

ther strengthened by the arrival of a Mexican deserter, who reported that "the garrison was in a tumult and much dissatisfied."<sup>1</sup> At once volunteers were called for, and two hundred and sixteen responded. They were organized in two divisions, one under the command of Frank W. Johnson, a Virginian by birth, who had led the attack on Bradburn at Anáhuac in 1832, the other under the command of Benjamin R. Milam. Milam was a Kentuckian who had come to Texas as early as 1816 with Long's filibustering expedition,<sup>2</sup> had subsequently served in the Mexican army, had been a member of the Coahuila legislature, and had been arrested with Governor Viesca in the spring of 1835. He escaped and joined the Texans just in time to take part in the capture of Goliad. "Who will go with old Ben Milam into San Antonio?" he shouted when volunteers were called for, and his enthusiasm was contagious.<sup>3</sup>

A little before daylight the assault was made with a force aggregating two hundred and fifty or three hundred men, some additional volunteers having come forward during the night, and an earlier attack was also made on the Alamo to draw off attention from the two divisions marching on the town. Johnson's and Milam's parties got within a hundred yards of the Plaza de la Constitución, which was strongly defended by heavy earth barricades, before they were discovered. They had brought two guns with them, but in the face of the Mexican fire down the streets these were nearly useless, and the Texans took shelter in the houses and replied as best they could with their rifles. For five days a confused contest was kept up, both sides occupying the roof-tops and firing from behind parapets. The Texans, on their part, presently conceived the idea of breaking through the walls of the houses, and thus pushing on from one to another. "We went through the old adobe

<sup>1</sup> See Frank W. Johnson, in *Comp. Hist.*, I, 198, 199.

<sup>2</sup> Milam was one of the prisoners released through Poinsett's unofficial good offices during his first visit to Mexico. A letter from Milam to Poinsett, complaining of the ruffianly characters of some of his fellow-prisoners, dated Dec. 5, 1822, is among the *Poinsett MSS.*

<sup>3</sup> "Old" Ben Milam was born in 1791, and was consequently forty-four years old at this time.

and picket houses of the Mexicans," says one participant, "using battering-rams made out of logs ten or twelve feet long. The stout men would take hold of the logs and swing them awhile and then let drive endwise, punching holes in the walls through which we passed. How the women and children would yell when we knocked the holes in the walls and went in!"<sup>1</sup>

Slowly gaining ground from house to house, the Texans finally got possession of the better buildings that faced the plaza. They had turned the barricades and the Mexican position had become untenable, so that about two o'clock in the morning of Thursday, the tenth of December,<sup>2</sup> Cos gave orders to abandon the town and concentrate the whole force within the walls of the Alamo. Six officers with one hundred and seventy-nine mounted followers immediately fled for the Rio Grande. The rest, including the wounded, with the military supplies and artillery, were safely across the bridge and in the Alamo soon after sunrise.

The troubles of General Cos, however, were by no means at an end. For some time his provisions had been scanty. On the morning before he abandoned the town he had received a reinforcement of over six hundred men, most of whom were utterly useless convicts, and their numbers only added to the difficulties of supplying food. The Alamo itself was already crowded with the women and children of the soldiers, and wood and water, under the accurate rifle fire of the Texans, were not procurable. There was nothing left for Cos but to surrender.<sup>3</sup>

After some haggling over the details, articles of capitulation were signed. The agreement allowed the Mexican

<sup>1</sup> Sion R. Bostick, in *Tex. Hist. Quar.*, V, 89.

<sup>2</sup> The official reports of Johnson and Burleson, in Brown, I, 417-424, both state that the fighting ceased on the ninth; but they appear to be contradicted by the articles of capitulation, which are dated the eleventh. The matter is of no importance.

<sup>3</sup> Filisola gives a vivid account of the long and wearisome march of the reinforcements above mentioned, the last phases of the fighting in the town, the scenes in the crowded Alamo with the shrieking women and children, the confusion among the troops, and Cos's own temporary collapse under the burden of defeat and the desertion of some of his best men.—(*Guerra de Tèjas*, II, 143-144, 161-169, 194-205.)

officers to retain their arms and private property, on their promise to retire "into the interior of the republic" and not to oppose in any way the re-establishment of the federal Constitution of 1824. The six hundred convicts who had arrived just before the fall of Béxar were to be taken back by Cos beyond the Rio Grande, and a small escort of armed Mexican soldiers, with one light field-piece, was to accompany them. The rest of the Mexicans were free to go with Cos or not, as they pleased; private property was to be restored to its owners; private citizens were not to be molested; and the Texans were to furnish Cos with such provisions as could be obtained "at the ordinary price of the country."<sup>1</sup>

On December 14, 1835, the Mexican troops began their march to the Rio Grande. Eleven hundred and five men retired with General Cos, and these, with the men who had deserted on the morning of the tenth, and the wounded left in the Alamo, and others who were not accounted for, brought the total of the Mexican force up to fifteen or sixteen hundred men. That is to say, Cos had probably nine hundred or a thousand men on the morning of the first assault; and he had received reinforcements numbering over six hundred.<sup>2</sup> His losses are not known, but they were probably large. The Texan loss is given as one officer (Milam) killed and four officers and twenty-one men wounded.

The troops that retreated with General Cos over the hundred and fifty miles of almost waterless country that lay between Béxar and Laredo were the last Mexican soldiers left in Texas. A small force that had been stationed on the west bank of the Nueces River, at a settlement called Lipantitlan, above San Patricio, was captured about No-

<sup>1</sup> See text in Brown, I, 424. Filisola says that Cos declined to accept any supplies, on the ground that "the Mexican army neither receives, nor needs to receive, anything given by its enemies."—(*Guerra de Tèjas*, II, 208.)

<sup>2</sup> This agrees with F. W. Johnson's estimate. He says Cos had a thousand or twelve hundred men early in October. Allowing liberally for losses, he would have had at least nine hundred when the assault was begun, on December 5. See *Comp. Hist.*, I, 185.

vember 13, 1835, and released soon after on a promise not to serve again against the Texans.<sup>1</sup>

By the time that Béxar capitulated, the provisional government of Texas had been about a month in existence, but it had done little to facilitate either Austin or Burleson in their efforts to drive the Mexicans out of the country; and indeed it can hardly be said to have ever accomplished anything. Its history, during its entire existence of one hundred and seven days, is very far from edifying. It is little more than an account of petty jealousies, stupid mismanagement of serious affairs, and a long series of squabbles between the governor on the one hand and his council on the other.

There was one deep-seated difference of opinion as to the policy of the new government which accounted for a great deal of this incessant quarrelling. Governor Smith was in favor of independence, and entirely opposed to any dealings with Mexicans. "I consider it bad policy," he wrote to the council, "to fit out or trust Mexicans in any matter connected with our government, as I am well satisfied that we will in the end find them inimical and treacherous." The council, on the other hand, continued to believe in the "Federal party of the interior," and were anxious that the war should be carried on as a purely civil contest in support of the Constitution of 1824. They were supported by a number of Mexicans, some of them men of considerable consequence, who had sought an asylum in Texas, and who naturally encouraged the idea of making war for the purpose of restoring the federated republic. They also encouraged all proposals for carrying the war into Mexico, where they declared the Texan forces would be joined by numbers of local insurgents.

In a broader sense, perhaps, the division between the governor and the council may be regarded as a difference based on the choice of a defensive or an offensive policy. The governor wished to await attack; the council wished to

<sup>1</sup> The best account of this trivial affair is in Filisola, II, 188.

push into Mexico, to keep the volunteers employed, lest they should melt away, and to unite with other Mexican citizens in an effort to overthrow Santa Anna and the Centralist party.

Differing opinions on these points might very well have been entertained, and no great harm have ensued, but for unfortunate defects in the organic act constituting the provisional government. This instrument actually invited controversies, and in particular it wholly failed to define clearly where the executive power was lodged. The governor asserted that it resided with him, but the phrase "the governor and council" was constantly used in the organic act to indicate the executive authority. The result was that the council, possessed with the idea of sending troops into Mexico, and filled with that love of patronage and love for meddling in military matters which have distinguished most legislative bodies in America, undertook to appoint officers in the Texan army, and to direct their plans of campaign, without the slightest reference to the views of the governor or the commander-in-chief.

The council believed in or at least supported the local volunteers. The governor was convinced that the state government should "bring everything under its own proper control," or, in other words, that all the volunteers should be placed (so long as they served) under the control of the commander-in-chief.<sup>1</sup> Finally the quarrel culminated in a violent outbreak over a proposed expedition to Matamoros, which the council favored and the governor vehemently opposed.

The subject had been broached to Austin while he lay before Béxar by Doctor James Grant, a Scotchman by birth, but a resident of Mexico for many years. Grant, who lived at Parras, had been a member of the Coahuila and Texas legislature, and had been arrested with Viesca and Milam by General Cos. He had escaped like the others, and had joined the Texans who were besieging Béxar. He had acquired from the state government enormous tracts of land,

<sup>1</sup> Governor Smith to the Council, Dec. 18, 1835; Brown, I, 453.

under such doubtful circumstances that either the success of Santa Anna or the independence of Texas would probably involve the revocation of his grants; so that his interest clearly lay in the restoration of the federal form of government.

Another advocate of an expedition to Matamoros was Philip Dimmitt, the commander of the little Texan garrison at Goliad, who had had an angry controversy with Austin,<sup>1</sup> and who wrote on December 2, 1835, apparently as soon as he heard that Austin was no longer in command, urging that if Matamoros were taken the war would be brought home to the Mexicans and the revenues of the port, amounting to a hundred thousand dollars a month, would be used in support of Texas, instead of against it. "The presence of a victorious force in Matamoros, having General Zavala for a nominal leader, and a counter-revolutionizing flag," he believed, would lead to great results. "The liberal of all classes would join us, the neutral would gather confidence, both in themselves and us, and the parasites of centralism, in that section, would be effectually panic-struck and paralyzed."<sup>2</sup>

Before this letter could have reached San Felipe, a certain Captain Miracle, a Mexican refugee, had talked with a committee of the council. It was the usual story. He had brought no credentials, but he asserted that he had been sent by the principal men in Nuevo Leon and Tamaulipas; that they had arranged to take up arms as soon as all was ready; that many of the officers and men of the army were ready to join the Texans when called upon; and that if the object of the revolution really was to sustain the federal system the liberals would all unite and rise *en masse*.<sup>3</sup> Even Austin was impressed with this view of the situation, and wrote to the council in favor of an expedition to Mexico under Mexican leadership.<sup>4</sup>

If such an attempt was to be made at all, it was clear that Mexican leadership would have offered the best chances of

<sup>1</sup> Brown, I, 375.

<sup>3</sup> W. Roy Smith, in *Tex. Hist. Quar.*, V, 299.

<sup>2</sup> Foote, II, 184.

<sup>4</sup> *Ibid.*, 302.

success, provided other conditions were favorable; but in the manner the attempt was actually made, without an adequate force, or competent leaders, or a definite plan, it was certain to end in ignominious disaster.

Early in November, 1835, an expedition had sailed from New Orleans under the command of Colonel José Antonio Mejía, of the Mexican army. Mejía was a Cuban, who had come to Mexico in 1823. From about 1829 to 1831 he had been secretary of the Mexican legation in Washington, and while in the United States he became one of the incorporators of the notorious Galveston Bay and Texas Land Company.<sup>1</sup> In 1832 he was again in Mexico, a supporter of Santa Anna when Santa Anna was a Federalist. He was the same Mejía who commanded the expedition that sailed from Tampico and Matamoros to rescue the beleaguered garrisons of Velasco and Anáhuac. He had quarrelled with Santa Anna when the latter turned Centralist, and after failing in various revolutionary attempts in Querétaro and Jalisco had escaped to New Orleans, where he succeeded in collecting men and money for a projected descent on the Mexican coast.

Mejía, as the event proved, really had friends in the states of Vera Cruz and Tamaulipas, and he believed, or said he believed, that an expedition landing near Tampico would at once be joined by large numbers of the Federalist party. If successful, his expedition would unquestionably have paralyzed the Mexican plans for invading Texas, and it therefore received the support of the friends of Texas in New Orleans, and was hopefully looked on by Austin.

The ill-fated expedition arrived off the Tampico bar on November 14, 1835. The garrison in the fort at the mouth of the Panuco had been already won over by the Federalist conspirators in Tampico, and the united forces, on the next afternoon, attacked the town of Tampico, about nine miles up the river. The garrison of the town, however, proved faithful to Santa Anna; and after a fight in the streets Mejía and his men retreated to the mouth of the river,

<sup>1</sup> *Rose v. The Governor*, 24 Tex. Rep., 496.

leaving behind them eight dead and a number of prisoners, of whom thirteen were native Americans, nine English or Irish, seven Germans, and two French. Three of this number died of their wounds, and the rest were tried by some sort of court-martial and shot.<sup>1</sup> Mejía himself, after waiting ten days on the beach, looking in vain for support from the interior, sailed away to Texas, where most of his men, early in December, joined the Texans; and as he was not trusted by the Texans, he took no conspicuous part in their struggle with Mexico.<sup>2</sup>

The plan of a descent by the Texans on Matamoros seemed feasible at first to Governor Smith, and under his instructions Houston, immediately after receiving news of Cos's capitulation at Béxar, ordered Colonel James Bowie to proceed "forthwith" to that place and to take and hold it until further orders. If he was unable to attain the desired object, he was to occupy some strong position on the frontier and harass the enemy.<sup>3</sup>

Bowie did not receive this order until the first of January, when he came to San Felipe; but in the meantime everything had been thrown into such confusion by the con-

<sup>1</sup> The French government subsequently demanded and obtained indemnity for the shooting of its two subjects. They were shot, said the French minister, "*sans que le gouvernement mexicain ait jamais pu dire, depuis deux ans que la France le lui demande, en vertu de quelle loi, ni suivant quelles formes judiciaires, on les avait condamnés et mis à mort.*"—(Ultimatum presented by Baron Defaudis to the Mexican government, March 21, 1838; Blanchard et Dauzats, *San Juan de Ulúa*, 230.)

<sup>2</sup> The best account of this tragic affair is E. C. Barker's "Tampico Expedition," *Tex. Hist. Quar.*, VI, 169-186; and see also "New Light on the Tampico Expedition," in vol. XI, 157. Diplomatic correspondence on the subject between the governments of the United States and Mexico is in H. R. Doc. 351, 25 Cong., 2 sess., 569-573, 576-580. General Gómez, who commanded at Tampico, and was responsible for shooting the prisoners, became involved the following spring in a quarrel with the American consul at Tampico in reference to a boat's crew from the United States revenue-cutter *Jefferson* (Sen. Doc. 160, 24 Cong., 2 sess., 117-130), which ended by an apology from the Mexican government, who disavowed Gómez's actions and relieved him from his command. He was, however, promoted immediately afterward to be commandant at Vera Cruz, where he again got into a controversy with the captain of the United States sloop-of-war *Natchez*.—(*Ibid.*, 5-42, 90-98.) The French government in 1838 insisted upon his being dismissed from the Mexican service on account of his conduct at Tampico.—(Blanchard et Dauzats, 241.)

<sup>3</sup> Houston to Bowie, Dec. 17, 1835; Yoakum, II, 454.

troveries between the government and the council that nothing could be done. On Christmas Day the committee on military affairs of the council presented a report, in which they stated that, in view of the advance of a strong Mexican force against Texas (positive news of which was beginning to come in), it was most important to take Matamoros, "the key; yes, the commercial depot of the whole country north and northwest for several hundred miles," and they therefore recommended that the governor be advised by the council "to concentrate *all his troops* by his proper officers at Copano and San Patricio."<sup>1</sup> Houston, however, was earnestly opposed to the policy of concentrating the whole of the Texan forces at distant posts, and begged that he might be kept in command at some central point until the campaign should actually open.<sup>2</sup>

On the same day that Houston was protesting against concentrating on the sea-coast, the troops left in Béxar were actually carrying that policy into effect without orders. Burleson, on December 15, had turned over the command to F. W. Johnson, "with a sufficient number of men and officers to sustain the same in case of attack. . . . *The rest of the army will retire to their homes.*"<sup>3</sup> The men who stayed at Béxar were, therefore, for the most part, volunteers from New Orleans or elsewhere, who were more interested in a vigorous prosecution of the war than in the preservation of the farms and villages of the country. The garrison remaining was believed to number about four hundred; and on the thirtieth of December all of these, except about one hundred men, among whom were the sick and wounded, started for Matamoros by way of Goliad, taking with them all movable supplies, including medical stores. The expedition was not rapid in its movements. Three weeks were consumed in getting to the old Refugio mission,<sup>4</sup> and by that

<sup>1</sup> Brown, I, 456-458.

<sup>2</sup> Houston to Smith, Dec. 30, 1835; *Tex. Hist. Quar.*, V, 315.

<sup>3</sup> Brown, I, 424. The italics are not in the original.

<sup>4</sup> The mission Nuestra Señora del Refugio, founded in 1791 and abandoned probably during the Mexican revolution, about 1812. It was distant from Béxar in a straight line a little over one hundred miles.

time Matamoros had been so strongly reinforced that any attack would have been impracticable.

Johnson, the commander at Béxar, at first assumed full responsibility for this movement, but he evidently soon became doubtful about his own authority to do so. He therefore came to San Felipe, and on January 3, 1836, wrote a letter to the council stating that he had ordered the expedition upon the strength of a letter addressed to his predecessor, General Burleson, by the committee on military affairs; and that he desired the council to give him full authority to make the attempt on Matamoros. He did not pretend to have any orders from the commander-in-chief, and, in fact, denied the latter's authority to issue orders to volunteers.

The council highly approved Johnson's plans and immediately passed a resolution granting the authority requested. Johnson, however, began to hesitate, probably because he discovered that the governor was opposed to his projects; and the council on January 7 adopted a resolution appointing James W. Fannin as "agent of the provisional government," to collect as many volunteers as possible and to make a descent on Matamoros. The result of this impetuous legislation was that there were now two separate and entirely independent leaders, each authorized by the council to attack Matamoros, each clothed with extensive powers, and each considering himself entirely free from any necessity of obeying the orders of Houston, the titular commander-in-chief.

Almost simultaneously with this preposterous action by the council came alarming letters from Lieutenant-Colonel Neill who had been left in charge of Béxar. He had now one hundred and four men, who had received no provisions or clothing since Johnson and Grant had left.

"The brave men," wrote Houston, in forwarding Neill's reports, "who have been wounded in the battles of Texas, and the sick from exposure in her cause, without blankets or supplies, are left neglected in her hospitals; while the needful stores and supplies are diverted from them, without authority."<sup>1</sup>

<sup>1</sup> Houston to Smith, Jan. 6, 1836; Yoakum, II, 457.

The governor was provoked to the highest degree of fury by the action of the council and the news from Béxar. He had a special session of that body called for Sunday, the tenth of January, and sent them a message in the most intemperate terms. Corruption, he asserted, had crept in among them, and though he knew there were honest men in their number, there were also Judases, scoundrels, wolves, and parricides; and he declared that if the obnoxious resolutions were not rescinded by the next morning the council should not meet again. The council replied by a resolution deposing the governor, and until the first of March, when the convention met and the provisional government came to an end, the governor and the council refused to recognize each other.

The effect of such a state of things upon the efforts to make military preparations was of course disastrous. Houston, representing the authority of the governor, went about making speeches to the volunteers, in which he declared that the proposed Matamoros expedition was unauthorized and unwise. Johnson, holding authority from the council, asserted that Houston had no authority except over the "regular" troops. Fannin said he would serve under Houston, but only if the latter would head the expedition to Matamoros and obey the orders of the council.

A commander-in-chief whose orders were only to be obeyed when they were the kind of orders that his subordinates approved was evidently of no manner of use, and on January 28, 1836, Houston was instructed by the governor to go to the eastern part of the state to confer with the Cherokee Indians, who were threatening trouble. There, at least, he was listened to and he did good service, for he made a treaty which helped to keep these Indians quiet so long as the war with Mexico lasted.

## CHAPTER XIII

### THE MEXICAN INVASION

ONE of the many controversies between Governor Smith and the council had arisen out of the question of summoning a constitutional convention. The consultation, just before adjourning, in November, 1835, had authorized the provisional government to provide for the election and meeting of such a body; and the council accordingly, on December 10, 1835, adopted an ordinance, at the urgent request of Governor Smith, directing that a general election be held on February 1, 1836, for delegates to a convention, who were to be clothed with plenary powers, and were to meet at Washington, on the Brazos, on the first day of March, 1836. Governor Smith vetoed this ordinance on the ground that it allowed all "Mexicans opposed to a central government" to vote, as well as "all free white men"; and he did not know how to determine what Mexicans were or were not opposed to centralism, although he did consider that those near Béxar were not entitled to either respect or favor. The council, however, repassed the ordinance over the governor's veto on December 13, 1835.<sup>1</sup>

Notwithstanding the confusion that prevailed in Texan affairs at the time set for the elections, these were duly held and resulted in the selection of a body of men who appear to have represented fairly the diverse elements of the population. Forty-two members out of a total of fifty-eight, or about three-quarters of the whole, were natives of the slave states of the American Union. Six were natives of the Middle and New England states, four were native subjects of Great Britain. The birthplace of three of the Americans was not ascertained. Béxar sent two Mexicans, Francisco

<sup>1</sup> Text in *Ordinances and Decrees of the Consultation*, 77 (Gammel, I, 981).