

CHAPTER VIII

MEXICO RESOLVES TO TAKE ORDER WITH THE
TEXANS

DURING these weary years of discord in Mexico Texas had been rapidly growing and prospering. By 1830 her population was about twenty thousand, having doubled, it would seem, in the short space of three or four years.

In general character the people who were settling Texas did not materially differ from the early population of any of the states of the Mississippi valley. They were, as we have seen, mostly native Americans from all the states of the Union, although Kentucky and Tennessee led the rest. There were also a considerable number of colonists from Ireland and Germany, but, as in the United States, they soon fused with the native stock.¹ There were only a few Englishmen, and they were generally much less adaptable, and frequently proved to be very ill suited to the rough pioneer life.²

¹ There were two concessions to Irish empresarios; one to James Powers, the other to McMullen and McGloin, for settling four hundred families in southwestern Texas. The name of San Patricio county recalls the locality of these grants. The Mexican authorities complained that these colonists did not come from Ireland, but from New Orleans and New York. The German colonists were more scattered, but were almost all settled east of the Colorado River. A full account of them will be found in a monograph by Doctor Gilbert G. Benjamin, in *German-American Annals, N. S.*, VI, 315-340. The causes of their immigration seem to have been the same that brought other Germans to the United States—namely, the economic conditions at home resulting from the Napoleonic wars and the political oppression which preceded and followed the outbreaks of 1830. The ideas of resistance to tyranny and of a struggle for religious freedom appealed to these people, and they were strong supporters of Texan autonomy. See also, for an account of some German immigrants, *Tex. Hist. Quar.*, II, 228.

² A humorous reminiscence of some English settlers—London tradesmen—will be found in *Tex. Hist. Quar.*, IV, 121 *et seq.* In later years the British chargé d'affaires wrote of the "helplessness of our own poor English people" who came as immigrants to Texas.—(Elliot to Aberdeen, Mar. 26, 1843; *S. W. Hist. Quar.*, XVI, 203.)

For those who came by sea the point of departure was generally New Orleans, although occasional vessels bringing immigrants arrived from Atlantic ports.¹ The trade was chiefly carried on by small coasting schooners, often ill-found and commanded by men who had no deep-sea experience. The low coast was surrounded by unmarked dangers, and shipwrecks were frequent.²

The immigrants who came by land could either travel from Natchitoches, in Louisiana, crossing the Sabine generally at Gaines's Ferry, or could come through southwestern Arkansas. In either case they passed through long stretches of country where there were no houses and where they must make camp every night. Until after 1822 no road existed which a wheeled vehicle could follow,³ but as early as 1824 a family travelled all the way from Illinois to Austin's colony "in a large wagon with six mules."⁴ In 1831 Mrs. Perry, a sister of Stephen F. Austin, with her husband, children, and negroes, travelled from Missouri to San Felipe, "using two-horse wagons and a carriage, and young Guy [her son] rode a mule the whole distance."⁵

Year in and year out, and for many years, the toiling procession of pioneers followed the rough track through the wilderness. A later traveller has left a vivid picture of the dull emigrant trains jolting slowly along, the jaded cattle, the lean dogs, the dispirited negroes, the tired children—black and white—peering out of the backs of the wagons, "the white mother and babies, and the tall, frequently ill-humored master, on horseback or walking ahead with his gun, urging up the black driver and his oxen. As a scout ahead is a brother, or an intelligent slave, with the best gun, on the lookout for a deer or a turkey."⁶

When this description was written the richer farmers—men with many slaves, and horses, and cattle—were coming

¹ A graphic account of the difficulties attending the landing of a party of immigrants from New York will be found in Kennedy, II, 30-57.

² Dewees, *Letters from Texas*, 30; Baker, *Texas Scrap-Book*, 69; *Tex. Hist. Quar.*, I, 297; II, 227; III, 14-22; IV, 85; VI, 47, 236; XIII, 50.

³ Dewees, 24; *Tex. Hist. Quar.*, V, 12.

⁴ *Tex. Hist. Quar.*, IV, 93.

⁵ *Ibid.*, V, 121.

⁶ Olmsted, *Journey through Texas*, 55-57.

into Texas. But in 1830, and for several years afterward, the slave population was relatively small. Many colonists had no slaves. One man was reputed to have nearly a hundred, but most people who owned slaves at all had from two or three to fifteen or twenty. There were in 1830 perhaps a thousand slaves out of a total population of twenty thousand, and the proportion continued small even as late as 1843.¹

The Mexican law of July 13, 1824, as already stated, prohibited the slave trade. The Constitution of the state of Coahuila and Texas, adopted March 11, 1827, provided that no one in that state should thereafter be born a slave, and that the introduction of slaves, under any pretext, should be prohibited after a period of six months.² This was followed by a state statute, passed September 15, 1827, requiring each municipality to make a list of all slaves within its borders, and to keep a register of births and deaths.³ But the laws against importation of slaves was easily evaded by bringing in negroes as indentured servants, who were in form indebted to their masters for a sum equal to their value, which they agreed to pay for out of their earnings. In other words, they were nominally held under a system of peonage, legalized by a state statute of May 5, 1828.⁴

In 1829 Guerrero, acting under the extraordinary powers conferred upon him at the time of the Spanish invasion, had issued a decree abolishing slavery throughout the whole of the republic of Mexico. As the rest of the country had no slaves, the news of this decree was received with great equanimity; but it naturally produced a considerable degree of excitement in Texas, especially as compensation was, by

¹ Bugbee, "Slavery in Early Texas," *Pol. Sci. Quar.*, XIII, 664. The largest slave-owner in Texas was Jared E. Groce, who came from Tennessee in 1822. He was the first man to plant cotton for market and to erect a cotton-gin in Texas. His only daughter married William H. Wharton, a conspicuous figure later on in Texan affairs.

² Const., Art. 13, *Laws and Decrees of Coahuila and Texas*, 314.

³ *Ibid.*, 78; and see amendatory act of Nov. 24, 1827, *ibid.*, 92.

⁴ *Ibid.*, 103. *Pol. Sci. Quar.*, XIII, 409-412. There were also occasional illegal importations of slaves from Cuba. See *Life and Adventures of Monroe Edwards*.

its terms, only promised to the owners of slaves on that uncertain day when the condition of the national Treasury would permit payment.¹

The situation was critical, and an effort to enforce the decree might have led to serious disturbances, or at any rate so Austin thought. Acting upon his advice, Don Ramón Músquiz, the jefe político of Béxar, declined to publish the decree until the matter could be again laid before the chief executive, and he also addressed remonstrances to the governor of the state and the officer in command of the federal troops. The governor forwarded the Texan remonstrance to the President with a long letter of his own. All of these documents, doubtless inspired by Austin, argued the question on economic grounds, the impossibility of obtaining sufficient labor or of growing cotton except with help of negroes, and also laid some stress on the vested rights of property in slaves, which, it was asserted, the Mexican government had guaranteed to the settlers whom it had invited into the country. The governor added that enforcement of the decree might possibly "draw upon the state some commotions," although he did not wish it to be inferred

"that these settlers are of a turbulent and insubordinate character, for up to this time I have received nothing but proof to the contrary—but would refer to the condition of man, and the inclinations of which he is capable when, from one day to another, he is about to be ruined."

In compliance with the opinions thus expressed by the local officials, the President on December 2, 1829, notified the governor of Texas that he had been "pleased to accede to the solicitation of your Excellency, and to declare the

¹ Decree of Sept. 15, 1829, Dublan y Lozano, II, 163. The text of the decree was as follows: "1. *Queda abolida la esclavitud en la República.* 2. *Son por consiguiente libres los que hasta hoy se habían considerado como esclavos.* 3. *Cuando las circunstancias del erario lo permitan, se indemnizará á los propietarios de esclavos, en los términos que dispusieren las leyes.*" In 1826 Tornel, then a deputy, had proposed a measure abolishing slavery, but for two years the Senate failed to act upon it. When Guerrero was vested with extraordinary powers Tornel availed himself of the opportunity to draw up the foregoing decree and present it to Guerrero for signature.—(Tornel, *Breve Reseña*, 85.)

department of Texas excepted from the general disposition comprehended in said decree."¹

Slavery, therefore, existed in Texas from this time forward *de jure* as well as *de facto*, subject to the laws against the importation of slaves and the constitutional provision affecting persons born in the state. But it must not be forgotten that the early settlers were almost, without an exception, very poor people, working with their own hands to provide the elementary necessities of life; and if a man owned two or three slaves he worked by their side in the fields. The day of great plantations, of overseers, and of non-resident owners had not arrived, if, indeed, it ever dawned in Texas. Slavery there presented a very different aspect from that which it presented in states like South Carolina or Georgia, where hundreds of slaves under a single master created quite exceptional social and economic conditions. In the early days in Texas the number of slaves was too small to produce any such results, and conditions were never radically different from those of the frontier communities in the free states of the American Union. There was the same sort of mixed population, with the native American largely predominating; there was a certain number of men who had left their homes for reasons which would not bear investigation; and there were a great many more who had emigrated from a sanguine hope of bettering their condition.

Life in all these new communities was reduced almost to its ultimate elements, for each family was compelled to build its own house, to make its own clothes, and to find its own food. One old settler has described the log-house he lived in as a boy. It contained at first, he says, one room, "but that room was either very large or stood cramming remarkably well," for it held nine persons besides the cook. "I don't know," he adds, "where she slept, but certainly not in the kitchen, for that family convenience was just outside the door without other protection than a few brush overhead." But, if the kitchen was primitive, the larder was

¹ The correspondence is given at length in *Pol. Sci. Quar.*, XIII, 649-659.

well supplied. "Ducks and geese and swan almost literally covered the waters. The deer came in sight of the house in droves, and fish at the bayshore in variety and abundance. Cattle were plenty and cheap."¹

Flour was harder to get than meat. For almost a year Austin's early settlers had none. There was neither a hoe nor a plough in the colony, and corn was planted with a stick. And even as late as 1834 people at times had to do without bread.²

Those who were of an age to work had little opportunity for amusement, but there were occasional diversions of a rather primitive kind. One early settler writes:

"We frequently make up parties of men, women, and children, and start out on a hunting or fishing expedition, and are gone for several days. These excursions are very pleasant."³

Another and more trustworthy author, discoursing of the "hardihood and courage" of the gentle sex, developed under the conditions of life in a wild country, says:

"It is not uncommon for ladies to mount their mustangs and hunt with their husbands, and with them to camp out for days on their excursions to the sea shore for fish and oysters. All visiting is done on horseback, and they will go fifty miles to a ball with their silk dresses, made perhaps in Philadelphia or New Orleans, in their saddlebags."⁴

The "balls" must have been very modest entertainments, but dancing seems to have been a frequent source of pleasure. Whenever the neighbors volunteered to help in a heavy piece of work the gathering often ended in a dance. A cheerful account of such an event has been preserved in the reminiscences of a lady who came as a child to Texas in 1833. It was necessary to take off the roof of her father's house and repair it. All the neighboring men and boys were to help.

¹ *Tex. Hist. Quar.*, VI, 115.

³ Dewees, *Letters from Texas*, 137.

² *Ibid.*, V, 14; IV, 96.

⁴ Mrs. Holley, *Texas*, 145.

"The young men said if mother would let them dance they would put the new roof on and clear the yard in one day. Mother consented, and all the men came except Mr. M—. He would not have anything to do with his neighbors. . . . The boys went down to Mr. Shipman's settlement and fetched four young ladies. They with Mrs. Roark's four young daughters, were enough for dancing. Mr. Adam Stafford had sent a negro woman the day before to do the cooking. Before it was dark the dancing began. The girls and young ladies all had new dresses and shoes. I suppose I was the happiest child in the world that night."¹

Hospitality and neighborly kindness were naturally the favorite virtues in such a society. The man who "would not have anything to do with his neighbors" was at the bottom of the social scale. One who, on the contrary, was thought really worthy of admiration, was thus described:

"Mr. Brinson was a very social, hospitable man and an obliging neighbor. . . . He was a hard-shell Baptist of the ultra kind—predestination and all. His wife was a good little woman and one of the sort that never tires. She usually milked thirty to forty cows night and morning, and supplied the family, from butter and cheeses and chickens and eggs that she marketed in Galveston."²

When people fell ill, their neighbors helped as far as possible, although among the settlers there were some who had practised medicine before they had turned farmers.³ Like Burke's English colonists, they had made the law a general study, and were all "lawyers or smatterers in law." They dealt in general principles, for the only codes they knew were those drawn up by Austin,⁴ and when crimes were committed the settlers administered their own justice—sometimes under the jurisdiction of one of the English-speaking alcaldes, sometimes by the tribunal of Judge Lynch.⁵

For the most part, there was no public exercise of religion. The Baptists early held occasional religious meetings, and

¹ *Tex. Hist. Quar.*, IV, 114. And see an account of "an old-fashioned country quilting," *ibid.*, VI, 127.

² *Ibid.*, VI, 116.

³ *Ibid.*, IV, 93.

⁴ *Ibid.*, XIII, 59.

⁵ *Ibid.*, VII, 32, 34, 50; IV, 101, 117; XIV, 34-37.

later on members of other sects did the same,¹ but it was generally known that the law forbade such assemblages. There were but few Catholic priests, and in so large a country their visits to any particular neighborhood were necessarily rare. A certain Father Muldoon was a public favorite, and was in particular request for weddings. The Mexican law recognized only religious marriages, and as they could not be legally celebrated unless a priest happened to be at hand, a well-defined custom grew up of a sort of civil marriage, to be followed by the religious ceremony as soon as possible. It sometimes happened that the priest performed the marriage ceremony for the parents and baptized the children all at the same time.²

Schools, such as they were, the people organized among themselves. There had been Mexican schools at a much earlier day in Béxar, but these had led a precarious existence and were of no value to the American settlers.³ As early as 1829 a school numbering about forty children was in existence at San Felipe.⁴ Other neighborhood schools were established here and there, as itinerant teachers could be secured.⁵

The Mexican state authorities were, in theory, favorable to the cause of education, and the Constitution of Coahuila and Texas and several acts of the legislature attest their interest;⁶ but lack of means always prevented the carrying into effect of these well-intentioned projects. Stephen F. Austin was anxious to establish a sort of high school at San Felipe, where Spanish, English and French should all be taught—and no other languages; but this plan also came to nothing.⁷

¹ Bancroft, *North Mex. States and Texas*, II, 547; Yoakum, II, 220.

² See *Tex. Hist. Quar.*, IV, 114; and "Reminiscences of Henry Smith" in *ibid.*, XIV, 34-37. These marriages were subsequently legalized by statute, even when no religious ceremony had been performed.—(*Laws of Rep. of Texas*, I, 233—June 5, 1837.)

³ I. J. Cox, in *Tex. Hist. Quar.*, VI, 27-50. ⁴ Baker, *Texas Scrap-Book*, 74.

⁵ For reminiscences of these early schools, see *Tex. Hist. Quar.*, I, 285; IV, 108, 112; V, 86.

⁶ Constitution, Art. 277; acts of May 13, 1829, April 13 and 30, 1830; *Laws and Decrees of Coahuila and Texas*, 127-130, 148, 157.

⁷ Mattie Austin Hatcher, in *Tex. Hist. Quar.*, XII, 231.

As true Americans, the settlers did not long delay the establishment of a newspaper. Apart from one ephemeral sheet published at Nacogdoches during Long's short-lived attempt at independence, the earliest newspaper was *The Texas Gazette*, published in Austin's colony, the first number of which appeared about September, 1829. Very near the same date a journal called *The Mexican Advocate*, printed in Spanish and English, made its appearance at Nacogdoches.¹

In spite of the lack of any efficient government, or perhaps (at that early stage of its history) because of such lack, Texas in the main was peaceable and well-ordered, and only one really serious incident occurred to confirm the pessimistic views which observers in the city of Mexico entertained, touching the turbulent character of the American settlers.

Hayden Edwards was one of the empresarios who had a contract to bring in a large number of families. The district within which his recruits were to settle was in the neighborhood of Nacogdoches, near the Louisiana line, a region from which most of the inhabitants had fled in 1813.² The natural result of the attempt to resettle the abandoned lands was a serious confusion as to titles, which was made worse by the fact that most of the old settlers were native Mexicans and most of the new ones were not. Edwards was not the man to adjust such matters amicably. He seems, to judge from his correspondence, to have been of quick temper and violent speech, and his antecedents were doubtful.³ At any rate, he succeeded, during the course of the dispute as to titles, in offending and fright-

¹ *Tex. Hist. Quar.*, VII, 243. See also Bancroft, *North Mex. States and Texas*, II, 549, where it is stated that the paper published in 1829 in Austin's colony was called *The Cotton Plant*. He does not refer to *The Mexican Advocate*, and says that the second newspaper was published at Brazoria in 1830, and called *The Texas Gazette and Brazoria Advocate*.

² See the testimony in *Sulphen v. Norris*, 44 Tex. Rep., 204, where some curious light is thrown on the primitive methods of colonization and surveying in vogue in early days.

³ Austin asserted that he had kept a roulette table in the city of Mexico (*Comp. Hist.*, I, 510); while Yoakum calls him "a wealthy and intelligent gentleman" (*Yoakum*, I, 215).

ening the governor of the state, who cut the controversy short by cancelling Edwards's contract and banishing him from the country. To remonstrances and threats of appeal to the federal authorities, the governor merely answered that Edwards might do as he pleased about appealing, but that he must first leave Mexico.¹

Very much against Austin's advice, Edwards determined on armed resistance, entered into an alliance with a band of Cherokees who were then in eastern Texas, and undertook to create a new and independent state, which he called Fredonia. Meetings were held, and a complete constitution was solemnly adopted on December 21, 1826.² It was Long's attempt over again, and it collapsed as quickly. A force of two hundred Mexican soldiers from Béxar was joined by a body of militia from Austin's colony and marched into Nacogdoches on January 28, 1827; whereupon Edwards and his followers fled to the United States.³

This short-lived rebellion had very much alarmed the Mexican government,⁴ but its principal significance was in the determination of the majority of American settlers, with Austin at their head, to sustain the Mexican government and put down disorder. Austin's men and their near neighbors were on the whole a property-owning, and therefore a conservative class, perfectly satisfied with their political status so long as they were allowed to do as they pleased. Doubtless they had no affection for Mexico or the Mexicans; but they were not seeking independence, and there is no evidence that they then expected or desired annexa-

¹ *Ibid.*, 243.

² See text in Gammel's *Laws of Texas*, I, 109-110.

³ Yoakum's *Hist. of Texas*, I, 234-250, gives a clear and generally accurate account of the "Fredonian War," and further details will be found in *Comp. Hist.*, I, 506-534.

⁴ See law of Feb. 23, 1827, passed when the trouble was all over, entitled *Facultades concedidas al Gobierno para contener los desórdenes de Tèjas*, Dublan y Lozano, II, 5. The government is authorized to call out the militia and \$500,000 are voted for extraordinary expenses. Poinsett said the President proposed "to set on foot an expedition against the rebels of Texas which would have been sufficient to repel an invasion," and intimated that these excessive precautions were due to a universal suspicion of the conduct of the United States government.—(Poinsett to Adams, April 26, 1827; *Poinsett MSS.*)

tion to the United States, or that they took any steps whatever looking to that end.

The Mexican authorities, however, had not regarded it in the same light. To them Edwards was a type of the American colonist who was always bent on mischief; and they strongly suspected the American government of being privy to the Fredonian rising, if not of having directly fostered it. As proof they pointed to the undisguised desire of the United States to acquire Texas, a desire which had been repeatedly expressed. There was, however, a very considerable difference between an offer to purchase the territory and an intrigue to stir up trouble among its inhabitants. The administration at Washington had very openly proclaimed a desire to buy Texas, or a part of it, if it could be had at a reasonable price; and had argued that it was a burden and likely to become a danger to the Mexican republic. But there seems to be no good reason to suppose that either John Quincy Adams or Henry Clay had advised or encouraged or been privy to the Fredonian revolt.

Whatever might have been the suspicions or fears of the successive Mexican governments in regard to Texan affairs, they had no time to spare for such matters during the close of Victoria's administration and the brief and troubled period of Guerrero's tenure of office. It was not until Bustamante had taken possession of the presidency that the subject was seriously considered.

Lúcas Ignacio Alaman, the new Secretary of Foreign Relations, was the person through whom the attention of the Mexican public was really and seriously called to Texan affairs; and it was in consequence of his recommendations that the era of easy indifference was succeeded by a period of attempted regulation and repression, which ultimately brought about disaster.

Alaman was a native Mexican who had taken no part in the revolution. He was a student, who had pursued knowledge in many directions. From 1814 to 1820—the period of Waterloo and the Holy Alliance—he had lived in

Europe; and it was not until his return to Mexico that he had begun to take part in public affairs.¹ He is best known at the present day for his authorship of an excellent and authoritative history of Mexico.

Bustamante's cabinet was formed on January 7, 1830, and one of the first subjects to engage the attention of the Minister of Foreign Affairs was a proposal which, it was stated, was to be submitted by Jackson's administration, for a purchase of the whole or a part of Texas. This report—that the offer made by President Adams was to be renewed—had excited a good deal of attention in the American press, and had caused some rather vehement comments in the Mexican newspapers. On February 8, therefore, Alaman presented a report to the Congress, taking as his text "the pretensions now clearly manifested" by the United States, to possess themselves of Texas.² He divided his paper into two parts: the first dealing with the supposed policy of the American government, the second dealing with the means which Mexico must adopt to preserve the territory coveted by her neighbor.

As to the first point, the policy of the United States, the examples of Louisiana and the Floridas were cited. The government of the United States, it was said, had pursued successfully one uniform and consistent line of conduct in all cases:

"They begin by introducing themselves into the territory they covet, upon 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 predominant part of 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 nobody admits, such as LaSalle's voyages now known to be a falsehood. . . . Their machinations in the country they wish to acquire are then brought to light by the visits of explorers, some of whom settle on the soil, alleging that their presence does not affect the question of the right of sov-

¹ Tornel calls him a pupil of Metternich and Nesselrode.—(*Breve Reseña*, 26.)

² See text in Filisola, *Guerra de Tèjas*, II, 590-612; translation in H. R. Doc. 351, 25 Cong., 2 sess., 312-322.

ereignty or possession of the land. These pioneers originate, little by little, movements which complicate the political state of the country in dispute, and then follow discontents and dissatisfaction, calculated to fatigue the patience of the legitimate owner, and diminish the usefulness of the administration and the exercise of authority. When things have come to this pass, which is precisely the present state of things in Texas, diplomatic intrigue (*el manejo diplomático*) begins."

As to the pending diplomatic negotiations (which Poinsett was charged with having purposely delayed) Alaman stated that new proposals were about to be made to purchase Texas for the sum of five million dollars, and if this was not accepted it was very probable that the next proposal would be to submit the matter to arbitration, as had been lately done by naming the King of the Netherlands arbitrator with regard to "some territories of Canada"; and when once that is done, said Alaman, the evil will be accomplished and Texas will be lost forever.

Alaman's historical parallels were invented to fit his theory and were quite as foolish as his ideas about arbitration. It was certainly not the fact that either in Louisiana or the Floridas, the course of events had even remotely resembled the process he traced. It was not true that it had ever occurred to any one to arbitrate the question of the title to Texas as between the United States and the Republic of Mexico. Arbitration had been adopted in respect to the disputed boundary of Maine, but the Texas question had been conclusively settled by the treaty with Spain as far back as 1819. And it was not true that the United States government had ever interfered, either by encouragement or otherwise, with the settlement of Texas. That movement, such as it was, was pure individualism. There was no "conspiracy" to encourage emigration from the United States. The early settlers had been moved by no other conceivable motive than that of bettering their condition. They went to Texas because they could get good land for nothing; and they had neither asked nor received help from anybody, least of all from the federal authorities of the United States.

But when Alaman turned to the consideration of existing conditions in Texas he was on firmer ground. The majority of the population, he reported, were natives of the United States; they occupied the frontiers and the coasts contrary to law; they had failed to comply with the colonization laws; they had obeyed or disobeyed, as they chose, the orders of the state government. The state authorities had been deplorably lax. The federal law of July 13, 1824, required the colonists to manumit their slaves,¹ and they had paid no attention to it, but had openly carried on the slave trade from the United States. President Guerrero, by his decree of September 15, 1829, had gone so far as to abolish slavery; though it was true that in order to avoid an insurrection he had been led to modify the decree in question secretly, so that it should not embrace Texas. It was a leading feature of all the colonization contracts that only Catholics should be admitted; whereas, according to Alaman, not one of the colonists in Texas was a Catholic.

What, he asked, was to be the remedy? It was obvious that Mexico could not part with her own soil. If she did so, she would degrade herself from the highest rank among the American nations, and sink into contemptible mediocrity. It would be necessary, therefore, to adopt without delay proper measures for effectually asserting Mexican authority in Texas. These should be as follows:

1. To send enough troops to occupy suitable points so as to repel invasion or check insurrection, and to increase the Mexican population by settling convicts in the points occupied by the troops.
2. To colonize the country with people whose interests, customs, and language were different from those of the United States.
3. To encourage the coasting trade between Texas and the rest of Mexico.
4. To repeal the colonization law of 1824, and give au-

¹ This is a doubtful interpretation of that very loose statute. See above, page 43.

thority over the public lands to the federal and not to the state governments.

5. To send a commissioner to Texas to get statistics as to the colonists, and then to proceed "to take the necessary measures to preserve that part of the republic."

Without much delay the Mexican Congress took up, and in substance adopted Alaman's recommendations. On April 6, 1830, they enacted a measure which, if it had been vigorously and efficiently enforced, might have changed the destinies of their country; but which, as it turned out, served only to irritate those whom it was intended to control.

This statute provided that the government might appoint one or more commissioners whose duty it should be to visit the frontier states, to arrange with the state legislatures for taking over vacant lands in order to establish colonies of Mexicans and foreigners, to inquire into the execution of all colonization contracts theretofore made, to see that their terms were exactly complied with, and to make such new arrangements with settlers already in the country as might be deemed desirable for the safety of the republic. The federal government was to acquire land for forts and arsenals, and to employ convicts in building these public works; and after the sentences of such prisoners had expired, they were to be given land and tools in case they desired to become permanent settlers. Mexican families who wished to settle near the frontiers were to be transported free, maintained for a year, and given land and agricultural implements. The coasting trade to Matamoros, Tampico and Vera Cruz was thrown open to foreigners for four years, so that the produce of the colonies might be shipped to these points. Lumber for building purposes, and food supplies, were to be admitted free of duty at Galveston and Matagorda for a period of two years.

Such were the provisions relative to encouraging Mexican immigration into Texas. That they failed entirely was not a matter for surprise. Similar measures had been tried before to promote settlement in California, but without

success;¹ and Mexican statesmen might well have asked themselves why their countrymen, when they were paid to do so, would not go to a fertile country, while thousands of eager settlers were pouring in from the north, paying their own way and asking no help from anybody. The answer could have been found only in the fundamental and mysterious differences of race.

The act of April 6, 1830, next proceeded to deal with the colonists from the United States. By article nine, foreigners were prohibited from crossing the frontier under any pretext without a passport viséd by a Mexican consul. By article ten, the status of existing colonists and their slaves was not to be disturbed; but no slave was to be imported in future.² And finally, by article eleven, colonization by the citizens of any adjacent nation was forbidden, and all contracts, not fully executed, which conflicted with this act, were "suspended."

The execution of the new law was intrusted to General Manuel de Mier y Terán, the commanding officer of the military district which embraced the states of Tamaulipas and Coahuila and Texas. He was a man of high character and ability, cautious, law-abiding, and well-educated. He had been Secretary of War during Victoria's administration. In 1827, when the Mexican Congress made an appropriation for surveying the northern boundary, Tornel was put in charge and got as far as Nacogdoches, although for some reason the rest of the expedition never got beyond Béxar,³ and he had been second in command to Santa Anna in the short campaign of 1829 against the Spanish invaders.

In addition to the duties specifically imposed on him by

¹ See above, chapter V.

² "No se hará variación respecto de las colonias ya establecidas, ni respecto de los esclavos que halla en ellas; pero el gobierno general, ó el particular de cada Estado, cuidarán bajo su más estrecha responsabilidad, del cumplimiento de las leyes de colonización, y de que no se introduzcan de nuevo esclavos."—(Dublan y Lozano, II, 239.)

³ An account of this journey is contained in Berlandier y Chovel's *Diario de Viage de la Comisión de Límites*, etc. Clay, as Secretary of State, sent passports for Terán and his party.—(Clay to Obregon, March 19, 1828; H. R. Doc. 42, 25 Cong., 1 sess., 44-46.)

the law of April 6, 1830, it was essential for the commanding general to watch over the organization and administration of the custom-houses in his district; for under the rather primitive system then in vogue the moneys collected at these custom-houses could be turned over directly to him for the support of his troops.¹ This task, however, was one that obviously required the greatest tact so far as Texas was concerned.

Under the law of September 29, 1823, the importation of supplies for the colonists had been permitted free of duty for seven years, a period now about to expire, when the general tariff of Mexico would become operative. The extremes to which this tariff went, have already been referred to. The law of November 16, 1827, as amended and added to by the law of May, 1829,² prohibited absolutely the importation (among other things) of flour, wheat, and rice; of salted or smoked meat, including pork; of salt, coffee, sugar, rum, whiskey, and tobacco; of almost all kinds of cotton goods, clothing, boots and shoes, hats, carpets, and blankets; of soap, of earthenware, of lead, including shot, and of many articles of saddlery and harness. These were the commonest necessities of a farming community.

The law of April 6, 1830, had, however, modified the tariff by permitting the importation of lumber and all kinds of provisions, free of duty for two years in the ports of Galveston and Matagorda only,³ but many indispensable articles were still the subject of prohibition, and others were subject to the high duties imposed by the Mexican tariff.

The imposition of even low duties would have caused irritation, for the people had become used to a condition of absolute freedom of trade. As the country had been gradually settled, trade had increased, small merchants had established themselves, and merchants, masters and owners of vessels, and colonists had all flourished upon a direct and unrestricted commerce with the United States. In

¹ Filisola, *Guerra de T exas*, I, 158.

² Dublan y Lozano, II, 26, 109.

³ Art. 13; *ibid.*, 239. Matagorda had been made a port of entry directly after independence was secured; Galveston only on Oct. 17, 1825.

addition, there was a feeling, not very unnatural under the circumstances, that it was unjust to be asked to pay taxes to a government which had never expended a single dollar for the benefit of the community. The Mexican government, it is true, had given them land; but, it was argued, the land was worthless to the donor, as not a Mexican could be hired to live on it, and it continued worthless until the labor of the American colonists had given it value. These colonists, it was said, who were now ordered to pay taxes, had been compelled to defend their lives, liberty, and property against savage enemies as best they might; and the government had not only failed to give them protection, but it had never opened a road, or a school, or a court-house.

If it had been humanly possible for the colonists to supply their wants in Mexican markets, the result of a high tariff, rigidly enforced, might have been at worst an increase in prices; but Mexican markets were either inaccessible or inadequate. The nearest places at which Texan merchants could have been supplied were San Luis Potos  and Tampico. From any of the American settlements in Texas the distance to San Luis was not less than seven hundred miles, a large part of which was over waterless deserts and was constantly subject to the raids of Apache and Comanche Indians. As a commercial highway, this was plainly impossible; and indeed it was not suggested by Alaman, who looked hopefully to a coastwise trade, which, however, he admitted, did not then exist, to supply the needs of the colonists. With some legislative encouragement he believed that vessels from Yucatan might be induced to undertake coasting voyages to the northward of Matamoros, and this, he thought, would be of the greatest importance for "nationalizing" the department of Texas.¹ It was with a view to inaugurating such a system of waterborne commerce that the coasting trade was thrown open to American vessels for a period of four years.

Texan consumers, being thus prohibited by law from im-

¹ Filisola, II, 609, 610.

porting from the United States many articles of daily use, and being unable to procure them in Mexico, were in effect reduced to the choice of two alternatives—to go without or to smuggle—and they chose the latter. Their choice was the easier from the fact that there were almost innumerable points, both on the sea-coast and along the land frontier, through which contraband importations were easily possible, unless indeed a very vigilant and very incorruptible set of watchmen was constantly employed. Mier y Terán saw clearly that, if the law was to be enforced, it must be with a strong hand; but the limited means which the government had placed at his disposal compelled him to send boys to do men's work.

His plans embraced two principal features: the establishment of a number of military posts within supporting distance of each other, and the introduction of large numbers of Mexican colonists. The second part of this programme, to his great surprise and annoyance, failed utterly, although Congress, by the law of April 6, 1830, had appropriated half a million dollars for the purpose, and although he had used every means of persuasion to interest the governors of the several states in a plan for sending poor families to Texas at the public expense.¹

The military part of his programme, however, was in a measure carried out, though the number of troops at Terán's disposal was absurdly insufficient to overawe such a population as he had to deal with—men who were hardened by recurrent Indian warfare and who thought much better of a Comanche than they did of a Mexican. A hundred Mexican Indians, even though they were dressed in the uniform

¹ Filisola, I, 162-165; see also page 289 of the same volume, where the ayuntamiento of Béxar complains of the sacrifice of public money involved in bringing men to Texas roped together ("*para la conducción de cuerdas*"). It would appear that some minor criminals were sent under guard to form settlements, but with disastrous results. The ayuntamiento declared that "it is necessary to blot the newly formed villages from the map of Mexico, and put the points in which they were founded into the desert once more; since at least of the Mexicans who lived there, not a single one has remained, and even the troops who were stationed there have returned to this city beaten and exhausted." This seems to refer to encounters with the Indians—not the American colonists.

of the republic, remote from all possible reinforcement or supplies, could hardly be counted on to restrain for very long the well-armed frontiersmen who outnumbered them at every point; and there were few of Terán's posts that had even a hundred men.

The most important garrison was, of course, on Galveston Bay. It was situated at Anáhuac, and was under the command of Colonel John Davis Bradburn, a Kentuckian by birth, who had taken part in Mina's unfortunate expedition in 1817 and had remained in Mexico ever since. He seems to have been considered a good officer by the Mexicans, but he impressed the colonists as a harsh and unreasonable tyrant, and indeed appears to have been very ill qualified for the discharge of his extremely delicate duties. He was set to play, on a smaller stage, the part that General Gage had played in Boston sixty years before, and he achieved a similar ill success. The very fact that he was not a native Mexican must have told against him, for in the eyes of the settlers he was a renegade as well as an oppressor.

A number of small but irritating controversies soon arose between the colonists and the Mexican officers. Immigrants were stopped and turned back at the frontiers. State officials engaged in surveying and issuing grants to settlers were illegally arrested. Almost all the concessions to empresarios were declared by Bradburn to be "suspended." The establishment of a municipal government at the village of Liberty, and the election of an alcalde and ayuntamiento were also arbitrarily and quite illegally annulled, although apparently regular under the state laws, and a new village government was set up under his own eye at Anáhuac. And Bradburn refused to give up two runaway negroes from the United States who had found their way to his post.

Even more serious difficulties occurred in connection with the collection of customs at the Brazos River. Although not established as a port of entry, vessels from the United States had long been in the habit of coming some miles up

the river to Brazoria;¹ and Terán, in order, as he said, to meet the views of the colonists, directed that a receiver of customs, subordinate to the collector of Galveston Bay, should be stationed at Velasco, at the mouth of the river. This measure, owing to administrative technicalities, proved unworkable, as vessels were required to report at Galveston or Anáhuac after discharging their cargoes, before they could receive a clearance. The inhabitants along the river sided, of course, with the masters of the schooners, especially when they were charged with smuggling guns and ammunition. On December 15, 1831, matters were brought to a crisis by three schooners—the *Ticson*,² *Nelson*, and *Sabine*—refusing to pay tonnage dues and sailing out of the river without proper clearances. They were fired upon by the little detachment of Mexican troops at the mouth of the river, and returned the fire—neither party having artillery—and a Mexican soldier was wounded. Terán was extremely angry. He directed that the owners of the cargoes brought by the three schooners should pay the tonnage dues, and that if the schooners should ever return with the same crews to Texas they should be detained until those who had wounded the soldier should be given up for trial. Nevertheless, the *Sabine* was back in Brazoria on the twenty-ninth of January, 1832, this time with two cannon in her cargo. Naturally, the colonists laughed. They went further, and knocked down and maltreated one of the custom-house employees, and so frightened Lieutenant Pacho, the receiver of customs, that he literally took to the woods and abandoned his post.³

These disorders finally culminated in an open conflict in May, 1832, when Bradburn, entirely without warrant of law, arrested seven of the colonists living near Anáhuac,

¹ The practice of landing goods without entering at an established custom-house was illegal and led to some diplomatic correspondence.—(Cañedo to Poinsett, April 8, 1828; H. R. Doc. 351, 25 Cong., 2 sess., 234.)

² This vessel is also referred to as the *Tyson*.—(Montoya to Livingston, April 9, 1832; *ibid.*, 673.) Her real name was very likely the *Texan*.

³ Filisola, I, 186. Pacho, he says, "se internó á pié por entre las espesuras y malezas de aquellos bosques, en donde pasó la noche, para dirigirse el día siguiente á la parte más segura."

who were charged with participation in some riotous proceedings.¹ The men arrested were well known and liked by their neighbors, and the embattled farmers of the vicinity determined to release them by force of arms. On June 9, a body of perhaps a hundred and fifty or two hundred men advanced on the fort at Anáhuac; but after some desultory firing, which lasted for two or three days without serious result, an arrangement was made by which Bradburn agreed to surrender the seven prisoners, and the colonists agreed to retire from the fort and release some cavalymen they had captured. The colonists withdrew, or appeared to withdraw, and released their prisoners; but Bradburn failed to release his. He alleged later that he kept them because the colonists had only pretended to withdraw, and had left men in Anáhuac who were to "rush" the fort as soon as the gates were opened. Whatever the truth might be in this regard, the Texans were furious at what they considered Bradburn's treachery, and were more determined than ever to take the fort. But to do this they found that artillery was needed, and they sent to Brazoria for the two guns which had been acquired by the settlers. Bradburn, on his part, availed himself of the lull in hostilities by sending for reinforcements from the neighboring Mexican posts. However, the officers to whom he appealed had their own difficulties to contend with, and he was left to withstand as best he could the coming storm.

The colonists found themselves unable to send the two guns by land for reasons which a glance at the map will show, and therefore had them shipped on the schooner *Brazoria*, to be sent round by way of Galveston. Here they met with a new dilemma, for the officer commanding at Velasco naturally declined to permit the schooner to sail. That post had been strengthened in the previous April and now possessed a garrison of over a hundred men who had one piece of artillery and were strongly intrenched. It

¹ The accounts of this affair are conflicting, but the evidence is collected in "The Disturbances at Anáhuac in 1832," by Miss Edna Rowe, *Tex. Hist. Quar.*, VI, 280-282.

became necessary, therefore, to capture Velasco before proceeding to the siege of Anáhuac.

Early in the morning of June 26, 1832, the attack was begun. After a day's lively firing, in which the *Brazoria*, protected by bulwarks of cotton bales, and the two famous guns bore leading parts, the Mexican ammunition was exhausted, and the garrison surrendered. The casualties on both sides were serious, considering the small numbers engaged.¹

Without any further fighting, the seven prisoners at Anáhuac were released a week later, and on July 13 that post also was evacuated by the Mexicans. The fall of Anáhuac, however, was not by any means due solely to dread of the Texan riflemen. An unusually well-planned and well-executed revolt against Bustamante's administration had broken out at home, and under the lead of General Santa Anna was evidently gaining strength. The prospect of the early success of this rising and the consequent overthrow of the national administration exercised a powerful influence over the minds of the officers of all the little Mexican garrisons, who naturally wished to be on the winning side, and some account of Santa Anna's exploits during the year 1832 is necessary before the later events in Texas can be related.

¹ On the Mexican side there were five killed and sixteen wounded; on the Texan, seven killed, fourteen wounded.—(*Tex. Hist. Quar.*, VI, 292.) The official report of Lieutenant-Colonel Ugartechea, the Mexican commander, is summarized by Filisola, *Guerra de Tèjas*, I, 199-209. The schooner *Brazoria* was so much damaged in the attack that her owners abandoned her to the underwriters, who claimed over seven thousand dollars from the Mexican government for a total loss.—(McLane to Butler, Dec. 31, 1833; H. R. Doc. 351, 25 Cong., 2 sess., 115.)

CHAPTER IX

SANTA ANNA IN CONTROL

THE irritating question of Texas had not been the only source of anxiety to President Bustamante and his cabinet, for from the very commencement of his administration there had hardly been a day when some ambitious leader was not heading an open revolt against the government.

Trouble had broken out first in the south, where vigorous but intermittent fighting went on through most of the year 1830. In October of that year the ex-President, Guerrero, emerged from his hiding-place and joined the southern insurgents, but was defeated early in January, 1831, by his old rival, Bravo, who had been pardoned and allowed to return from exile. A few days later Guerrero was taken, apparently by a contemptible piece of treachery, underwent a form of trial by court-martial, and was sentenced and executed.

Outbreaks in various parts of the country continued, but were put down without serious difficulty. But on January 2, 1832, a much more serious mutiny than most of such affairs broke out in Vera Cruz. The garrison "pronounced" against the government, and issued a proclamation inviting General Santa Anna to join them and put himself at the head of a movement which they proposed to carry forward, with a view to effecting an entire change in Bustamante's cabinet. The movement was only the usual attempt to turn out one set of office-holders in order to put in another. No change in the form of government was proposed as a justification for the revolution; and indeed the movement was announced as one intended to support and enforce the federal Constitution.¹

¹ Suarez, *Historia de México*, 263-265.