I saw that it was a cow's bladder. As it was soft, I got it in with great ease, although the hole was small.

When I got it in, I took a drink, and put the bladder under my head. I lay for some time, when my door began to open. I took my bladder and put in my pot of water, and covered it with my old hat. It was an old priest, who had come out of curiosity to see if it was true that I had a gentle lizard. He asked to see it, and said the officers of the guard had told him of it. I called him Bill; he was in my bed. I took him in my hand and played with him. The old man observed that it was in the power of man to do anything, if he would but turn his attention to it. He then gave me some money, and left me.

I then took another drink, and lay down; and, though I found I

was drunk, I took care to hide the bladder. I can truly say that, during the year and five months I stayed in this cell the last time, the hour I was drunk, and unconscious of everything, was the only happy time I saw.

One day when the officer came to search my irons, to see if they were good, I heard him tell the sergeant he must have some rocks blasted. The sergeant told him he had hands to bore the holes, but no one that understood charging them. I told them, quickly, that was nothing—that I could do it to great perfection. They went away, and I thought no more of it. In about three days, however, the sergeant came and told me the governor had given orders that I should go and blast those rocks, as I had said I knew how. "You see," said he, "that I have befriended you; and if you act well, perhaps you may gain more privileges. But I am sure you won't try to get away, as I have done this to get you out." I said, "No;" but I was determined not to lose an opportunity to escape, if possible: for I was constantly thinking of the chance I had lost at Salamanca, when the lady offered to free me. As soon as the sergeant told me this, I was sure I would escape, or be shot, for I was resolved to risk my life on it the very first chance.

So my irons were taken off, and a ten-foot chain placed on each foot. I wrapped them round my waist, and started with two soldiers to take care of me. At the point where I had to work, there were about forty prisoners, and only about twenty soldiers to guard them. On the second day I went out I got twenty-nine cartridges, and sent to buy me a brace of pistols, which cost me twenty-eight dollars. Of the money I brought from Chihuahua, I had yet left about one hundred and fifty dollars. I made my matches to blast the rock in the gallery of a house near by. I sent the woman that lived here, to purchase me twelve knives; which she did, and kept them in her house till I called for them.

That night I began to talk to some of the prisoners, and told them it was in our power to escape; and, if they said the word, it should be done. I was to wait till the next day for the answer of the chief one among the prisoners. The next morning, as we were going out, he came to me, and said some of them would go if I would give them notice. I told him that afternoon was the time; that I was determined to make a start, and if any one wanted to go, when they saw me take a basket of stones on my shoulder to where the prisoners were throwing dirt, they must be ready; that

I would give him twelve knives to distribute among them; that I should try to take a gun from a soldier, and all must do the same, and not to run until we had the soldiers running, which would be in less than ten minutes after we began. The pistols I was to get were to come at that time, as the man who was to bring them was to give them to me on the way.

So we got to the place. I went to the house, where I got my cartridges and the knives. The latter I gave to the man who was to give them to the prisoners. He put them in his basket; and, after a short time, he gave me the sign that he had distributed them. I arose and asked the corporal if I might carry some baskets of dirt, to exercise myself. He granted it. I started and filled my basket with broken stone, and went to a soldier. All the prisoners were waiting for me to begin. I asked the soldier to strike me some fire. As he was doing it, I took a stone out of my basket and struck him on the temple. He fell; I took his gun, dropped my basket of stones, and began to fire. Most of the prisoners were throwing stones; some were running. The soldiers all fled—there was not one that stood.

By this time most of the prisoners had started. There were but two guns taken besides mine. Seeing a reinforcement coming from the castle, and all the prisoners gone, except a few cowards that were afraid to go, I started off with an old Spaniard, who had come with us from Natchez. I saw that he ran very slow, and halted and fired, telling him to go on. He ran about fifty yards, and came back with his hat full of stones, to help me fight. The other prisoners were gone, but the Spaniard and I made them retreat. I then told him he must go, that I could escape; but if I left him behind, he would be taken. He then started, and I thought he was gone; for after I fired three rounds, and saw twenty-five soldiers advancing, I started, but in fifty yards more I met him. Said I, "Where are you going?"—"I have come to help my old friend," said he, "and have brought more stones." I told him there were too many soldiers, and we must go. By this time they fired at us. I exchanged shots with them, and the old Spaniard threw stones. The next fire, a shot broke his thigh-bone. He then said: "My thigh is broke—make your escape; but, before you go, shoot me, for I would rather be shot than taken." But, as I could not do this, I started, with the bullets singing around me, and finally escaped from them with my chains on.

After I ascended a mountain, I sat down, greatly fatigued with the race and battle. I felt so much distress for the loss of my old friend the Spaniard, that I forgot I had my chains to remove. I had come with him from Natchez, but had only been with him three days at Acapulco. He was the only one of my four companions from Natchez that would agree to take part with me in this enterprise.

After sitting awhile, I began to think of my chains. I had a razor and my old knife-blade: these I struck together and made saws, with which I removed my chains in a few moments. After this was done, I walked along the mountain, to listen if I could hear any of the prisoners taking off their irons; but I could hear nothing. I then sat down on a rock, regretting the death of my old friend. And, as I was thinking what I should do, and which way I should go—as I was alone—I saw a soldier coming up the mountain. I caught up my gun, and started to charge on him. He had only a sword. When he saw me, he said: "You must not shoot me, my friend. My name is Corral, who always promised to go with you; and, as I saw you had made your escape, I came in search of you to go with you." As he said this, I knew him, and told him I was happy of his company, for all were gone, and I was left alone.

We then sat down on a rock, to consider what was best, and what course we should take. It was impossible to travel through the woods, for the thorns and vines formed such a thicket, that, except it is in a path cut out, you can make no speed. By this time, night was coming on; and we went down the mountain, where I got water, for I had nearly given out for want of it. We then took a road for a small village called Cojucan, to the west of Acapulco. We travelled that night till my feet blistered, and the skin came off of them; for, until that night, I had not travelled any for two years. We stopped just at daybreak, in a thick wood, close by a cattle-ranche; and soon in the morning we saw a man coming through the woods, with a large gourd on his back. I called him, and he came to me. I asked him how far it was to Cojucan. He said it was nine miles. Thinking it best to make some arrangements with him for provisions, I told him I was a sailor, and had left the king's ship in Acapulco; that I wanted to go and live up on the coast, and not return to that ship any more. I told him we had money to pay him for all the favors he would do us; and, if he would bring us

provisions to that or any other place he might select, I would pay him his own price: but that he must act like a man, and not tell any one he knew of such men. He said he was a poor man, but we might rely on him, and must go with him to a place where no one would go.

We started with him, and, after going about half a mile through thick brush and vines, he told us to stop there—that he was going to bring us that gourd full of cocoanut-beer. In a short time he returned, bringing the beer. I gave him some money, and he returned to his cabin; and, in about two hours, he came with provisions, and we took breakfast. His wife also came with him, and brought some oil and rags to put on my feet; and, although they were very painful, the thought of being free made me the happiest man in the world.

We stayed here three days, during which time the ranchero and his wife supplied us with fruits and provisions of all kinds. By this time my feet got so I thought I could continue my journey. My idea was, that, when we got some fifty or sixty miles farther along the coast, I would buy a jackass, as they are plenty in that country, and would answer to pack our provisions. Thus, in six months, I could reach the United States. When the good man brought us some fruit that evening, we told him we wished to start that night, and he must bring us some provisions for the journey, and pilot us to the town of Atoaca. He said he thought I had better wait till my feet were cured, as the distance was about fifty miles. As I told him I thought I could travel, he went home and returned just at dark with provisions, and we set out. My friend the soldier had a sword: I had only a stick; for, having lost the cock off my gun, I had given it to the Indian ranchero.

We then took the road to Acoacan, through which we had to pass to go to Atoaca. When we came near enough to hear the dogs barking in the town, I told the pilot it was best to stop there, and for him to go on to the town, and, if he met any guard, he was known by them, and they would not injure him; and he could tell them his wife was sick, and he was going after medicine. The soldier said that was all right, but, as the barking showed the town to be distant, we could all go together some nearer. The pilot agreed with him; so we went on some three hundred yards farther, when we suddenly saw ourselves surrounded by about seventy men, who rose up on both sides of us! They demanded of us to surrender.

The poor pilot sat down, and was taken. I spoke to the soldier and said, "Stand you close by me, and don't leave me, and we will escape." So we both charged—he with his sword, and I with my stick. As they had only swords and pikes, and no guns, we broke their ranks and went through together, and gained the thick woods.

After we had gone about half a mile, they being in pursuit of us, we came to a lake, about three hundred yards wide; and, notwithstanding such places are full of alligators, I plunged in, and the soldier followed. We waded a good distance, then swam a little, and then waded out to the flags and rushes. After hard work in getting through them, we got on dry ground, but in a great thicket of vines and thorns. We began to work through them as well as we could, without knowing what distance we were from any town or settlement.

Being fatigued, we stopped, and began to dry our clothes. My shoes were full of sand, and the skin not yet having grown on my feet, they gave me great pain. But I could get nothing to cure them in that place. It was just daybreak as we swam the lake, so we spent that day in the thicket. We cut down a cabbage-tree, and got the top out of it, which was all we had to eat.

The next morning we set out early, and worked through the forest till about sunset, when we heard a cock crowing at no great distance from us. We went in that direction, and came in sight of a small village, as we thought, though it was only the houses of some stock-keepers. I saw a pen that had some calves in it. I told the soldier we would retire back into the woods, and at night come back and kill a calf. He agreed to it, and we went back to the woods. We had eaten nothing that day but some fruit. We returned to the pen at night, but the calves were gone. So we passed that place that night, and went on to see if we could find a road leading in the direction we wished to go. We soon got into a path that seemed to lead in the right direction, and we followed it till daybreak.

By this time it was much larger and more frequently travelled. Continuing on after daylight, we met a man, and asked him the distance to the next house on the road. He said the next place was the town of Cacalutla, which was close by. We then concluded that our best way would be to conceal ourselves until night, and then pass by that village. We did so. The man we met was a constable, and returned back after we left the road, and raised

two or three small villages. He had been informed of our escape the night before, and had orders to take us. We went into the bushes, and lay down and rested till evening, without having eaten anything; and, before night, we set out on our journey. We went through some old farms, and passed around the town of Cacalutla, and fell into a road which led in the direction we wished to travel. About ten o'clock at night, we came to a small creek. We crossed it, and, just as we rose on the other bank, about thirty men sprang up and ordered us to surrender. We both stuck together, as we had done before—I with my stick, and the soldier with his sword. But in the first charge, a person behind the soldier struck him with a cutlass and disabled his arm, so that he could not fight. He then ran. Some of them pursued him; the others surrounded me. My feet were so sore I could not run, so I was forced to fight. I broke through them by knocking one of them down with my stick. But I did not get more than forty yards, when I was surrounded again. I was determined to be killed before I would be taken; but one of them behind me hit me on the temple with a large stick, which knocked me senseless. When I came to myself, I was strongly tied, and saw my companion by me in the same condition.

We were carried back to the village, where a new guard took charge of us and carried us back to Cojucan. Here we found our poor friend the ranchero, who had brought us provisions in the woods. Here I was ironed and put in the stocks, and two soldiers left to guard us. I struck up a trade with the guard to turn us loose, and agreed to pay them forty dollars, which was about half the money I had. They agreed to it. I got one of them to buy me two old knives, which I struck together till I made saws of them. I then tried them on the lock of the stocks, and we saw that in a few minutes we could get loose.

We then waited only for night, to cut ourselves loose, and felt sure of our escape. But, to our great misfortune, just at dark, we saw twenty Indians coming up, armed with bows and arrows. One of the guard asked them what they had come for. They said they had been sent by the governor to guard the prisoners, and especially the American, who, if not well guarded, would make his escape. The first-named guard told them to go home, as he and his companion would take care of us. He said this, knowing, if we did not escape, he would lose twenty dollars. The Indians said, no, they must stay, or the governor would punish them.

So they put out two sentinels, and sat down. I now saw that all hope of escape was lost, and I resigned myself to my fate, knowing that I would be sent back to the castle the next day. I spent that night without closing my eyes. The next morning, early, horses were brought, and we were carried again to Acapulco. I was taken to the governor, who, as soon as he saw me, said: "Oh, Mr. Bean, you have tried again to escape, but we deceived you; and I will put it out of your power to try it the third time."

I replied: "Sir, I am a prisoner, and alone; but I do not fear what you can do to me; for if you take my life, you will at once free me from tyranny."

"Tyranny, did you say?" said he. "Look at your companions: they take the sun every day; they make no attempt to escape, and are something thought of."

I answered: "They are cowards, and do not love their freedom as I do; for every chance I get, I will use to regain my liberty."

"I will double your imprisonment," said he.

"I ask you no favors," I answered, "for, if I did, I would get none; so you can do just as you please."

He ordered them to take me back to the castle, and he would come there. I had not been long in the castle when the governor came. He ordered them to bring a large mulatto, and had me chained to him. We were put in a room where there were some twenty prisoners. That night one of the prisoners whispered to me, that the governor had told the mulatto, if he would take care of me, he would deduct a year of his time; and if I didn't obey him, he could whip me if he chose. I thanked him for the information.

This mulatto was very sulky, and said nothing to me. I was dubious that, from his great size, he would flog me; but I was determined to try him the first word he said to me. Three days after I had been chained to him, we were taken out into the yard of the castle to eat breakfast. As I went to reach to get my bread, he jerked the chain, and threw me down. Near by me was half a bull's skull, with one horn on it. I went back the length of my chain, got the skull, and struck him with it on the head, which knocked him down. I continued my blows; he bellowed, "Murder!" the guard came and took the skull from me. The mulatto begged to be let loose from me. The news soon reached the governor, who ordered him to be separated and me to be flogged. But the officer did not flog me. I had a wheel put on my neck, so large

that I could not reach the rim of it. Of all the modes of punishment, this was new to me. I could not move with it. I was in this situation four hours, when it was taken off, and I was taken back to my little cell, with two pairs of irons on me.

Here I spent my time better. All was silent, and nothing to disturb me. I looked for my poor lizard, but he did not make his appearance. Two days after, he came down the wall; but he had got wild, and would not come to me. At last I caught him, and he became as gentle as usual.

The governor of the castle wrote to the viceroy that he could not be responsible for me, and I must be sent to another fort. The viceroy sent orders that I must be taken to the East Indies, to a place called Manilla, where the king of Spain had possessions. I was to be sent in the first ship that sailed for that place. When I heard the news, I was well pleased; for I thought that, in a new place, I might stand a chance to get with some nation of Indians on that island. I knew it was inhabited by savages, and hoped for some chance to escape among them. As there was no ship ready, I had to wait, and keep company with my lizard, which I had determined to take with me if I went.

I will relate the fate of the soldier who was taken at the same time with me. He was tried, and sentenced to ten years of slavery at Vera Cruz. My old friend the Spaniard, who had his thigh broken when I made my escape, died of the wound.

While I was waiting for a ship, a revolution took place in Mexico, who had declared her independence. It went on with great force. They were turning all the prisoners into soldiers, and, among the rest, my four companions. About a week after all the prisoners, except myself, had been made soldiers, a man came and asked me if I would help them fight, if he would take me out. I said I would. He went to the governor, and told him that, as I had been so venturesome in trying to escape, I would be a good soldier; and asked him to let me be taken out. This was granted; and I was brought out of my small room, my irons taken off, and a gun and sword given me.

I was then in a good fix for war. But yet the republican party was not less than three hundred miles distant. I did my duty well for fifteen days, until I had conversed with the soldiers on the subject of the revolution. They asked me what it meant. I told six or seven of them — such as I could trust — that it was a very great

thing, and that all the natives of the country ought to join them; for the republicans intended to free their country from the king of Spain, and be the owners of their country themselves; that the Spaniards had taken it from them about three hundred years ago; that they intended to run all the Europeans out of the country, and then the natives would be generals and colonels, and all the riches would fall into their hands. Those to whom I said this were well pleased; but I charged them to say nothing about it to any person that would tell; and, if they said anything to any one, not to mention my name.

In about three days after, one of them came to me, and said that he wished to go and join the patriots, if I would go. I told him to go and see how many men he could get to join and take their guns; then to let me know, and I would tell him whether I would go. But he said I knew more about it than they did, and, if I did not go, they could not. I told him to get what men he could, and I would go.

I then went to my four companions that had come from Natchez, and tried them. They told me I was crazy to talk about it, for, if it was found out, I would be hung. I told them it was all a joke, and we said no more about it. The next day my soldier* . . . . . cartridge-box . . . . . I told him I would let them know when. So he left me. The next morning we had orders to embark, and land at a place five miles from Acapulco, called Marques. After we landed, Coseo, the commanding officer, called for volunteers to ascend the river, and find out where the rebel Morelos was. Six European Spaniards, one of my companions, named William Danlin, and myself, stepped to the front and offered our services. We received our orders, and started.

We went up the river about three miles, when we came to a house where there were a great many fowls. The Spaniards said they must have some. I told them that, while they were catching them, I would go on ahead, and look out for the enemy. They agreed to it. I soon saw a company of the patriot militia. I stepped to one side of the road, and they did not see me till they came up. They had done duty at the fort, and knew me. I spoke to them. They said they knew I would not fight against them, and were overjoyed to see me. I told them there were, at the house below, six Spaniards, and William Danlin, whom they knew; that they

* The worms have taken a line or so here. —Ed.

could go and take them. They did so, and not one escaped. One of them stayed back with me, and tied me fast, by agreement, so that they should see that I was a prisoner.

We were immediately taken to the camp of Morelos, where he had about one hundred and fifty men, and about twenty old broken guns. They told him who we were, and he said he wanted us to assist him in the struggle. I, for one, told him I was a republican, and that was what I had come for. He then pointed to the twenty old guns and a small swivel, and showed us about six pounds of powder, which (being asked by us) he said was all he had. He said he had about a pound of saltpetre and two pounds of sulphur, but none of his people knew how to make it into powder. I told him I could do it; and got some women to grind it on the rocks they ground corn on for bread, and by night it was all ready to dry.

We informed Morelos that there were with us, before our capture, about two hundred well-armed men; that they would perhaps go up the river the next day to hunt for us; and that if he would go to a certain place where the road ran near to a lake, and lay an ambuscade in the rocks, and fire on them, he might drive them back. Next morning, at daylight, Morelos and his men marched to the place designated, and fired on them before they knew he was there. He killed two of them, and they broke back.

That day I was drying the little powder I had made; and, seeing that we were in a bad fix to make headway, I told Morelos that, by going back, I could get seventy of the men on the king's side to desert and come with me. He said he would trust me, and directed me to go as if I had made my escape. As all that had been taken with me were confined except William Danlin and myself, I started with him that night, though he knew nothing of my plan. About ten o'clock the next day I got back to my old quarters (where I had suffered so long), with a view to take revenge for former sufferings. But if my plan had been discovered, I would not have lived two hours.

I was well received by the king's officer, and again supplied with arms, and a new suit of clothes, which came in good time, as I was almost naked. I was asked what force Morelos had. I told him about a thousand men, well armed. The king's officer concluded then not to attack him without a more respectable force. I told him this to stop him till I could arrange my plan.

In about ten days news came that a colonel, by the name of Par-

ras, was advancing with about four hundred men, and that we were to meet him in the pass of the Sabano, — miles from where Morelos was encamped with his small army. We went, three hundred in number, and joined Colonel Parras. We were then seven hundred strong. In about ten days more, three hundred more men were to join us, and we were to attack Morelos with the whole force.

All this time I had sent no word to Morelos. Some of us were sent out to kill white cranes, to get feathers to distinguish our men, as they were militia, and had no uniforms. I strayed to a house, where I found two women, whose husbands were with Morelos. I sent word by them to him to send a confidential man to meet me at that house the next day, and he would hear from me. That night I spoke to the sergeant, who had before wished to go with me, to be ready when I called on him. He said he would. The next day, when I went out to kill more cranes, I went and met the man sent by Morelos, and told him to tell Morelos to send, the third night after that, all the men he had to an old house about half a mile from our camp. I then returned, and the arrangement was all made.

The night came. The seventy men, who had agreed to go over to the republicans, had managed to get on a picket-guard. About seven o'clock at night, I left the king's camp, took with me Mariano Tobares and Juan De Leon, and went to where I was to meet Morelos's men. Morelos's men, commanded by Julian de Abila, came about eleven o'clock. They were five hundred and twenty-seven in number, armed with thirty-six old guns, and the balance with lances and bows and arrows, and some with nothing but sticks. I made up my mind that night to die or be revenged. The sign and countersign were to be, when one said, "Who lives?" the other should answer, "Silence!"

The king's camp was on the bank of the river. The artillery — four pieces — was mounted on the bank, pointed across the river, which was about knee-deep. In the king's camp were about two hundred regulars, stationed next to the artillery. We crossed the river below the camp, and came up under the bank till we got opposite the guns. We mounted the bank, killed the sentinel, took possession of the cannons, and turned them on the camp. This took them so suddenly, that the regulars surrendered without fighting. The balance of the king's army came running up, and asked what was the matter. By this time our patriots had armed themselves with the guns of the regulars, and we took the enemy nearly all

prisoners, killing only three of them. We took five hundred and twenty-six prisoners, and all their arms and ammunition. Colonel Parras, without hat or uniform, mounted a horse barebacked, and escaped.

The next day, four hundred of the prisoners — in fact, all the natives — joined our flag; so that, in one night, we had become respectable in men and arms. The three hundred men, who were also to have joined the royalists, camped that night in six miles of us; but getting news of the affair from some who had escaped, they struck their camp, and retreated for safety. They made no halt till they reached Huacaca, a city on the Pacific ocean. The next morning, General Morelos came up to the battle-ground about nine o'clock. We were all in motion with our cannons and prisoners, and you may well conceive that we had a joyful meeting.

We marched to the pass of the Sabana, which it was determined we should fortify. The work was commenced, but we were scarce of money for our men. I proposed to plunder Acapulco, for the fort was built to defend the bay, and her guns could not reach the town. The general agreed to it, and a large number of our men volunteered to go with me. We went in the night, and, after carrying the small guard at the hospital, the town was ours. We got about thirty thousand dollars in goods and about eight thousand dollars in money, which placed our camp in a flourishing condition.

At this time the royalists had drawn off all the forces they could gather to contend with Hidalgo, Rayon, and others, who were in motion about Valladolid, and could not bring any great numbers against us. But they mustered a force of about three thousand royalists, and attacked our works at the pass of Sabana, which we had finished. This was in March, 1811. But we drove them back with great loss. As we remained in our works, our loss was only one or two. This affair lasted two days, when they retreated. Here General Morelos left me with the main body of the troops, which he took to Tayupan. He returned again, and, with his whole force, set out for Chilpanzingo. Before reaching there, we received news that the royalists were advancing to that place. General Morelos gave me the command of two hundred horsemen, with orders to go forward and occupy the town. I did so, but, at the end of three days, was forced to retreat. We took with us, however, all the effects of the king's party there, which again supplied our troops with cash. I informed Morelos that I was compelled to retreat by

the superior force of the enemy. He approved the retreat. The next day we marched upon Chualco, where we had news that the royalists were marching rapidly to meet us.

The next morning, about eight o'clock, they came in sight. We were in readiness, and advanced to meet them. There was, between the two armies, a deep gulley, twenty feet wide, which, except in some particular places, was impassable. While the main body were fighting across the gulley, I marched with three hundred men through a piece of timber, and, without being perceived by the enemy, fell upon their rear. In an instant they were in confusion, and commenced their flight. Our army made their way, as they best could, across the gulley. Their officers never tried to rally them, but they all fled. We pursued and cut them down for six miles. All their ammunition and three pieces of artillery fell into our hands. We had with us a large number of Mexican Indians, who pursued and butchered all they could overtake. I came up with them, and urged them to make prisoners, and not to kill. At this time there were, in twenty yards of me, two personal enemies. I advanced toward them, and ordered them to surrender. One of them made a push at me with his spear, and wounded me severely in the right thigh. Our Mexican Indians cut them to pieces in an instant. My horse was brought me, and I rode to camp; but, when I got there, my boot was filled with blood. I felt no great pain, but was weak and faint.

The next morning we marched into Chilpanzingo without opposition. Here we had news that the enemy were marching from the Mistaco, on the Pacific, to Acapulco. General Morelos sent me, with fifty mounted men, to look after them. I reached a garrison of two hundred and fifty of our party, on a mountain called Validaro. Close by the shore there were a hundred more. After six days' ride, my wound had made me very stiff and sore. However, in about six days after my arrival, I was informed, by a woman from Acapulco, that the governor himself was coming to attack the one hundred patriots that were on the coast. They were only nine miles distant. So I immediately started with two hundred men and two small guns from Validaro to join these men on the coast. The third day after our arrival, our pickets gave notice of their approach. I removed my force, consisting of three hundred men, to a rocky bluff on the road, and formed a complete ambuscade. I sent out twenty-five men to give them battle, and then retreat in good order.

All this was effected; and we got them so far into the net, that nearly their entire force, about equal to ours, was killed or taken; and, among the rest, the governor, my old friend, who had kept me so long in chains, was badly wounded. I sent him back to the castle, to die.

After this battle, all the coast was clear of the enemy, except the strong fort at Acapulco, which I was not able to take. In about a month, General Morelos visited my camp, and showed me a letter from the castle, stating that they had entered into a conspiracy* in the fort to deliver it to us; that on such a night, as a signal, they would hoist a lantern to the top of the flagstaff, when Morelos should march his men and form them in sixty yards of the fort. He should then send one to let it be known he was there, when all the doors would be opened, the drawbridges let down, and the touchholes of the cannons filled with tallow.

General Morelos was pleased with the plan, and the idea of possessing the fort. I told him I did not like the plan; for, if the soldiers were formed at the place stated, and the cannons of the fort brought to bear on it, it would be a conspiracy to kill all our men. He said, "Oh, no, it could not be so." I said it might not be the case, but it was dangerous to trust an enemy at any time. He said he wished to carry out the enterprise. I told him that, if I went into it, I preferred doing it in my way, and not according to their plan. He then left it to me to carry it out as I thought proper.

The signal was given about an hour before day. I marched my men to the gate on the opposite side of the fort, and sent to inform them we were ready. They had previously placed fifty pieces of cannon, loaded with grape, so as to sweep the place where our men were to have been formed! They opened their fire, which continued like an earthquake for thirty minutes. In this time we were safely retreating on the other side of the fort, at our leisure, in the dark. They thought, when daylight came, to find the ground covered with "insurgents," as they called us, but they found only the grass and herbs tore up! I asked General Morelos, next day, what he thought of the plan. He said God had protected us.

As there was no possibility of taking the fort, and they would not come out and fight us, we marched back to Chilpanzingo without delay. After all these engagements, we were without ammunition.

* Bean says they "had made an *entrequi* in the fort." He meant an *intriga*. —Ed.

As there were large quantities of saltpetre in the country, and I was the only one who understood the manufacture of powder, I set up a powder-mill. We obtained sulphur from a mine near Chilpanzingo. The Indian women ground the materials on their *metates*, and I made the powder.

At a place called Testla, about six miles from Chilpanzingo, Don Miguel Bravo was attacked by the enemy, and defeated them — though they encamped on their ground. That night he wrote us of his situation, and that he was out of ammunition. We set up all night at our powder-works, and the next morning Morelos sent him one hundred and fifty pounds of powder, and took over to assist him six hundred of us. We attacked the enemy on one side, and our friends on the other, and defeated them entirely, taking four hundred and sixty-five prisoners, three cannons, all their baggage, and ammunition. Among the prisoners was the man who had written that they would deliver up the castle. We put him to death four days afterward.

For some months after this we were free from the enemy. Morelos, during this time, marched to Tenansingo and Tasco, which he took. I was engaged in providing ammunition. He then came to Cuautla Amilpas, which he concluded to fortify. While this was going on, I provided ammunition sufficient for a siege of six months.

The viceroy Calejas came with twelve thousand men, and laid siege to the place. It was agreed by the leaders of the patriots that Morelos should stand a siege, and thus draw all the royalists from Mexico. Rayon, Cos, Vedisco, and Bravo, were to approach the besiegers from without, while Morelos was to sally out from the place; and thus, by one complete victory, we were to be complete masters of Mexico. The other patriot officers, seeing Morelos shut up, did not advance as they were to do, but left him to suffer hunger and fatigue until he was forced to leave the place in the night, which he did by forcing his way through the besiegers, with a small loss of men, but of all his cannons and ammunition.

During the two months of this siege, I had gone out with seventy men to support Chilpanzingo, and provide ammunition. As my guard was too weak, I was forced to fly to Choltepec, forty miles from that place. In this time I had made about two thousand pounds of powder, and had repaired a number of old guns, all of which were of great service to Morelos when he retreated from Cuautla. We marched to relieve a portion of the patriots who,

under the command of a lieutenant-colonel, were besieged in Huahuapan. We succeeded, and took two pieces of artillery and some muskets. We then marched to Tehuacan, which received us with the ringing of the church-bells. We remained here about two months, when we marched to attack Orizaba. We reached it in a march of three days, and took it by assault, with little loss.

Hearing that the royalists, under the command of General Avia, were advancing rapidly to give us battle, we left Orizaba in three days, and marched out to gain a position on the road where he would pass. He reached the place first. We made an effort to pass him, but he was well prepared, and gave us such a complete flogging, that he dispersed our forces. We saved our guns and ammunition with difficulty, and made our way to Tehuacan. Thence we marched to Huacaca, on the waters of the Pacific. In this march, the want of horses and provisions, and the bad and mountainous state of the roads, put us to great trouble. When we reached the beautiful plains of Huacaca, we summoned them to surrender, which they refused. At daylight, next morning, we attacked the city, and in two hours obtained possession. We took here a large quantity of property belonging to the king and the royalists, which we much needed. We also acquired a rich province, which produces large quantities of cochineal. We remained here about a year, in which time I had erected a powder-mill, and carried on successfully the manufacture of powder.

At the end of this time, we marched with twelve thousand well armed men to Chilpanzingo, and then to Acapulco, to try and get possession of the place. General Morelos, our commander-in-chief sent in a flag, demanding the surrender of the place. The letter was not signed by Morelos, but by me. The commandant of the fort answered as follows: —

"If you will come and join his majesty's troops, you shall have a colonel's commission, and ten thousand dollars' reward."

I presented it to General Morelos. He laughed when he read it, and said, "Why don't you go?" I said, "If you thought I would go, you would not say that." He then said, "You are right." With his leave, I then wrote as follows: —

"SIR: I have had the pleasure of receiving your letter, dated December the 20th, 1812; and, in answer to the same, I have to state that I am very poor, but, for all that, your king has not money

enough to buy me, or make me a friend to a tyrant, when I have been rocked in the cradle of liberty from infancy.

"Your ob't servant, "BEAN."

We laid in about two miles of the fort for three or four days, when a deserter came to our camp, and told us that the enemy's women and children, with their sick, and an abundance of provisions, were on a small island, about a mile from the shore. As there were provisions on the island, it was deemed impracticable for us to starve out the fort; so we fell upon the plan of building a sufficient number of *piraguas* to pass over and take the island. We went to work to build the vessels; and while at it, General Morelos, being in bad health, went to Tehepan, leaving me in command of the business.

I had a small party of men stationed just out of gunshot from the fort. They were very careless of the defence of the post. So, one morning, just at daybreak, when they were all lying down, the royalists came out of the fort and charged on them. They defeated them completely, and took from them two pieces of artillery. I heard the firing at my camp, got my troops in order, and marched with all speed; but, before I got there, they had returned to the fort, so that I could do nothing.

I then stationed another guard at the same place, and attended to the making of the vessels. I soon had twenty made: they were rough and badly made, yet large, and would hold many men. I wrote to General Morelos that I was ready to pass to the island. He answered me, to go on; that his health was yet bad; that he would send me fifty mule-loads of corn, knowing that I had plenty of beef. I launched all my vessels; and one calm night, having placed in them about five hundred men, I passed over to the island, and landed just before day. At daylight I charged on the camp, and took it without the loss of a man. I found a guard of forty men, about two hundred women and children, and some old men sick. They informed me that two schooners would be there the next day. I then lashed my piraguas about three feet apart, four together, laid poles across them, and thus formed four floating platforms, or whatever you may call them, and took them to the point of the island, to see if I could not prevent the schooners from coming out.

They came out, and, seeing us, went back to the port, and got

some small guns on board; and the next day came out again, to destroy my rafts. They came close to us, and opened a fire. We soon made them wish to retire. One of them did; but the other, having her mast shot away by a shot from a six-pounder I had found on the island, and having some of her men killed, they ran below, and she drifted within twenty feet of us. We then boarded her with our four loose piraguas, fastened her to our raft, and took her men, nineteen in all, prisoners.

The prisoners informed me that they were out of provisions, and would be forced to surrender within three days. Three of the women on the island asked leave to go to the fort. I told them they were all starving there, and, if they went, they would suffer. They begged me to let them go, and said that they would tell the troops at the fort how kindly they would be treated if they surrendered, and that I had said I would not leave the place till I had taken the fort. I let them go. Sure enough, the next day a flag left the fort, and made toward my camp on the shore. I sent from the island to meet them. They were two clergymen and one lieutenant. They said their commander had sent them to me, to state that he would surrender the fort if I would let him and his troops march out with their arms, and go and join the other troops of the king.

I said, no; that if he would surrender it, and let all the arms and ammunition, and king's property, remain in the fort, then every man might take his clothes, baggage, and money enough to bear his expenses, and have a passport to join the king's troops wherever he pleased; but, if I found anything more taken, I would retain the commander as a prisoner.* . . . . .

. . . . . .

. . . "that my house is yours, and that my daughter who now sits in your presence esteems you, and, there is no doubt in my mind, would forsake her home and parents to follow you in the army, although she has been raised by kind parents, and never lacked anything of enjoyment this place could afford. She has disclosed her mind to me, and says you have promised, when the war is over, to make her your companion. It is, then, the wish of us all, that you stay with us. The whole of this city shall suffer death before you

* There are four leaves, or eight pages, of the original manuscripts, missing here, viz., from page 197 to page 204 of the original. It may be proper to state that the place was at last surrendered, and the prisoners afterward shot by order of Morelos, to retaliate for the loss of General Matamoras. — ED.

shall be hurt. We have now in the house for you a king's pardon, and the promise that you shall have the same command in the king's army that you now have. So, fulfil the promise to my daughter, marry her, make her happy, and yourself also. You well know of the defeat of Morelos, and that all the troops you commanded are lost; that the king's troops are daily increasing, and the patriots falling off. So, for your own happiness and mine, I hope you will, at your leisure, take all these things into consideration."

I said to her: "Dear madam, your offers are fair and friendly, for which I give you a thousand thanks. But no man of honor ought to change his coat to join a despotic monarch, and groan under the weight of chains which I have made a feeble attempt to break. True, I have not yet succeeded; but I hope to see this country flourish in the enjoyment of liberty, and the despot fly from our coasts. I can never think of changing my mind: I shall ever continue to raise my sword against the king while my life is spared, and he attempts to occupy this land."

Miss Wakina spoke: "You have visited my father's house, and I have been simple enough to think you had a regard for me, and would wish to make me happy. But now I see you are full of flattery, and do not return my regard for you. I will leave father, mother, and all, to go with you; and, as it would be a happiness to endure fatigue in your company, if you will not stay with us, I will follow you till death shall separate us."

I returned many thanks to this beautiful girl; and, as an objection to her going with me, told her that, if I should lose my life in any engagement, she would be left without parents or friend; that I had strong hopes I would shortly return, and then I would be more than willing to make her my own. I told her I thought she possessed more honor than to urge me to join the standard of a despot, and thus, for her sake, to make myself for ever miserable. She then said she wished me to preserve my honor, and do what was right; that she would go into a convent, and await my return. I then gave this young angel a kiss, and left the room.

I then returned to where the priests and friars were, who supposed that everything was ready. I told them I must ride, and that they could command me at all times, as could all men of liberal minds, although they might not join in the field of battle. There was silence for a moment: some wine was brought in—I took some, bid them adieu, and went out and mounted my horse. In this time

the ladies were telling what I had said. A friar came out and took my horse by the reins, and said I must not go. I wished him to let go my horse. Miss Wakina came to the door, and told him that my principles were honorable, and not to incommode me; then, with tears in her eyes, she bid me farewell. The friar still held on to my horse, and would not let go till I put my spurs to him. I rode to the street; my few men mounted their horses: then all came up; I bid them a general farewell, and we started on the road for Quicaclan.

The next day, about eleven o'clock, I came up with my mules, loaded with ammunition. I had two hundred followers, and only two thousand dollars, and knew not where to get more. In three days I reached Quicaclan. Here I was informed that General Rayon was in Tentaclan del Camino, only nine miles distant. I was by this much relieved, as it was gratifying to know that my small force were not all the republicans in the world. I mounted and marched with all possible speed, though the most of my pack-mules were very tired. But when I reached Tentaclan, to my great surprise, Rayon had left that place the day before, and gone up a mountain to a place called San Pablo Solaclan. I stopped that night, and the next morning I received news that General Avio, a royalist, was on his way to that place, expecting to find General Rayon there. It was necessary for me, with my small force, to stand or run. My mules had all given out; and then, to escape the enemy, I would have to take up the mountain at the edge of the town, and leave my ammunition.

I wrote to Rayon that it was impossible for me to move; and to send me a reinforcement, and I could beat the enemy with ease—so that we could then march to Tehuacan without any danger. His answer was, for me to leave the place, and save what I could; that he should not send me any relief. I then commenced to pack and start my mules—all of which was owing to a want of valor in Rayon, who had run away from the same enemy before I came. I had started my packs with the pack-men, but not my soldiers, and had sent out a small picket-guard in the direction of the enemy. They returned, and reported that they would be there that evening.

I sent back to Teotla and got forty men to reinforce my two hundred. I had with me Captain Simon Mendez, in whom I placed great confidence. I thought I would see what force the enemy had: and if I could give him battle, I would do so; if not, I would

retreat. It had been reported that they were a thousand strong. My mules were gone, and I had no artillery, except a small howitzer. The town was on a beautiful rise, so that I could see them when they approached within half a mile. When they came in sight, I saw they had about three hundred cavalry, two hundred infantry, and one piece of artillery.

I marched to the outside of the town, to a small creek with high banks. There I stationed fifty men behind a rise, which concealed them from the enemy. As soon as their cavalry saw my advance, they charged. They were some time in the creek, so that I got two fires on them. My advance then fell back to my main line, on top of the hill. There we gave the enemy's cavalry such a beating, that they retreated, and reported to their infantry (who never reached the battle-ground) that my force was two thousand men! The whole body then fell back, and that night retreated to Coscoclan, leaving me quietly at Tentaclan.

General Rayon, hearing of my success, came to my assistance when I did not need him. I then went with him to San Pablo Coscoclan. He then wanted me to come under his command. This was the first time I had ever seen him. I stated his wishes to my men; and they said I might do as I thought proper, but they would not follow me if I did. I did not like myself to go with him, for I knew I would always be left to fight if any danger offered. So I told him I would meet him at the Lanas de Apan in six or seven days. So he left me, and marched for that place. But it was not my intention to meet him there.

The second day after his departure, I received a letter from General Morelos, relating all his misfortunes, and requesting me, if I could pass to the United States, to do so as soon as possible; and see if I could make any arrangements to bring on a campaign against the province of Texas, and, if I could, to make some provision for a supply of arms.

My situation was then desperate. When I left Huahaca, I had two thousand dollars. I had spent all this, in furnishing my men, excepting five hundred dollars. Knowing that, with money, in the United States, I could do much, and, without it, nothing, I was troubled.

There were some rich patriots in Tehuacan; so, having left my men under command of Captain Simon Mendez, I went to see them, and stated my situation. As I was known there, and General Morelos was much esteemed, I found that the people would raise me all the money they could in a few days; and so my mind was relieved. In about ten days I received news that the citizens had made up ten thousand dollars for me to take with me.

As soon as I could, I went to Huatusco, where there were stationed fifty patriots. Thence I continued my journey to the king's bridge, or Puente del Rey, where I found General Victoria and a man by the name of Ansures. I stayed with them one night, and proceeded to the town of Nautla, on the coast. This place was, at that time, commanded by a negro, named Philipia. I found here a large open boat, and, thought, by putting a deck on it, I could pass the gulf. After working at it five days, there came in sight a fine schooner, belonging to a company of privateers commanded by Lafitte, and well known by the citizens of the United States. They lived on an island called Barrataria, below New Orleans. This schooner, called "The Tiger," was commanded by Captain Dominic, a Frenchman. I had under me in that place about seventy-five men. We made every signal, but could not get them to send their boat, although they lay to, and showed their colors. At that time they had Carthagenian colors, with which I was not acquainted. Toward evening they sailed southwest, toward Vera Cruz.

The second day after, we saw two sails coming up the coast, very close to the shore. With a good glass, I quickly found that the foremost vessel was the one that had left two days before. When she came opposite to us, she let fly the same colors as before. I had no other craft than large piraguas, and could not think of venturing out, not knowing but she was a royalist.

In this time the other vessel, which I found to be a large brig, came close alongside the schooner, and, hoisting English colors, the fight began between them. The schooner spread her sails, and played around the brig, until she had shot away her mainmast. The brig was then ungovernable. The schooner made off out of gunshot, and then lay to again. The brig sent out two large boats to board the schooner. As they came near, she sunk one of them, and the other was badly shattered. The brig having picked up her men from the wreck, the schooner made off toward New Orleans, and the brig returned a southwest course.

The next morning, the guard on shore reported that there was a small schooner at the mouth of the river, a half-mile from the town. Filling the three piraguas with men, I went down to the schooner,

and found her drifting toward the shore, but, as there was a calm, making no headway. I went out with two of my boats, and boarded and brought her in. This is the first vessel the *Mexican* nation ever owned. She had on board some flour and dried beef, which was of great service to us. I had a thought of fitting up this vessel for my voyage, but I found she was only a coaster, and had no compass or quadrant; and if she had, they would have been of no service to me, for I knew nothing of navigation, and had never been twenty miles from shore in my life.

The next morning, a woman came down the coast to sell us some fowls and eggs, and informed me that, six miles up, there was a schooner run close to shore; that her deck was covered with men, and she had no masts. Supposing it might be the enemy who had come out from Tampico, and was aiming to land and give me battle, I then set out with my small force to stop them from landing—knowing that on that open coast they would land with difficulty. When I approached near them, I concealed my men behind the sandbanks, and sent five men unarmed to the shore, that they might not be alarmed. The five men hailed them, and they sent out their boat for them. I then learned that this was "The Tiger;" that she had been so fortunate as to cripple the English brig, and get away from her; that afterward the crew of the schooner had got to drinking, and ran her on the shoal which extends out a great distance from shore. I learned that the Spaniards at Vera Cruz had promised the English captain two thousand dollars if he would capture the schooner; but he got well shattered, and did not take her as he expected. I was happy to find some of my countrymen on board, and learned from them, for the first time, that the United States and England were at war.

I then sent for my small schooner I had found at the mouth of the river, and transported the crew of the Tiger and all on board of her to Nautla. We then prepared my little schooner, and took on as many of the crew of the Tiger as we could carry, and in ten days set sail for New Orleans. In thirteen days more I landed safely on Barrataria island. I left my small schooner in care of Lafitte, and got an old Frenchman to pilot me through some lakes, and land me on the Mississippi, about nine miles above New Orleans. I got a skiff from a gentleman by the name of Hearn, and a negro to row me down to the city. This was in 1814.

I found my old acquaintance, William C. C. Claiborne, of Tennessee, was governor of Orleans. But I did not remain long there. I went to Natchez, and thence to Natchitoches, to see what chance there was to renew the expedition of Bernardo Gutierres and Toledo. At Natchitoches I found a large number of poor fugitive Mexicans; but they had become dispirited, and had no desire to make a second attempt. I had not money enough to carry on an expedition, so I returned back to New Orleans.

The day after my arrival, the American gunboats had been taken by an English squadron off Mobile; and, shortly after, great preparations were being made by General Andrew Jackson to defend New Orleans. I had known Jackson from my earliest recollection. I thought, although I had not been in the United States for fifteen years, that I would volunteer my services. I joined the company of Captain Maunsell White, of New Orleans, and was stationed at Bayou St. Johns.

News arrived that the British had landed below New Orleans. At three o'clock in the afternoon our company struck up the march, and overtook the rest of the army before they reached the battle-ground. (I shall not say much of this battle, as it is well known.) Next day, General Jackson asked me if I understood artillery.* I told him I did. He then stationed me at a twenty-four pounder, a short distance from the levée, where I stood till the British retreated, except two days, in which I was showing Mr. William Brant, a brick-mason of New Orleans, how to erect a couple of air-furnaces for heating shot.

After the British had been defeated, and made their retreat, I asked leave of General Jackson to return to Mexico, which was granted. I obtained a small schooner in New Orleans, bought arms and ammunition as far as my means would allow, and started down the river. I could not go out at the Balize, because of some English vessels stationed there, but went out at what is called the Southwest pass. I again made my way to Nautla, taking, on the voyage, a small Spanish schooner, loaded with corn and flour, and bound from Tampico to Vera Cruz.

I carried her safely in. I then armed all the men I could, placed Villapinta in command of the coast, and set out on a journey of six hundred miles through the enemy's country to Purucan, where General Morelos was stationed. At this place, about three months pre-

* General Jackson knew the Beans well. The scene between him and Jesse Bean, an uncle of Ellis P., forms part of our early history.—Ed.

vious to my arrival, General Matamoras had been taken and shot by the royalists. I performed this long journey (without any accident) with only six men. When I arrived, Morelos said I was right—he ought not to have come on this expedition. He asked me what good news I brought from the United States. I related to him how I got there, and what I had done. I told him the United States were our friends and well-wishers; but they were then at war with Great Britain, which might be a reason why they could not do so much for us.

It was then concluded to send an embassador to the United States, and that I should return there with him. Twenty-five thousand dollars was all the money that could be raised for the purpose. General Morelos wished to come with us as far as the coast; but he had been appointed president of our small republic, yet in its struggle for freedom, and could not leave. Don Manuel de Herrera was appointed embassador. Morelos sent with us his son Almonté, as far as New Orleans.* When we reached the last-named place, we found that the United States would not acknowledge our independence. As we were not yet free from the Spanish yoke, this was right.

I left Herrera and Almonté, and returned to Mexico; but, before I reached there, Morelos had been taken by the royalists and shot. I found the country was in a desperate situation; that a great number of the former patriots had gone over to the royalists, and obtained pardons. I went to Tehuacan, where General Teran was stationed. There I learned that Colonel Muscos was taken at Palo Blanco, near Huatusco. I returned to the latter place, where I had about fourteen hundred dollars in money. I packed it up, and started to meet General Victoria, who had gone down to the coast, a small distance from Vera Cruz.

* Almonté (present Mexican minister to the United States) was an illegitimate son of Morelos, and was sent in care of Colonel Bean to the United States, to be educated. He was placed at school, and for some time remained there; but his father being killed, and his means failing, he became a clerk in the store of Puech and Bein, hardward-merchants in New Orleans. He then left their employment, and joined Bernardo Gutierres at Compté, on Red river. On receipt of the news of the treaty of Cordova, made in 1821 by Iturbide and O'Donojú, he returned with Gutierres to Mexico by way of Matamoras. At the latter place Gutierres remained, being appointed first governor of Tamaulipas under the republic. Almonté made his way to the capital, to push his fortune; and, with the exception of his renowned master Santa Anna, no Mexican has met with a greater variety of adventures.—Ed.

I took with me a young lady of fine family, who had lost all they had in the revolution.* I married her at a small town on my way, intending to ship her with me to the United States. My mules being fatigued, I stopped at a hacienda. The next day General Victoria came on, having with him but four men. He had been beaten by the royalists, and was then on his retreat. He was entirely destitute of funds, not having a single dollar. I told him what I had, and proposed that we should unite and make a new effort. He said it was not worth while; that the people had got out of heart, and it would be better to go to some secret place and there wait till there was a change. He wanted me to join him; but I could not think of hiding myself: besides, the very men who would bring me provisions would betray me into the hands of the enemy. I told him I would send my wife to her uncle at Jalapa, and make my way to the United States by land, if it took me two years; that I could do it by keeping in the mountains along the coast. All this must be done on foot, relying upon the chase for support. General Victoria said it was impossible for him to do it. The next morning he left me, and went into the mountains, not far from Cordova, where he remained, living the life of a hermit.

I remained at the hacienda, recruiting my mules. Some patriot friends gave notice to some of the king's troops, stationed not far distant, where I was, and that I could be taken. Immediately there were a hundred men sent to apprehend me. They aimed to come upon me in the night, but the rocky cliffs they had to cross prevented them from reaching me that night. Next morning, I was walking in the yard, when I saw them coming. The four men I had with me were hunting my mules, so I was by myself. I told my wife to sit down and make herself easy, as they would not kill her, and that I should make my escape. I caught up my gun and sword, and started off, in my shirt-sleeves, and went along the side of the mountain, covered with brush and vines, with occasional rocky cliffs. I ascended one of them, and saw the king's troops catch my mules and horses, and take my beef, which I was drying on ropes. They got all my property and money, except two hundred doubloons, which my wife saved by going for water, and burying it in the sand.

Finding myself thus alone, with only my arms, and in my shirt

* Señorita Anna Gorthas. She resided at her hacienda, at Branderrillas, and was related to General Morelos.—Ed.

and pantaloons, I started for help. I went to a place four miles distant, where there had been some men engaged in making liquor from the wild-cabbage, which grows there in abundance; but they were all gone, except an old man, who told me they had heard I was killed, and all my people taken. He then went with me to where they were hid down the creek. I found here twenty men. I then went on to a small patriot garrison twenty-five miles distant, and raised by night, in all, two hundred men. At daylight next day I marched for my old camp at the hacienda, hoping to defeat the royalists that had plundered me. But they had all left. I gave them chase, and only got sight of them as they were rising the hill to enter their fort. So they got in safe, and my hopes and chance were lost.

NOTE. — The lady to whom Colonel Bean was married, as stated on the previous page, was a most tender and devoted wife. She had by him no children. By the turn of affairs she became wealthy, and owned a fine hacienda three miles from Jalapa, where Colonel Bean died, on the 3d of October, 1846. — ED.

END OF THE MEMOIR.

APPENDIX NO. III.

REGISTER OF THE PROCEEDINGS AT GALVESTON,

APRIL 15, 1817.

THE undersigned persons having appeared for the purpose of taking the necessary oath of fidelity to the Mexican republic, now in the possession of those who represent that nation in this quarter — which act was executed with all due solemnity —

1. Appeared Louis Derieux, commandant, who took said oath in the presence of the citizen Louis Itourribarria; after which —

2. The other authorities were severally sworn before the said commandant in regular form.

And, to establish its authenticity, it has been signed by all those who were present. And the said document shall be kept in the office of said port or place, with the signatures, as well as that of the representative, so that its validity may, at all times, be established.

And not being able, from existing circumstances, to obtain a seal of state, its place will be supplied by a common one until an official seal can be procured.

LOUIS ITOURRIBARRIA,	ROUSSELIN,
LOUIS DERIEUX,	R. ESPAGNOL,
A. PIRONNEAU, JR.,	J. DUCOING.

LAFOU, *Sec'y ad interim.*

BAY OF GALVESTON, *April* 20, 1817.

THE commanders of the independent Mexican vessels-of-war, assembled on board the schooner "Jupiter," for the purpose of nominating, with the requisite formalities required by the authority, which, in the name of the Mexican government, supports this nation, particularly in the existing war carrying on against the royalists of Spain; in consequence of which they have proceeded to pronounce an opinion in the following articles: —

The undersigned captains and owners of vessels, now in this port, having met according to public notice, have taken into consideration the proceedings of the 17th of this month, under which they named the citizen Colonel Louis Derieux military commandant, the citizen J. Ducoing as judge of the admiralty, the citizen Rousselin as administrator of the revenue, and the citizen R. Espagnol as secretary of the public treasury, all of whom have been recognised by the provisional assembly; and at the same time the citizen Jean Jannet was appointed marine commandant of the place, with all the necessary powers.

And, after due deliberation, all the members of this assembly unanimously resolved that the duties which shall accrue from the prizes already arrived or may hereafter arrive at the port of Galveston, after condemnation being pronounced, shall be disposed of as follows:—

1. The treasurer shall pay on demand, upon the order of the government of the place, every expense which may be necessary for the port or harbor of Galveston, for the support of the officers employed, and for munitions of war and other expenses, fixed according to the claims and obligations of the several officers.

2. That when the expenses of one month are ascertained, those of the month following may be anticipated out of the funds in hand.

3. That the surplus will be applied toward the payment of the debts of the government contracted prior to the 15th of April, 1817; upon the express conditions, however, that no one who is not actually employed at said port shall enjoy the advantage of that arrangement, and that the old debts will be paid only to those who are actually employed at the port of Galveston.

4. That the salaries of the officers and others employed will be regulated by a special council, and that the whole will be entered on the register of deliberations.

The whole has been signed in the presence of the secretary *pro tempore*, Lafou.

L. Derieux,	Parisi,	Renaud,
A. Pironneau, jr.,	John Quere,	B. Lavard,
John Ducoing,	Dutrieu,	Savary,
Rousselin,	Denis Thomas,	Marcelin,
Jean Jannet,	Faiquere,	Gilop.
Richard Espagnol,	Joseph Place.	

Testimony taken in sundry causes depending in the United States District Court for the Louisiana District, on behalf of the United States, against sundry vessels and cargoes from Galveston.

John Ducoing, being duly sworn, the deponent further says that the establishment at Galveston was composed, as before stated, by persons of various nations, and that the sole view and object of the persons comprising the said establishment was to capture Spanish vessels and property, without any idea of aiding the revolution in Mexico, or that of any other of the Spanish revolted colonies, as far as this deponent knows and believes. And the deponent says that, during the time he exercised the functions of judge at Galveston, he had no knowledge or belief in the existence of a Mexican republic or other government independent of the Spanish government. The deponent further says that the government established on the 15th day of April had no connection whatever with any other government, state, or people. That Galveston stands on a small island, or, rather, a small sandbar, a few miles long and broad, and was a desert when taken possession of by Aury, known by the name of Snake island, without a port or harbor, and no buildings except a few huts or cabins, probably three or four, made of boards and sails of vessels. And further this deponent saith not.

John Ducoing.

Sworn and subscribed before me, this 7th of October, 1817.

R. Claiborne, *Clerk*

Mr. Richard Espagñol, being duly sworn, says that, on the 16th day of March last, this deponent went from this place to Galveston, in the province of Texas, in the brig "Devorador," for the purpose of disposing of merchandise. Aury was acting as governor. This deponent accepted of no office or employment from Aury, nor had he any acquaintance with him; never took any oath of allegiance to Aury; that, on the 5th of April last, Aury and General Mina abandoned Galveston, burned the huts and cabins there standing, and left no person authorized by them, or otherwise, to form a government. After their departure, to wit, on the 15th of April, 1817, the persons then at Galveston consisted of about thirty or forty in number, including sailors, &c., six of whom assembled on board the schooner "Carmelita" (belonging to Bartholomew Lafou, late of New

Orleans, and engineer in the service of the United States), to wit, Derieux, John Ducoing, Pironneau, said B. Lafou, Rousselin, and this deponent, who formed the new government. The proceedings were drawn up and signed by those present, by which certain persons aforesaid took upon themselves offices, to wit: Derieux, governor; John Ducoing, judge of admiralty; this deponent, notary public and secretary; Pironneau, major du place; Rousselin, collector.

At the meeting on the 15th of April, there was no paper or document produced authorizing the same, or giving them power to form a government. . . . . .

[The balance of the deposition is the same as that of Ducoing.]

RICHARD ESPAGNOL.

Sworn and subscribed before me, this 7th day of October, 1817.

R. CLAIBORNE, *Clerk.*

APPENDIX NO. IV.

NOTES ON THE ALAMO.

HISTORICAL NOTES COLLECTED FROM THE REGISTERS OF THE OLD MISSION OF SAN ANTONIO VALERO, NOW CALLED "THE ALAMO." BY F. GIRAUD, ESQ., OF SAN ANTONIO.

FROM the heading of the register of baptisms, delivered over by Fra. José Francisco Lopez (the last of the Franciscans remaining at the Alamo, and entitled *parroco*, or parish-priest, of the *pueblo*, or village, de San Antonio de Valero) to Gavino Valdez, curate of the *Villa de San Fernando y presidio de San Antonio de Bexar*—which delivery was made by an order of the bishop of Monterey, dated January 2, 1793—we learn that the *mission* (located finally where the Alamo now stands) was several times removed before it was settled on the San Antonio river.

The following is the translation of the heading referred to: "Book in which are set down the Baptisms of the Indians of this Mission of San Antonio de Valero, situated on the bank of the river of San Antonio, in the Government of this Province of Texas and New Philippines, belonging to the Apostolic College of *Propaganda Fide*, of the most Holy Cross of the City of Santiago de Queretaro."

The translation of the next extract is as follows: "Baptisms of the Mission of San Antonio de Valero, from its foundation.

"NOTE.—This mission was founded in the year 1703, in the *Cienega* of the Rio Grande, under the invocation of *San Francisco Solano*. From this place it was removed to the neighborhood called San Ildephonso, having that invocation. Thence it was moved

once more to the Rio Grande, where it had the name of *San José* Finally, it was transplanted to the river San Antonio, where it now is, under the name of *San Antonio de Valero*."

The mission seems to have remained at the Rio Grande up to about 1708, the last burial performed at that place being dated July 28, 1708. It can not have remained at San Ildephonso more than a year or so, since the first interment made at the mission of San José is dated November 18, 1710, signed Fr. José de Soto.

In a note inserted in the record of baptisms, above cited, we learn that on the 1st of May, 1718, the mission was moved from the post of San José, because of the scarcity of water, to that of San Antonio de Valero, by order of the marquis of Valero, viceroy of New Spain, in honor of whom, it seems, the mission was partly named.

The first stone of the present church of the Alamo, which is still unfinished, was laid and blessed May 8, 1744.

The baptismal records continue to call San Antonio de Valero a mission until the year 1783.

The next book of records we find contains the baptisms of the children of the soldiers of the company of San Carlos de Parras, which at first had been stationed outside of and adjoining the Alamo, but which, being much troubled, it is said, by the Indians, erected barracks within the enclosure of the mission, on its south side. The first record of baptisms in it is dated March 30, 1785, and signed by Christoval Gabriel Cortinas, chaplain of the company. The baptisms and other rites in this book are said to have been performed in the parish of the pueblo of *San José del Alamo* — a name which, I am inclined to think, was never generally adopted by the people.

The chaplain of the company of San Carlos de Parras, in 1788, was named Don Manuel Saenz de Juangorena; and his office was distinct from that of the parish-priest, who at that time attended to the citizens and the descendants of the Indians living in the pueblo, and who was one of the old *religious*. For, on the last page of the book of the record of baptism of Indians and others, extending down to 1783, we find the following notes: —

"On the 22d day of August, 1793, I passed this book of the records of the pueblo of San Antonio de Valero to the archives of the curacy of the town of San Fernando, and presidio of San Antonio de Bexar, by order of the most illustrious Señor Dr. Don Andres de Llanos y Valdez, most worthy bishop of this diocese, dated January 2d of the

same year, by reason of said pueblo having been aggregated to the curacy of Bexar; and, that it may be known, I sign it.

"Fr. Jose Francisco Lopez, *Parroco*."

"San Antonio de Bexar, *June* 14, 1794.

"On the day of this date I received from the Rev. Father J. Francisco Lopez, who was minister of the mission of San Antonio de Valero until it was delivered into the hands of the *ordinary*, this book, in which are set down the records of baptisms pertaining to said mission, made up to the year '83 — *noting*, that from the year 1788 onward, those which are sought may be found in a new book bound in parchment, from leaf 2 to 100, in which are those that follow that year; and those which may take place will be set down. I make this note that it may serve as an index, and I signed it with the same Rev^{d}. Father — date *ut supra*.

"Bachelor Gavino Valdez."

"I delivered this book, on the day of date, to the curate Don Gavino Valdez; and, that it may be known, I sign it.

"Fr. Jose Francisco Lopez."

"San Antonio de Bexar, *July* 11, 1804.

"On this day I received from the Señor Cura, the Bachelor Don Gavino Valdez, my predecessor, this book, pertaining to the new Pueblo of San Antonio de Valero; and, in testimony, we sign it.

"Jose Clemente Delgado,
"Bachelor Valdez."

It would seem that, by reason of the Indians of the mission of San Antonio de Valero gradually becoming extinct, without being replaced by others (the captives taken during the military expeditions of the Spaniards, for the repression of hostilities, being placed in the missions on the San Antonio river below the town), and by reason of their children becoming civilized and incorporated with the rest of the population in habits and manners, although still continuing to inhabit the mission, that this last changed its character, and became an ordinary village, in or about 1785.

About the year 1790, the Presidio de los Adaes, in Texas, near the boundary of Louisiana, was broken up and abandoned, and the inhabitants thereof transferred to this place. The number of children of the mission (*hijos de la mision*) of San Antonio de Valero

was then so small, that, after giving them a portion of the mission-lands in fee simple, and also the houses they had occupied around the mission (to which they had previously received no title), the balance of the irrigable lands of the mission were distributed among the Adaeseños. The upper *labor* of the Alamo, or that lying to the north of the old mission, between the Alamo ditch on the east side and the San Antonio river on the west, is still commonly called by the old inhabitants the *labor de los Adaeseños*, from this circumstance.

On the 10th of April, 1794, Don Pedro de Nava, commandant-general of the northeastern internal provinces, of which Texas was a part, published a decree by which all the missions within his jurisdiction were *secularized*—that is, the government of the temporalities of the mission was taken from the hands of the friars, or parish-priests, of those missions, in whose charge they had previously been, and intrusted to civil officers of Spain, called *sub-delegados*. The inhabitants of the missions received, according to that decree, each one a certain amount of land in fee simple; but, to guard against want, and pay the necessary expenses of the community, they were still obliged, under the direction of the *sub-delegados*, to cultivate a certain amount of lands in common.

The spiritual direction or government of the people was taken from the friars, as a body or community, and put under the care or supervision of the ordinary chief of the diocese in which they were situated, that is, the bishop (technically called the *ordinary*, because the missionary government was called *extra-ordinary*, and adopted only for the time the Indians were being reduced to a state of civilization). After such civilization, they came under the spiritual jurisdiction of the ordinary ecclesiastical superior of all other catholics in the place.

The Franciscans, in many instances—indeed, in most of them—remained as pastors of their old flocks; but they received their jurisdictions from the bishop, as all other parish-priests. This was the case with Father Lopez, who, as may be seen in one of the previous extracts from the books, delivers certain registers to Don Gavino Valdez, curate of San Fernando and of the presidio of San Antonio de Bexar, both forming our present San Antonio, by reason of the pueblo of San Antonio de Valero* having been made a dependency of that parish on the 14th of June, 1794.

* Around the Alamo.

The company of San Carlos de Parras continued to occupy houses around the plaza of the mission of the Alamo (the church serving as a parish) until 1814. On the 2d February of that year, baptism is noted as being administered in the church of Bexar by the chaplain of the company; but it does not appear that the church of the Alamo ceased to be used for public worship until about the 22d of August, 1825, when the curate of San Antonio received the records of the baptisms, marriages, &c., of the company of Parras from the hands of its chaplain.

The pueblo of San Antonio de Valero had a separate alcalde up to the year 1809 at least, perhaps later; but, under Governor Martinez, in 1819, it was under the same rule as San Antonio de Bexar, which probably took that name about the time of the first Mexican insurrection.

San Antonio, *January* 1, 1854.

APPENDIX NO. V.

HAYDEN EDWARDS'S CONTRACT.

(TRANSLATION.)

Conditions with which the project of HAYDEN EDWARDS, *a Citizen of the United States of North America, for the Introduction of eight hundred Families into the Department of Texas, is admitted:—*

1. THE government admits the project which the petitioner has presented in the antecedent memorial, so far as it is conformable to the law of colonization of this state, passed on the 24th of March last; and immediately points out to him, in compliance with the eighth article, and according to his petition, the land asked for, with the following limits: Beginning at the angle formed by a line twenty leagues from the Sabine and ten leagues from the coast of the gulf of Mexico; thence in a northerly direction, passing the post of Nacogdoches, and in the same direction fifteen leagues above; thence westwardly, at right angles with the first line, to the Navasoto creek, thence down said creek till it strikes the upper road from Bexar to Nacogdoches; thence eastwardly along the said road to the San Jacinto; thence down said river to within ten miles of the coast; thence eastwardly along a line ten miles from the coast to the beginning.

2. All those possessions which are found in Nacogdoches and its vicinity, with corresponding titles, shall be respected by the colonists; and it shall be the duty of the empresario, should any of the ancient possessors claim the preservation of their rights, to comply

with this condition. The same condition is also understood as far as are concerned the settlers in the colony of Stephen F. Austin and any others who may have legal titles to the lands on which they are settled.

3. In conformity with the said colonial law of the 24th of March, the empresario Hayden Edwards is obliged to introduce the eight hundred families, which he offers to introduce, within the term of six years, which shall be counted from this date, under the penalty of losing the rights and emoluments conceded to him by the said law, conformably to article eight.

4. The families which must compose this colony, besides being catholics, as he offers in his petition, must be moral and of good report, which they must prove by certificates from the authorities of the place whence they emigrated.

5. He shall oblige himself not to introduce, or permit in his colony, criminals, vagabonds, or men of bad conduct. He shall cause those he may find in his district to depart from the territory of the republic. Should it be necessary, he will drive them out with an armed force.

6. To this end, he shall raise the national militia, according to law, of which he shall be chief until some other disposition shall be made.

7. When he shall have introduced at least one hundred families, he shall so advise the government, that they may send a commissioner to put the colonists in possession of their lands according to law, and establish towns (*poblations*), for which purpose he shall be furnished with proper instructions.

8. All official communications with the government, or with the authorities of the state, and all instruments and other public acts, shall be written in Spanish. And, when the settlements (*poblations*) have been established, it shall likewise be the duty of the empresario to establish schools for the Spanish language.

9. He shall see to the erection of temples in the new *poblations*, and see that they be provided with ornaments, sacred vases, and other decorations, destined for Divine service; and solicit, at the proper time, the priest necessary for its administration.

10. As to all other things not expressed in these conditions, he shall subject himself to whatever the constitution and general laws of the nation, and of the state, which he adopts for his country, may provide.

And his excellency the governor and the empresario having agreed on these terms, they were signed by both parties before the government secretary; and (the original remaining in the archives) an authorized copy was ordered to be given to the empresario, together with his petition, in order that it may serve as a guaranty.

RAFAEL GONZALES,
HAYDEN EDWARDS.
JUAN ANTONIO PADILLO, *Secretary pro tem.*

SALTILLO, *April* 15, 1825.

Eighth Article of the Colonization Law of the 24th of March, 1825, above referred to.

"PROJECTS for new settlements, wherein one or more persons shall offer to bring, at their own expense, one hundred families or more, shall be presented to the executive; who, on finding them in conformity to this law, shall admit the same, and immediately designate to the contractors the land whereon they shall establish themselves, and the term of six years, within which they shall present the number of families for which they contracted, under the penalty of losing the rights and privileges offered in their favor, in proportion to the number of families they shall introduce, and of the contract becoming absolutely null, should they not present one hundred families at the least."

APPENDIX NO. VI.

LETTERS FROM GENERAL SAM HOUSTON.

To President Jackson.

NATCHITOCHES, LOUISIANA, *February* 13, 1833.

DEAR SIR: Having been as far as Bexar, in the province of Texas, where I had an interview with the Camanche Indians, I am in possession of some information that will doubtless be interesting to you, and may be calculated to forward your views, if you should entertain any, touching the acquisition of Texas by the United States. That such a measure is desirable by nineteen twentieths of the population of the province, I can not doubt. They are now without laws to govern or protect them. Mexico is involved in civil war. The federal constitution has never been in operation. The government is essentially despotic, and must be so for years to come. The rulers have not honesty, and the people have not *intelligence*.

The people of Texas are determined to form a state government, and to separate from Coahuila; and, unless Mexico is soon restored to order, and the constitution revived and re-enacted, the province of Texas will remain separate from the confederacy of Mexico. She has already beaten and expelled all the troops of Mexico from her soil, nor will she permit them to return. She can defend herself against the whole power of Mexico; for really Mexico is powerless and penniless to all intents and purposes. Her want of money, taken in connection with the course which Texas *must and will adopt*, will render a transfer of Texas inevitable to some power; and if the

United States does not press for it, England will most assuredly obtain it by some means. Now is a very important crisis for Texas, as relates to her future prosperity and safety, as well as the relation it is to bear toward the United States. If Texas is desirable to the United States, it is now in the most favorable attitude, perhaps, that it can be, to obtain it on fair terms. England is *pressing her suit* for it, but its citizens will resist if any transfer should be made of them to any other power but the United States.

I have travelled nearly five hundred miles across Texas, and am now enabled to judge pretty correctly of the soil and the resources of the country. And I have no hesitation in pronouncing it the finest country, to its extent, upon the globe; for, the greater portion of it is richer and more healthy, in my opinion, than West Tennessee. There can be no doubt but the country east of the Rio Grande would sustain a population of ten millions of souls. My opinion is, that Texas will, by her members in convention on the first of April, declare all that country as Texas proper, and form a state constitution. I expect to be present at the convention, and will apprise you of the course adopted so soon as its members have taken a final action. It is probable I may make Texas my abiding-place: in adopting this course, I will *never forget* the country of my birth.

From this point I will notify the commissioners of the Indians, at Fort Gibson, of my success, which will reach you through the war department.

I have with much pride and inexpressible satisfaction seen your messages and PROCLAMATION touching the nullifiers of the south and their "peaceable remedies." God grant that you may save the Union! It does seem to me that it is reserved for you, and you alone, to render millions so great a blessing. I hear all voices commend your course, even in Texas—where is felt the liveliest interest for the preservation of the republic.

Permit me to tender you my sincere felicitations, and most earnest solicitude for your health and happiness—and your future glory, connected with the prosperity of the Union.

Your friend and obedient servant,

SAM HOUSTON.

To Indian Commissioners at Fort Gibson.

NATCHITOCHES, LOUISIANA, *February* 13, 1833.

GENTLEMEN: It was my intention to have visited Fort Gibson, and to have reported to you my success, so far as it was connected with the Camanche Indians; but at this season, as I may expect a great rise in the waters, and the range for horses on the direct route is too scarce to afford subsistence, I will content myself with reporting to you the prospects, as they are presented to me, of a future peace. Since my report from Fort Towson, I proceeded through Texas as far as Bexar, where I had the good fortune to meet with some chiefs of that nation, who promised to visit the commissioners in three moons from that time. This will make it the month of April before they will be enabled to set out for Fort Gibson, and perhaps defer their arrival at that point until the month of May next.

I found them well disposed to make a treaty with the United States, and, I doubt not, to regard it truly and preserve it faithfully if made. It was necessary for them to return to their people, and counsel before they could send a delegation. I requested that they should endeavor to see both tribes of the Camanches, as well as the Pawnees and their bands, that when a peace is made it may be complete and lasting between all the tribes that meet in convention.

I presented a medal of General Jackson, to be conveyed to the principal chief (who was not present), with the proper explanations. I do not doubt but it will have an excellent effect in favor of the wishes of the commissioners.

At this season it would be impossible for the Camanches to visit Fort Gibson, as their horses are unaccustomed to the use of grain, and the range is destroyed by the season and the burning of the woods. I think it may be fairly calculated that, by the 15th or 20th of May, the chiefs will reach Fort Gibson, and be well disposed to make a peace. I found them entertaining a high regard for the Americans, while they cherish the most supreme contempt for the Mexicans.

One fact, of which I was not apprized in my last report, is, that intercourse between the Northwest Fur-Company and the Pawnees is much more direct and general than I supposed; and, no doubt, carried on much to the prejudice of the Americans, and those tribes

of Indians friendly to them. It has been reported to me that the influence and intercourse of the company has extended as far as the Brasos and Colorado, in Texas.

You may rest assured that all the information in my power shall be collected and presented in such character as will be most useful to your commission. I am at a loss for the means to enable the delegation to reach Fort Gibson; but, so far as my resources will enable me, nothing shall be wanting on my part to realize the wishes of my government, and bring about a general peace. If anything can defeat the present expectations, it will be the indirect influence of the Spaniards, who are jealous of everybody and everything; but even this, I trust, will not prevail.

I will leave here shortly for the interior, where I have promised to meet the Indians preparatory to their start for Fort Gibson. They are a dilatory people, and very formal in all matters of a national character. Should anything occur, in the meantime, contrary to my expectations, I will apprise you of it with pleasure.

You will be so kind as to forward a copy of this communication to the secretary of war, that he may be apprized of the prospect of peace with the Indians of Texas.

I have the honor to be your obedient servant,

SAM HOUSTON.

To HON. MR. ELLSWORTH AND OTHERS, FORT GIBSON.

APPENDIX NO. VII.

TEXAN MEMORIAL.

Memorial of the Texan Convention of April, 1833, to the General Congress of the United Mexican States.

THE inhabitants of Texas, by their representatives elect, in convention assembled, would respectfully approach the national Congress, and present this their memorial, praying that the union which was established between Coahuila and Texas, whereby the two ancient provinces were incorporated into one free and independent state, under the name of "COAHUILA AND TEXAS," may be dissolved, abrogated, and perpetually cease; and that the inhabitants of Texas may be authorized to institute and establish a separate state government, which will be in accordance with the federal constitution and the constitutive act; and that the state so constituted shall be received and incorporated into the great confederation of Mexico, on terms of equality with the other states of the Union.

To explain the grounds of this application, your memorialists would respectfully invite the attention of the general Congress to the following considerations:—

The consolidation of the late provinces of Coahuila and Texas was, in its nature, provisional, and, in its intention, temporary. The decree of the sovereign constituent Congress, bearing date the 7th of May, 1824, contemplates a separation, and guaranties to Texas the right of having a state government whenever she may be in a condition to ask for the same. That decree provides that, "so soon as Texas shall be in a condition to figure as a state of itself, it shall

inform Congress thereof, for its resolution." The implication conveyed by this clause is plain and imperative; and vests in Texas as perfect a right as language can convey, unless it can be presumed that the sovereign constituent Congress, composed of the venerable fathers of the republic, designed to amuse the good people of Texas by an illusory and disingenuous promise, clothed in all the solemnity of a legislative enactment. Your memorialists have too high a veneration for the memory of that illustrious body to entertain any apprehensions that such a construction will be given to their acts by their patriotic successors, the present Congress of Mexico. The decree is dated anterior to the adoption of the federal constitution, and therefore, by a clear and fundamental principle of law and justice, it obviates the necessity of recurring to the correspondent provision in the fiftieth article of that instrument, which requires "the ratification of three fourths of the other states" in order "to form a new state out of the limits of those that already exist." And it assures to Texas—by all the sanctity of a legislative promise, in which the good faith of the Mexican nation is pledged—an exemption from the delays and uncertainties that must result from such multiplied legislative discussion and resolution. To give to the federal constitution, which is the paramount law of the land, a retrospective operation, would establish a precedent that might prove disastrous to the whole system of the nation's jurisprudence, and subversive of the very foundations of the government.

The authority of precedents is decidedly in favor of the position which your memorialists would respectfully sustain before the general Congress. By the *Constitutive Act*, adopted on the 31st of January, 1824, Coahuila, New Leon, and Texas, were joined together, and denominated "the internal eastern state." By a law passed by the constituent Congress on the 7th of May, 1824, that union was dissolved, and the province of New Leon was admitted into the confederacy as an independent state. It is on the *second* article of this law that the people of Texas now predicate their right to a similar admission. The constitutive act, above mentioned, consolidated the late provinces of Chihuahua, Durango, and New Mexico, under the style of "the internal northern state;" and on the 22d of May, 1824, a summary law decreed that "Durango should form a state of the Mexican confederation," and she was admitted accordingly. The same privilege was extended to Chihuahua by a decree of the 6th of July of the same year. These conjunct provinces stood, at the period of their separation, in precisely the same relation to the federal government that Texas and Coahuila now occupy. They have been separated and erected into free and independent states in a summary manner; and the same right was guarantied "whenever she should be in a condition to accept it." The other case, of Sonora and Sinaloa, is materially variant in matter of fact. Those provinces were originally incorporated into the confederation as one state, without any antecedent condition or guaranty; and, at the adoption of the present constitution, they justly became liable to all the forms and restrictions prescribed in that national pact.

We would further suggest to the honorable Congress that the present juncture is peculiarly felicitous for dispensing with interminable and vexatious forms. The federal government is wisely employed in adopting important organic improvements, and aiming at a salutary renovation of the political system. The disasters of an eventful civil convulsion are yielding to the regenerating influences of domestic concord and improved experience; and every department of the confederacy is open to such needful modifications as the wisdom of the renewed Congress may designate. Texas solicits as her portion in the general reformation, to be disenthralled from her unhappy connection with Coahuila; and she avails herself of this opportunity, by means of her chosen delegates, who are the authorized organs of the people, to communicate "to the general Congress" that she is now "in a situation to figure as a state by herself," and is profoundly solicitous that she may be permitted to do so.

The general Congress may possibly consider the mode of this communication as informal. To this suggestion we would, with great deference, reply, that the events of the past year have not only violated the established forms and etiquette of the government, but have suspended, at least, its vital functions; and it would appear exceedingly rigorous to exact from the inhabitants of Texas, living on a remote frontier of the republic, a minute conformity to unimportant punctilios. The ardent desire of the people is made known to the Congress through their select representatives, the most direct and unequivocal medium by which they can possibly be conveyed; and surely the enlightened Congress will readily concur with us in the sentiment that the wishes and wants of the people form the best rule for legislative guidance. The people of Texas consider it not

only an absolute right, but a most sacred and imperative duty to themselves, and to the Mexican nation, to represent their wants in a respectful manner to the general government, and to solicit the best remedy of which the nature of their grievances will admit. Should they utterly fail in this duty, and great and irremediable evils ensue, the people would have reason to reproach themselves alone; and the general Congress, in whom the remedial power resides, would also have reason to censure their supineness and want of fidelity to the nation. Under this view, we trust the Congress will not regard with excessive severity any slight departure which the good people of Texas may in this instance have made from the ordinary formalities of the government.

And we would further suggest to the equitable consideration of the federal Congress that, independent of and anterior to the express guaranty contained in the decree of the 7th of May, 1824, the right of having a separate state government was vested in and belonged to Texas, by the fact that she participated as a distinct province in the toils and sufferings by which the glorious emancipation of Mexico was achieved, and the present happy form of government was established. The subsequent union with Coahuila was a temporary compact, induced by a supposed expediency, arising from an inadequate population on the part of Texas "to figure as a state of itself." This inducement was transient in its nature; and the compact, like all similar agreements, is subject to abrogation, at the will of either party, whenever the design of its creation is accomplished, or is ascertained to be impracticable. The obvious design of the union between Coahuila and Texas was, on one part at least, the more effectually to secure the peace, safety, and happiness, of Texas. That design has not been accomplished, and facts piled upon facts afford a melancholy evidence that it is utterly impracticable. Texas never has and never can derive from the connection benefits in any wise commensurate with the evils she has sustained, and which are daily increasing in number and in magnitude.

But our reasons for the proposed separation are more explicitly set forth in the subjoined remarks.

The history of Texas, from its earliest settlement to the present time, exhibits a series of practical neglect and indifference to all her peculiar interests on the part of each successive government which has had the control of her political destinies. The recollection of these things is calculated to excite the most pungent regrets for the

past, and the most painful forebodings for the future. Under the several regal dominions, Texas presented the gloomy spectacle of a province, profusely endowed by nature, abandoned and consigned to desolation by the profligate avariciousness of a distant despot. The tyrants of Spain regarded her only as a convenient barrier to the mines of the adjacent provinces; and the more waste and depopulated she was, the more effectually she answered their selfish and unprincipled purpose. Her agricultural resources were either unknown, or esteemed of no value to a government anxious only to sustain its wasting magnificence by the silver and gold wrung from the prolific bosom of Mexico. To foster the agricultural interests of any portion of her splendid viceroyalty, or her circumjacent conquests, was never the favorite policy of Spain. To have done so, would have nurtured in her remote dominions a hardy and industrious population of yeomanry, who have ever proved the peculiar dread of tyrants, and the best assurance of a nation's independence.

It was natural, then, that the royal miscreants of Spain should regard Texas with indifference, if not with a decided and malignant aversion to her improvement. But it would be both unnatural and erroneous to attribute similar motives to the paternal government of independent, confederate, republican Mexico. She can have no interest averse to the common weal; can feel no desire to depress the agricultural faculties of any portion of her common territory; and can entertain no disquieting jealousies, that should prompt her to dread the increase or to mar the prosperity of any portion of her agricultural population. These are the best, the broadest, and the most durable bases of her free institutions.

We must look to other causes, therefore, for the lamentable negligence that has hitherto been manifested toward the prosperity of Texas. The fact of such negligence is beyond controversy. The melancholy effects of it are apparent in both her past and present condition. The cause must exist somewhere. We believe it is principally to be found in her political annexation to Coahuila. That conjunction was, in its origin, unnatural and constrained; and, the longer it is continued, the more disastrous it will prove. The two territories are disjunct in all their prominent respective relations. In point of locality, they approximate only by a strip of sterile and useless territory, which must long remain a comparative wilderness, and present many serious embarrassments to that facility of intercourse which should always exist between the seat of government

and its remote population. In respect to commerce and its various intricate relations, there is no community of interests between them. The one is altogether *interior;* is consequently abstracted from all participation in maritime concerns; and is naturally indifferent, if not adverse, to any system of polity that is calculated to promote the diversified and momentous interests of commerce. The other is blest with many natural advantages for extensive commercial operations, which, if properly cultivated, would render many valuable accessions to the national marine, and a large increase to the national revenues. The importance of an efficient national marine is evinced, not only by the history of other and older governments, but by the rich halo of glory which encircles the brief annals of the Mexican navy. In point of climate and of natural productions, the two territories are equally dissimilar. Coahuila is a pastoral and a mining country: Texas is characteristically an agricultural district. The occupations incident to these various intrinsic properties are equally various and distinct; and a course of legislation that may be adapted to the encouragement of the habitual industry of the one district, might present only embarrassment and perplexity, and prove fatally deleterious to the prosperity of the other.

It is not needful, therefore—neither do we desire—to attribute any sinister or invidious design to the legislative enactments or to the domestic economical policy of Coahuila (whose ascendency in the joint councils of the state gives her an uncontrolled and exclusive power of legislation), in order to ascertain the origin of the evils that affect Texas, and which, if permitted to exist, must protract her feeble and dependent pupilage to a period coeval with such existence. Neither is it important to Texas whether those evils have proceeded from a sinister policy in the predominant influences of Coahuila, or whether they are the natural results of a union that is naturally adverse to her interests. The effects are equally repugnant and injurious, whether emanating from the one or the other source.

Bexar, the ancient capital of Texas, presents a faithful but a gloomy picture of her general want of protection and encouragement. Situated in a fertile, picturesque, and healthful region, and established a century and a half ago (within which period populous and magnificent cities have sprung into existence), she exhibits only the decrepitude of age—sad testimonials of the absence of that political guardianship which a wise government should always bestow

upon the feebleness of its exposed frontier settlements. A hundred and seventeen years have elapsed since Goliad and Nacogdoches assumed the distinctive name of towns, and they are still entitled only to the diminutive appellation of villages. Other military and missionary establishments have been attempted, but, from the same defect of protection and encouragement, they have been swept away, and scarcely a vestige remains to rescue their locations from oblivion.

We do not mean to attribute these specific disasters to the union with Coahuila, for we know they transpired long anterior to the consummation of that union. But we do maintain that the same political causes, the same want of protection and encouragement, the same mal-organization and impotency of the local and minor faculties of the government, the same improvident indifference to the peculiar and vital interests of Texas, exist *now* that operated then. Bexar is still exposed to the depredations of her ancient enemies, the insolent, vindictive, and faithless Camanches. Her citizens are still massacred, their cattle destroyed or driven away, and their very habitations threatened, by a tribe of erratic and undisciplined Indians, whose audacity has derived confidence from success, and whose long-continued aggressions have invested them with a fictitious and excessive terror. Her schools are neglected, her churches desolate, the sounds of human industry are almost hushed, and the voice of gladness and festivity is converted into wailing and lamentation, by the disheartening and multiplied evils which surround her defenceless population. Goliad is still kept in constant trepidation; is paralyzed in all her efforts for improvement; and is harassed on all her borders by the predatory incursions of the Wacoes, and other insignificant bands of savages, whom a well-organized local government would soon subdue and exterminate.

These are facts, not of history merely, on which the imagination must dwell with an unwilling melancholy, but they are events of the present day, which the present generation feel in all their dreadful reality. And these facts, revolting as they are, are as a fraction only in the stupendous aggregate of our calamities. Our misfortunes do not proceed from Indian depredations alone; neither are they confined to a few isolated, impoverished, and almost-tenantless towns. They pervade the whole territory—operate upon the whole population—and are as diversified in character as our public interests and necessities are various. Texas at large feels and deplores

an utter destitution of the common benefits which have usually accrued from the worst system of internal government that the patience of mankind ever tolerated. She is virtually without a *government;* and if she is not precipitated into all the unspeakable horrors of anarchy, it is only because there is a redeeming spirit among the people which still infuses some moral energy into the miserable fragments of authority that exist among us. We are perfectly sensible that a large portion of our population, usually denominated "the colonists," and composed of Anglo-Americans, have been greatly calumniated before the Mexican government. But could the honorable Congress scrutinize strictly into our real condition — could they see and understand the wretched confusion, in all the elements of government, which we daily feel and deplore — our ears would no longer be insulted, nor our feelings mortified, by the artful fictions of hireling emissaries from abroad, nor by the malignant aspersions of disappointed military commandants at home.

Our grievances do not so much result from any positive misfeasance on the part of the present state authorities, as from the total absence, or the very feeble and mutile dispensation, of those restrictive influences which it is the appropriate design of the social compact to exercise upon the people, and which are necessary to fulfil the ends of civil society. We complain more of the *want* of *all* the important attributes of government, than of the abuses of any. We are sensible that all human institutions are essentially imperfect. But there are relative degrees of perfection in modes of government as in other matters, and it is both natural and right to aspire to that mode which is most likely to accomplish its legitimate purpose. This is wisely declared, in our present state constitution, to be "the happiness of those who compose it." It is equally obvious that the happiness of the people is more likely to be secured by a local than by a remote government. In the one case, the governors are partakers, in common with the governed, in all the political evils which result to the community, and have therefore a personal interest in so discharging their respective functions as will best secure the common welfare. In the other supposition, those vested with authority are measurably exempt from the calamities that ensue an abuse of power, and may very conveniently subserve their own interests and ambition, while they neglect or destroy "the welfare of the associated."

But, independent of these general truths, there are some impressive reasons why the peace and happiness of Texas demand a local government. Constituting a remote frontier of the republic, and bordering on a powerful nation, a portion of whose population, in juxtaposition to hers, is notoriously profligate and lawless, she requires, in a peculiar and emphatic sense, the vigorous application of such laws as are necessary, not only to the preservation of good order, the protection of property, and the redress of personal wrongs, but such also as are essential to the prevention of illicit commerce, to the security of the public revenues, and to the avoidance of serious collision with the authorities of the neighboring republic. That such a judicial administration is impracticable under the present arrangement, is too forcibly illustrated by the past to admit of any rational hope for the future.

It is an acknowledged principle in the science of jurisprudence, that the prompt and certain infliction of mild and humane punishment is more efficacious for the prevention of crime than a tardy and precarious administration of the most sanguinary penal code. Texas is virtually denied the benefit of this benevolent rule by the locality and the character of her present government. Crimes of the greatest atrocity may go unpunished, and hardened criminals triumph in their iniquity, because of the difficulties and delays which encumber her judicial system, and necessarily intervene a trial and conviction, and the sentence and the execution of the law. Our "supreme tribunal of justice" holds its sessions upward of seven hundred miles distant from our central population; and that distance is greatly enlarged, and sometimes made impassable, by the casualties incident to a "*mail*" conducted by a single horseman through a wilderness, often infested by vagrant and murderous Indians. Before sentence can be pronounced by the local courts on persons charged with the most atrocious crimes, a copy of the process must be transmitted to an assessor, resident at Leona Vicario (Saltillo), who is too far removed from the scene of guilt to appreciate the importance of a speedy decision, and is too much estranged from our civil and domestic concerns to feel the miseries that result from a total want of legal protection in person and property. But our difficulties do not terminate here. After the assessor shall have found leisure to render his opinion, and final judgment is pronounced, it again becomes necessary to resort to the capital to submit the tardy sentence to the supreme tribunal for "approbation, revocation, or modification," before the judgment of the law can be executed.

Here we have again to encounter the vexations and delays incident to all governments where those who exercise its most interesting functions are removed by distance from the people on whom they operate, and for whose benefit the social compact is created.

These repeated delays, resulting from the remoteness of our courts of judicature, are pernicious in many respects. They involve heavy expenses, which, in civil suits, are excessively onerous to litigants, and give to the rich and influential such manifold advantages over the poor as operate to an absolute exclusion of the latter from the remedial and protective benefits of the law. They offer seductive opportunities and incitements to bribery and corruption, and endanger the sacred purity of the judiciary, which, of all the branches of the government, is most intimately associated with the domestic and social happiness of man, and should therefore be, not only sound and pure, but unsuspected of the venal infection. They present insuperable difficulties to the exercise of the corrective right of recusation, and virtually nullify the constitutional power of impeachment. In criminal actions they are no less injurious. They are equivalent to a license to iniquity, and exert a dangerous influence on the moral feelings at large. Before the tedious process of the law can be complied with, and the criminal—whose hands are perhaps imbrued in a brother's blood—be made to feel its retributive justice, the remembrance of his crime is partially effaced from the public mind; and the righteous arbitrament of the law, which, if promptly executed, would have received universal approbation, and been a salutary warning to evil-doers, is impugned as vindictive and cruel. The popular feeling is changed from a just indignation of crime, into an amiable but mistaken sympathy for the criminal; and an easy and natural transition is converted into disgust and disaffection toward the government and its laws.

These are some of the evils that result from the annexation of Texas to Coahuila, and the exercise of legislative and judicial powers by the citizens of Coahuila over the citizens of Texas. The catalogue might be greatly enlarged, but we forbear to trespass on the time of the honorable Congress (confiding to the worthy citizens, who shall be charged with the high duty of presenting this memorial, and the protocol of a constitution, which the people of Texas have framed, as the basis of their future government, the more explicit enunciation of them). Those evils are not likely to be diminished, but they may be exceedingly aggravated by the fact that that

political connection was formed without the cordial approbation of the people of Texas, and is daily becoming more odious to them. Although it may have received their reluctant acquiescence, in its inception, before its evil consequences were developed or foreseen, the arbitrary continuance of it now, after the experience of nine years has demonstrated its ruinous tendencies, would invest it with some of the most offensive features of usurpation. Your memorialists entertain an assured confidence that the enlightened Congress of Mexico will never give their high sanction to anything that wears the semblance of usurpation, or of arbitrary coercion.

The idea may possibly occur, in the deliberations of the honorable Congress, that a territorial organization would cure our political maladies, and effectuate the great purposes which induce this application; and plausible reasons may be advanced in favor of it. But the wisdom of Congress will readily detect the fallacy of these reasons, and the mischief consequent to such vain sophistry. In this remote section of the republic, a territorial government must, of necessity, be divested of one essential and radical principle in all popular institutions—the immediate responsibility of public agents to the people whom they serve. The appointments to office would, in such case, be vested in the general government; and although such appointments should be made with the utmost circumspection, the persons appointed, when once arrayed in the habiliments of office, would be too far removed from the appointing power to feel the restraints of a vigilant supervision and a direct accountability. The dearest rights of the people might be violated, the public treasures squandered, and every variety of imposition and iniquity practised, under the specious pretext of political necessity, which the far-distant government could neither detect nor control.

And we would further present with great deference, that the institution of a territorial government would confer upon us neither the form nor the substance of our high guaranty. It would, indeed, diversify our miseries, by opening new avenues to peculation and abuse of power; but it would neither remove our difficulties nor place us in the enjoyment of our equal and vested rights. The only adequate remedy that your memorialists can devise, and which they ardently hope the collective wisdom of the nation will approve, is to be found in the establishment of a *local state government*. We believe that if Texas were endowed with the faculties of a state government, she would be competent to remedy the many evils that

now depress her energies, and frustrate every effort to develop and bring into usefulness the natural resources which a beneficent Providence has conferred upon her. We believe that a local legislature, composed of citizens who feel and participate in all the calamities which encompass us, would be enabled to enact such conservative, remedial, and punitive laws, and so to organize and put into operation the municipal and inferior authorities of the country, as would inspire universal confidence; would encourage the immigration of virtuous foreigners—prevent the ingress of fugitives from the justice of other countries—check the alarming accumulations of ferocious Indians, whom the domestic policy of the United States of the North is rapidly translating to our borders; would give impulse and vigor to the industry of the people—secure a cheerful subordination and a faithful adhesion to the state and general governments; and would render Texas what she ought to be—a strong arm of the republic, a terror to foreign invaders, and an example of peace and prosperity—of advancement in the arts and sciences, and of devotion to the Union—to her sister-states. We believe that an executive chosen from among ourselves would feel a more intense interest in our political welfare, would watch with more vigilance over our social concerns, and would contribute more effectually to the purposes of his appointment. We believe that a local judiciary, drawn from the bosom of our own peculiar society, would be enabled to administer the laws with more energy and promptitude—to punish the disobedient and refractory—to restrain the viciousness of the wicked—to impart confidence and security, of both person and property, to peaceable citizens—to conserve and perpetuate the general tranquillity of the state—and to render a more efficient aid to the coordinate powers of the government, in carrying into effect the great objects of its institution. We believe that, if Texas were admitted to the Union as a separate state, she would soon "figure" as a brilliant star in the Mexican constellation, and would shed a new splendor around the illustrious city of Montezuma. We believe she would contribute largely to the national wealth and aggrandizement—would furnish new staples for commerce, and new materials for manufactures. The cotton of Texas would give employment to the artisans of Mexico; and the precious metals, which are now flowing into the coffers of England, would be retained at home, to reward the industry and remunerate the ingenuity of native citizens.

The honorable Congress need not be informed that a large portion of the population of Texas is of foreign origin. They have been invited here by the munificent liberality and plighted faith of the Mexican government; and they stand pledged by every moral and religious principle, and by every sentiment of honor, to requite that liberality, and to reciprocate the faithful performance of the guaranty to "protect their liberties, property, and civil rights," by a cheerful dedication of their moral and physical energies to the advancement of their adopted country. But it is also apparent to the intelligence of the honorable Congress that the best mode of securing the permanent attachment of such a population is, to incorporate them into the federal system, on such equitable terms as will redress every grievance, remove every cause of complaint, and insure, not only an identity of interests, but an eventual blending and assimilation of all that is now foreign and incongruous. The infancy of imperial Rome was carried to an early adolescence by the free and unrestricted admission of foreigners to her social compact. England never aspired to "the dominion of the seas" until she had united the hardiness of Scotland and the gallantry of Ireland to her native prowess. France derives her greatness from the early combination of the Salii, the Frank, and the Burgundian. And Mexico may yet realize the period when the descendants of Montezuma will rejoice that their coalition with the descendants of Fernando Cortez has been strengthened and embellished by the adoption into their national family of a people drawn by their own gratuitous hospitality from the land of Washington and of freedom.

For these and other considerations, your memorialists would solemnly invoke the magnanimous spirit of the Mexican nation, concentrated in the wisdom and patriotism of the federal Congress. And they would respectfully and ardently pray that the honorable Congress would extend their remedial power to this obscure section of the republic; would cast around it "the sovereign mantle of the nation," and adopt it into a free and plenary participation of that "constitutional *régime*" of equal sisterhood which alone can rescue it from the miseries of an ill-organized, inefficient, internal government, and can reclaim this fair and fertile region from the worthlessness of an untenanted waste, or the more fearful horrors of barbarian inundation.

Your memorialists, on behalf of their constituents, would, in conclusion, avail themselves of this opportunity to tender to the honorable Congress their cordial adhesion to the *plan of Zavaleta;* and

to express their felicitations on the happy issue of the late unhappy conflict. They would also declare their gratitude to the patriot-chief and his illustrious associates whose propitious conquests have saved from profanation "the august temple in which we have deposited the holy ark of our federal constitution," and have secured the ultimate triumph of the liberal and enlightened principles of genuine republicanism. And they would unite their fervent aspirations with the prayers that must ascend from the hearts of all good Mexicans, that the Supreme Ruler of the universe, who "doeth his will in the army of heaven, and among the inhabitants of the earth," would vouchsafe to this glorious land the blessings of peace and tranquillity; would preserve it, in all future time, from the horrors of civil discord; and would shed down upon its extended population the increased and increasing effulgence of light and liberty which is fast irradiating the European continent, and extirpating the relics of feudal despotism of the antiquated errors of a barbarous age from the civilized world.

DAVID G. BURNET,
Chairman of the Committee.

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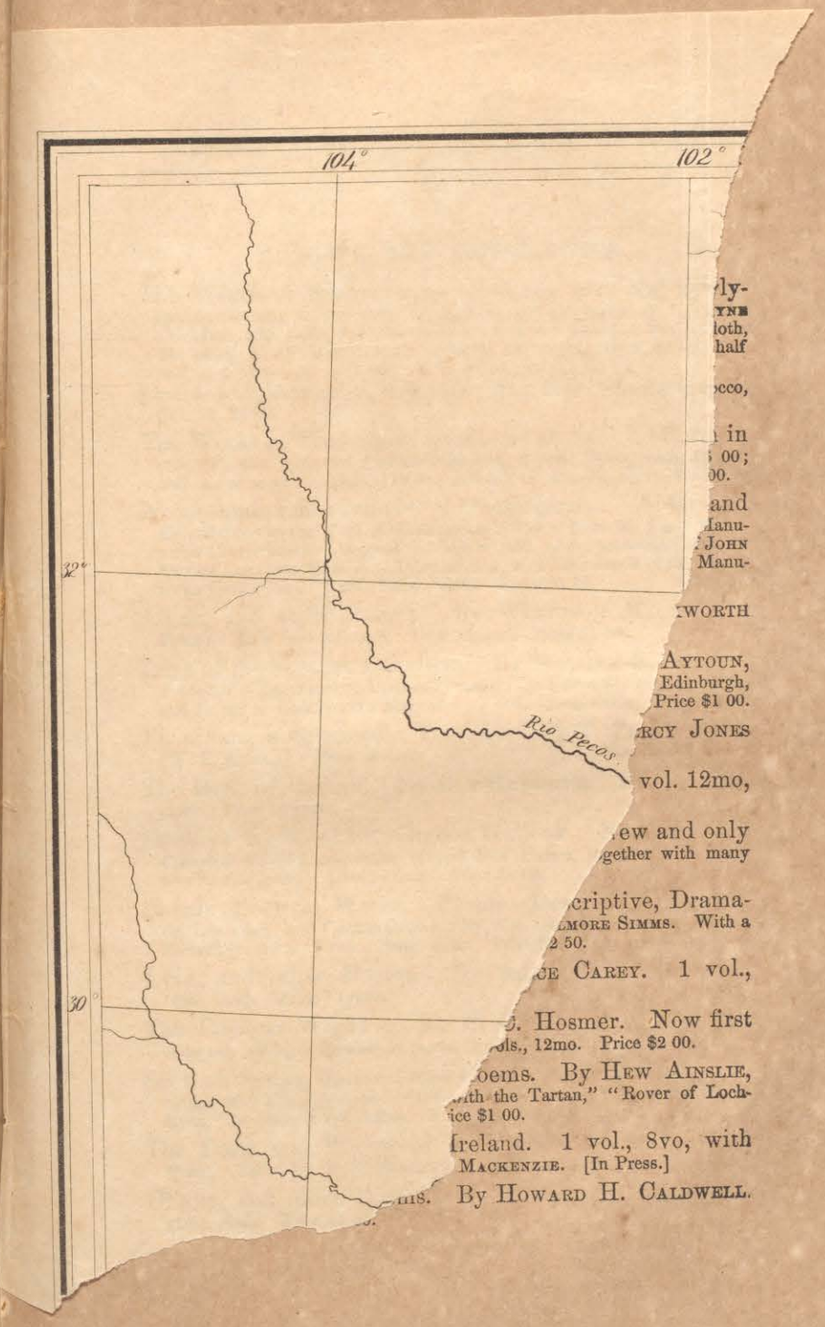

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