

CHAPTER V.

History—general remarks—grant to Moses Austin to plant a colony in Texas—bequeathed to his son Stephen F. Austin—arrival of the first colonists on the Brazos—their hardships—difficulties—expedition against the Carancahua Indians—federal constitution adopted in Mexico—Texas united to Coahuila—review of events to 1830—Bustamente's authority expelled from Texas—petition to become a separate state—presented by Austin—His arrest and imprisonment.

A HISTORY of Texas before 1821, when the colony of Stephen F. Austin was established there, can be little more than the history of the wandering tribes of savages who have probably roamed over its meadows and plains for countless ages; the few Spanish settlements within its limits, which were early planted, some of them in the beginning of the last century, can be deemed little better than sutlers surrounding the military posts which Spanish cupidity and jealousy led them to establish there, to shut out others from a country which they were eager to hold, although incapable of enjoying.

Nacogdoches was the only post of this kind within the limits of the territory in which settlements had been effected by American emigrants before the war. The San Antonio river, on which stands the town of the same name, being west of the utmost limit of any American settlement.

The contiguity of Nacogdoches to the United States, early drew some of the adventurous spirits who are ever curious to discover what lies hidden beyond the boundaries of their own country, to visit it, and explore the "region round about." Several had taken up their abode there, as early as the beginning of the present century. These had no little influence probably, in diffusing among the Spanish population, that love of liberty, and courage to seek it, which made them first and foremost to stake all in an effort to throw off the Spanish yoke. The disastrous result of that effort, when their brethren in Mexico, instead of seconding their noble resolve, turned their arms against them, is well known, and the detail has often excited the sympathies of the reader. They were driven destitute from their homes, by an overwhelming force, and for years were houseless wanderers in a

foreign land. The lesson was not lost upon them, as the remnant of this population, and their descendants, were found without a single exception faithful to the cause of liberty in the late contest: many of them were in the ranks at the battle of San Jacinto, and displayed a courage worthy the ancient renown of their race.

The deeds of Magee and his associates, so well worthy of record, must now be familiar to our readers: they belong not to the history of Texas, except as the then almost unexplored wilds of the country were the scene of their victories and their glory, but not the object of the conflict. The combatants on both sides were drawn from territories beyond its limits; and met there, not to contest the soil of Texas. The prize was also without its limits.

The unimportance of the early history of the country is strongly exhibited in the fact, that it was really unknown as late as 1819, the date of the Don Onis treaty. Something more might have been expected from the associates of Magee, many of whom returned to the United States, who had passed through the heart of the country; and among them were some who may fairly be presumed to have been capable both of estimating and giving a just account of its value and importance. Had such an account been given, even verbally, an impression must have been made, which is scarcely reconcilable with the want of intelligence on the subject evinced by the treaty. It is very certain that these daring men, greatly intent upon other objects, did not properly appreciate the country they passed through.

Texas may therefore be considered as unknown, except to the Spanish authorities in Mexico, who carefully concealed their knowledge from the world, until Stephen F. Austin and his colonists gave a true account of it; and this was at first deemed too incredible for belief. It is true, the existence of such a town as San Antonio, the river of that name, as well as the more important rivers, Brazos and Colorado, had been known for more than a century; and this rendered the tale of Austin and others more incredible. It was strange, indeed, that nobody should have dreamed all this while that the finest country in the world, and so easily accessible, remained unoccupied, and almost unclaimed, while almost every nook and corner of the earth had been eagerly explored in pursuit of a like object.

When Austin arrived in Texas with his colonists, probably the whole number of inhabitants, descended from Europeans, did not exceed 3000: there may have been some thousand or two more half-breeds incorporated with them. These were almost all in and about the towns of Nacogdoches and San Antonio, distant about 250 miles, the one from the other.

Until the enterprise of Magee, which led him to their neighborhood, and the subsequent "stirring events" of the Mexican revolution, the inhabitants of San Antonio had been so long isolated from the rest of the civilized world, that their condition, in point of intelligence, was little better than that of the savages who were their most frequent visitors. With much of the sloth and indolence, and without the courage that characterizes the savage of our continent, almost everything without the walls of the town became a prey to his depredations. It was not uncommon for the Camanches to visit the town in the character of friends, and after bartering for a supply of ammunition, to use it on departing, to murder and rob the inhabitants of the suburbs and neighboring farms.

The beautiful and fertile region watered by the Trinity, Brazos, Colorado, their tributaries, and the intervening streams, was without a civilized inhabitant, and without a rod of cultivated ground, excepting a few corn-fields upon the Trinity, in possession of the Cushatee Indians.

To Moses Austin, a native of Connecticut, the father of General Stephen F. Austin, belongs the credit of conceiving the enterprise of planting a colony of his countrymen in Texas. He so far matured his plan, as to obtain a grant from the Spanish authorities in Mexico; but being overtaken by severe indisposition, and finding the enterprise likely to be interrupted by his death, he bequeathed it to his son, Stephen F. Austin, strongly urging him to prosecute it to its final accomplishment. The grant to the elder Austin was made the 17th of January, 1821. It authorized the introduction of 300 families, upon a specified territory, of a little less than one hundred miles in breadth, upon the coast, and in length about one hundred and fifty miles, towards the interior, crossing both the Brazos and Colorado, and including large tracts east and west of these rivers. By the terms of the grant or contract with Austin, each family was to receive a grant in fee simple of a square of land of the extent of one Spanish league on each side. The grant to Austin, as it has usually been called, but which was nothing more than a contract, the terms of which were, that Austin, the contractor, (called in the Spanish language the *empresario*,) should introduce the three hundred families, who must be of good character for probity and industry; and for this service, the Spanish authorities, after the foregoing encouragement to the colonists, were bound to convey in fee simple to the contractor five square leagues of land for each hundred families so introduced. It was stipulated also in favor of the colonists, that they might bring with them all necessary implements for pursuing the trade or occupation which they proposed to follow, and also other goods not exceeding 2000 dollars, free from any

impost or duty, and that their property should remain exempt from taxation, for a period of five or six years.

The younger Austin immediately engaged in the undertaking, and pursued it with an ardor and ability worthy of the object. Being but poorly supplied with pecuniary resources, he communicated his plans to most of the capitalists in the southwestern states, with the hope of drawing them into the enterprise, but in general with little success; and he was finally compelled to embark with a purse made up of the small means of such men as he found willing to embark with him. About one hundred families had engaged to accompany him: a part of them proceeded with him, and arrived on the Brazos river in December, 1821.

To draw a parallel between this little band and another which landed upon the inhospitable shores of New England, in the same month, two hundred years before, would be deemed by many too great an honor to the former, and by some would be thought impious: we therefore forbear. A son of the pilgrims, however, and especially one who ranks himself as the friend of Texas, will notice the dates so nearly coincident with many other circumstances in support of the parallel; and to construe them as a favorable augury, can scarcely give offence in any quarter.

The Carancahuas, formerly a very numerous and powerful tribe of Indians, who possessed the coast of Texas, had been reduced by frequent wars with the interior tribes to a very small number; otherwise, their indomitable courage and untamable ferocity would have rendered them too formidable to have been encountered by the small band that accompanied Austin. Reduced as they were, the colonists felt themselves unable, for two years after their arrival in the country, to chastise them for their insolence, petty thefts, and open depredations upon their property, with which they were continually annoyed. The cargoes of two schooners which followed them from New-Orleans, consisting of necessaries for their subsistence and comfort, were totally lost to them, the one by shipwreck, and the other by the depredations of the savages after it was landed. Thus left destitute of supplies, they were reduced for the first year to subsist almost entirely upon the game, wild fruit and vegetables of the country, without bread, and during the greater part of the time without salt. Even their seed-corn, to ensure a supply of bread for the coming year, was obtained only by encountering the difficulties and dangers of an overland route of nearly two hundred miles, through an Indian country.

Favored by a mild climate, and encouraged with the hope of future abundance, from the apparent fertility of the soil and the ease with which it could be brought under cultivation, the colonists persevered, in spite of the difficulties and dangers with which

they were already surrounded, and those that they had reason to apprehend, from the unsettled government of the country into which they had transplanted themselves. They had entered the country on the faith of the Spanish authority in Mexico, which was no longer acknowledged there. The new government, however, had promised to respect the grants, and fulfil the *bona fide* contracts of the old; and in regard to the policy of encouraging the migration of foreigners to reside in the country, less liberality could scarcely be expected from the new than from the old government.

It was deemed necessary to report themselves to the authorities of the country; and for that purpose, in the following March, Austin visited the town of San Antonio, the nearest point where he could communicate with a functionary of the new government. He was here advised to proceed to the city of Mexico, to procure a confirmation or renewal of his grant from the congress then in session.

Although, in the existing condition of the country and the colony, the measure appeared to be fraught with difficulties and dangers on all sides, he yet determined to adopt it. He accordingly communicated his determination, and the reasons which in his opinion made it necessary to the colony, and proceeded across land for Mexico. Many of the colonists were alarmed at this intelligence, and a few were so much discouraged as to induce them to return to the United States.

While the confirmation of the grant was thus suspended, and the future prospects of the colony were clouded in doubt and uncertainty during the long absence of Austin, which exceeded a year, emigration to this part of Texas was entirely interrupted. The tide which had begun to set in that direction was checked, but not turned back. Emigrants who took the land route stopped short, and located themselves in a portion of the country more contiguous to the United States; and the country between the Sabine and the Trinity was thus supplied with many of its present inhabitants. Austin, having obtained a confirmation of his grant from the National Congress of Mexico, returned to his colony in August, 1833. He found the colonists reduced in number, and those who remained nearly discouraged. An assurance of a sufficient title to their lands, with all the privileges annexed as citizens of the country, revived their drooping spirits, and reconciled them to their new homes. The presence of their leader, who was endowed with qualities which peculiarly fitted him to be the head of such an enterprise, and in whom they now discovered a determination to persevere in spite of every obstacle, tended to inspire others with a like determination, and produced corresponding efforts to promote the prosperity of the colony.

The tide of emigration began again to flow in, and the colony has since continued to increase in numbers as rapidly as the comfortable subsistence of the inhabitants would permit.

The Carancahua Indians, the only tribe claiming possession of the coast, who as before remarked, continued to commit very frequent depredations upon the property of the colonists, during the two first years of their residence, having received nothing but favors in return for their transgressions, now become bold by impunity, began to butcher the inhabitants. Two families were found murdered in the western part of the colony. Convinced that nothing short of an act of retaliation could secure their future peace and safety, and roused perhaps by a desire to avenge the blood of their slaughtered brethren, a volunteer force of sixty men, headed by Austin, agreed to devote themselves to the service of the colony, until it was delivered from all further danger from these savages. Armed with rifles, and provided with a few horse loads of provisions, they started in the pursuit, and followed it with such success, that in a few days they destroyed more than half the tribe, and compelled the residue to take refuge in the mission house at Goliad. Here a new treaty was concluded with them, by which they were bound never afterwards to enter Austin's colony. This treaty was soon violated by the savages, but with no hostile intentions; their own weakness and the increasing strength of the colonists had allayed all apprehension of danger.*

In organizing the Mexican territory into separate states, under the constitution of 1824, Texas was united for the time being, with Coahuila, the population at that time not being sufficiently numerous to justify a separate organization. The name was kept distinct, and it was called the state of Coahuila and Texas. Provision was made in the constitution for the creation of new states out of certain territories, whenever they should become sufficiently populous, with an express guaranty in favor of Texas.

The members of the national congress being chosen by the state legislatures, and Texas being always in a minority there,

* In 1835, the remnant of the tribe, some fifteen or twenty of all ages, (the greater part of them having gone north and united with some other tribe, after they were subdued by Austin,) were seen by the writer near the head of Matagorda bay. They appeared to be preparing to celebrate some festival, evidently connected with the superstition of their race, being descended from the children of the sun. They begun at sunset a song or hymn addressed probably to the great luminary which had just departed, as they feared forever, and continued to sing without a moment's cessation, until sunrise. Sometimes the voices of both sexes were heard at the same time, and at others they were heard alternately; sometimes a solo, and again all appeared to unite, accompanied then with an instrument, the well known Indian drum.

never had it in her power to elect one of her own citizens a member of that body. In the state congress, as it was called, she was generally ably represented, and by that means succeeded in allaying, in some degree at least, the feeling of jealousy and intolerance which was indulged by most Mexicans against a people of a different language, religion and manners, and in preventing that feeling from manifesting itself in legal enactments against them.

A report of the grant to Austin, and of the character of the lands in Texas, having spread through the United States and Europe, the Mexican authorities were early beset with numerous applications for similar contracts for the settlement of other portions of the territory. In general, the applicants found little difficulty in obtaining them, and the whole territory of Texas was soon covered with such grants. Many of them were made to Europeans, who engaged at first with great ardor in the enterprise, but being inexperienced in the business, and unprovided for its difficulties, they were found too formidable to be overcome, and the contractor either fell a sacrifice to his imprudence or abandoned the object in disgust.

High expectations were at one time entertained of a rapid settlement of the country by emigrants from Europe, by means of these numerous contracts; but the effect has been rather to retard than to hasten it. These contracts having been limited to a period of six years for their fulfilment, have all long since expired, Austin's being the only one which was completed. In the mean time, several others were partially accomplished, especially those made by citizens of the United States, relying upon colonists from the United States, who alone seem to be fitted to succeed happily in the settlement of a new country.

From 1824, when the colonists first began to feel secure of a permanent foothold in the country, to 1830, they had sparsely spread over an extent of country of one hundred and fifty miles square, besides the considerable settlement in the neighborhood of Nacogdoches, and a less considerable one upon Red river.

During the presidency of Guadalupe Victoria, the constitution of 1824, and the federal system adopted under it, were looked upon as firmly established in Mexico. The rights of the several states, perhaps imperfectly defined, were, so far as they were understood, respected and preserved; and the usual results of a free government, administered upon just principles, began to exhibit themselves in evidences of general happiness and prosperity throughout all the states of the confederacy.

It must not be understood that the great body of the people were fully protected against acts of private oppression, from the aristocracy, the priesthood, and perhaps from officers of the fed-

eral government; yet in this respect, their condition was far better than at any former or subsequent period; and the people of Texas, far removed from the Mexican population, had felt nothing of this, but had thus far enjoyed nearly the same degree of liberty and security as would have fallen to their lot, if they had remained in the United States; their condition indeed had been much like that of the people under the territorial governments of the United States.

For the purposes of internal government, Texas had been divided into five municipalities, each choosing its own sheriffs, judges, and other officers, corresponding in general with county officers in the United States. These officers, whose conduct bears so directly upon the interests and the happiness of the people, being chosen by themselves, from their own body, and for short periods, and being thus rendered responsible for the exercise of their authority, in the best possible manner, afforded them, while that authority was respected, the highest security against violence and oppression.

The American population in Texas at this time, (1830,) was probably not much less than 30,000, more than two thirds of whom were in Austin's colony, and the country immediately adjacent. They had left the United States not from any disapprobation of the government and institutions of the country, but to possess themselves of a portion of the rich soil of Texas, upon the apparently easy terms offered, in the Mexican colonization laws; and not among the least of the inducements, and that which led them to forego the advantages of the government and institutions of the country of their birth, was the fact that those of their adopted country were nearly identical. They carried with them strong attachments to the institutions of their native country, and they carried with them that loyalty and fidelity, which is so distinguishing a characteristic of their countrymen, and which, as in duty bound, they immediately transferred to their adopted country. Their case was not that of a temporary resident in a foreign land, living in daily contemplation of a return to that of his birth—they had chosen the country as a home for themselves and their posterity, and up to the time we speak of, no part of the Mexican population felt a deeper interest in the prosperity and welfare of the whole country.

We have felt constrained to be thus particular in speaking of the condition of the country, and the feelings and sentiments of the people at this period, because the progress of the settlements in Texas was checked, not to say interrupted, from this time forward, by an entire change of policy on the part of the Mexican government; and the allegiance of the people of Texas towards that government was from this time gradually weakened by fre-

quent acts of violence and oppression, in direct violation of the constitution and laws of the country.

The tyranny of Bustamente, who had usurped supreme power in Mexico, and exercised the authority of an absolute monarch, under the humble title of Vice President, was made to reach Texas, though from the condition of the people in a new settlement, having as yet little to tempt the rapacity of his myrmidons, they suffered less severely than most other parts of the country; their distance too from the capital, favored their exemption, as the usurper deemed it necessary to keep most of his instruments within reach, to preserve his power against any sudden attack.

One of the first acts of his administration was the repeal of the colonization laws, so far as regarded the admission of emigrants from the United States, who were forbidden to hold lands in the Mexican territories. This was sufficiently disheartening to the people of Texas, as it not only disappointed their sanguine hopes of the early settlement of their country by a kindred people, but as it served also to exhibit in no very flattering light, the sentiments with which they were regarded by the authorities of Mexico. But a still greater source of trouble and vexation, was the intelligence which was communicated to them, that a new construction had been put upon these laws by the Mexican authorities, by which many of them would be deprived of their lands, now rendered doubly dear by a recollection of the sufferings, the sacrifices, and the labor they had cost. But they were not long left to brood over the apprehension of danger. Several bodies of troops arrived in the country and took their stations at several points on the coast, and at Nacogdoches, under the pretence of aiding the revenue officers, but really to annoy the people by petty acts of oppression, in order to drive them into conduct that might afford a colorable pretext for exterminating or banishing them from the country.

Accordingly, forts were erected at Nacogdoches, Anahuac, and Velasco; these were to serve as prisons, where the most popular and influential citizens could be confined at the pleasure of the officer in command, and where military tribunals, organized for mock trials, could sit in safety, surrounded and protected by the garrison; and to this use they were converted. Citizens were arrested and confined, in several instances, upon vague charges of disaffection to the existing government; the civil authority in several of the municipalities was declared to be superseded, and in all totally disregarded; in short the inhabitants of Texas found themselves, in the midst of peace, suddenly subjected to martial law, administered by officers who appeared to have been sent there for no other purpose than to make war upon the rights secured to them by the constitution of the country.

The inhabitants, scattered over a wide extent of country in isolated settlements and single plantations, and as yet without roads, or bridges to shorten or facilitate an intercourse between them, were not immediately made acquainted with the nature and extent of these outrages upon their rights. They were not of a mettle, however, to surrender them without an effort for redress.

The character of the reigning chief now fully developed, and the well-known condition of the native inhabitants in most of the states of Mexico, now groaning under multiplied acts of cruelty and oppression, forbid all hope of relief from petition or remonstrance. The alternatives presented, were submission, or redress by their own arm.

In the early part of June, 1832, a consultation was held in the neighborhood of Brazoria, consisting of as many of the planters as could be conveniently brought together, in which it was decided not to wait for further deliberation or concert, but promptly to strike a blow for liberty, and trust to the influence of the example to rouse their brethren to action in other sections of the country.

Accordingly a force of about sixty men, under the command of John Austin, appeared on the morning of the 25th of June, before the fort at Velasco, at the mouth of the river Brazos, and sent in a demand for the surrender of the fort, with the assurance that the garrison should be permitted to retire, with their arms, on a pledge from the commanding officer that they should be withdrawn from Texas. This summons was answered as they had anticipated, only by defiance and threats. The plan of attack had been previously arranged. The assailants had possessed themselves of a schooner, which was anchored in the river a few miles above, on board of which they found a small piece of ordnance, and a few bullets, to which they had added a further supply of ammunition and missiles. This schooner, with its bulwarks so far strengthened as to afford a slight defence, was floated down the stream and anchored abreast, and distant about three hundred yards from the fort. This movement unexpectedly consumed most of the day, so that the attack did not commence until about sunset. Among the assailants, were some few skillful gunners who had seen service in the American navy, and a well-directed fire was immediately opened upon the fort, which a bright Italian moon enabled them to continue during a greater part of the night. The fort was supplied with two pieces of ordnance, with which a spirited fire had been opened, but so ill-directed that scarcely a shot struck the schooner, while almost every missile it sent told with effect. In the course of the evening, a part of the garrison, which consisted of one hundred and fifty men, made a sally with the intention of boarding the schooner.

er, which lay within a few feet of the shore. Some forty or fifty rifles, well aimed, drove them instantly back to their shelter. On the morning of the 26th, Col. Ugartechea, the Mexican commandant, finding his ammunition nearly exhausted by a lavish and almost useless expenditure, and his men unwilling to continue the contest, surrendered the fort to the assailants, who immediately demolished it, and dismissed the garrison without arms, to dispose of themselves at their pleasure. The loss of the assailants was one man killed, and two or three slightly wounded, while the Mexican killed and wounded was not less than twenty. Several of the assailants, during the cannonade, advanced within a few yards of the fort; and, after discharging their rifles with effect at the garrison, retreated unhurt amidst a shower of musketry.

A report of this brilliant affair, the result of the first open resistance against the agents of the usurper, was almost instantly spread through the country; and failed not, as was anticipated, to rouse the whole people to a determination to demolish the remaining forts, disarm the troops, and thus to restore the authority of the constitution and laws of their country.

On the day following the surrender of Ugartechea, a considerable force was collected near the fort at Anahuac. They were to make an assault the next day, when they learned that Col. Bradburn, the commandant, was a prisoner to his own garrison; the latter having been informed that the garrison at Vera Cruz had declared against the authority of Bustamente, resolved at once to follow their example. They therefore received the Texans as friends, and surrendered the fort without resistance. Bradburn, who had made himself conspicuous above all the other military commandants in Texas, by insolence, rapacity, and cruelty, conscious of his deserts, escaped in disguise, and returned to Mexico.

The post of Nacogdoches now remained. The garrison had rejected an invitation to join the movement at Vera Cruz, and the commandant, Col. Piedras, believing he could confide in their fidelity, made preparations for a vigorous defence. The inhabitants of the district, to the number of two hundred, perhaps, appeared armed before the town; but finding the Mexican force, which exceeded their own in numbers, strongly posted in a large stone building, difficult of approach without exposure to a galling fire, most of them retired. About fifty of the most daring among them remained, and commenced an attack, which was continued during the day from various positions where they could best annoy the enemy, and with little regard to their own safety. This little band of not exceeding fifty men, acting each upon his own impulse, without orders, and without officers, had lost during the day's hard fighting, three killed and seven wounded, while the Mexicans maintained their post with the loss of about twenty killed

and as many wounded. The latter, unwilling to renew the conflict even with such odds in their favor, decamped during the night, and took up their march for the west. In the morning they were pursued by less than twenty mounted men, who by taking a different route, threw themselves in front at a distance of some twenty miles from Nacogdoches, and here taking a position in ambush they waited the approach of the Mexicans. The van soon appeared and were saluted with a volley from the Texans, with such terrible effect as to throw them back upon their companions, to whom they declared in their panic that they had been attacked by a large force. This produced a parley, during which the Texian leader was careful not to remove the impression which the panic had created, and the result was a capitulation by Col. Piedras, by which more than one hundred and fifty Mexicans laid down their arms, before a force of fifteen Texans.

Thus the contest was ended almost as soon as begun. In one short week Texas had shaken off a military despotism. A few planters, scattered over an extent of country equal to most of the kingdoms of Europe, without pecuniary means or resources, without military discipline or munitions of war, and without generals or officers of any grade, had, by a spontaneous movement, attacked in their strong holds, defeated and captured nearly a thousand veteran troops, commanded by experienced officers; and without invading the property of a single citizen, and without the slightest commotion or irregularity, had returned again to their peaceable pursuits.

It had been supposed that some concert existed between this movement of the people of Texas and that of the garrison at Vera Cruz, which resulted in the success and elevation of Santa Anna to the presidency of Mexico. The coincidence was accidental: there was no other concert but that which originated in common suffering, and common hatred of the agents of the tyrant Bustamente.

News of the first considerable success which had attended the movements of Santa Anna and his friends in Mexico, reached Texas not until the last vestige of the power of Bustamente had been extinguished there. The intelligence came in a happy time, not only as it afforded hopes which they shared in common with the lovers of liberty, throughout the republic, of a restoration of constitutional order, peace, and tranquillity, but as it relieved them from apprehensions, which will appear but too well founded, of the vengeance of Bustamente and his agents, for the scenes which had just been enacted at home.

The final overthrow of the power of Bustamente, and the triumph of Santa Anna, which succeeded soon after, was then almost everywhere received, as the triumph of liberty in Mexico.

It was also hailed in Texas as affording a pledge of a just, liberal, and generous policy on the part of the national government towards that young and rising state, whose growth had been checked, and prospects nearly blighted, by a policy so entirely the reverse.

In July and August, of the same year, (1832,) the savage tribes in Texas assumed a hostile attitude towards the inhabitants. Great sacrifices were made to avert the danger; these were cheerfully made, as they never had asked nor received aid from the national government to protect them from their foes.

In the following autumn, the cholera, which had been long travelling westward, desolating towns, cities, and hamlets, in its course, reached Texas, and swept off a great number of its inhabitants, and among them, many of its useful and valuable citizens.

In 1833, the tide of emigration from the United States, which had been interrupted during the administration of Bustamente, began again to flow into the country.

Texas having now attained a population equal to some of the smaller states in the confederacy, a convention was called to deliberate and decide upon the expediency of preferring a petition to the general congress, to be admitted into the union as a separate state. The convention met at San Felipe, and having agreed upon the draft of a petition, Austin was requested, and consented to be the bearer of the petition to the general congress at Mexico, and to act as the agent for the petitioners, in pressing it upon the favorable consideration of that body.

The time was deemed highly favorable for preferring this petition, as the members of the new congress were understood to be the ardent friends of liberty, and the character of the new president, Santa Anna, was then looked upon as a guarantee of just and liberal measures. The people of Texas were therefore sanguine in their expectations of its success; not a thought was then entertained of severing the connexion, but all looked forward to a long career of happiness and prosperity, as citizens of a free state in the Mexican confederacy. The petition represented, that "Coahuila and Texas were totally dissimilar in soil, climate, and productions. That the representatives of the former were so much more numerous than the latter, that all legislation for the benefit of Texas, could be only the effect of a generous courtesy: That laws happily adapted to the one, would on account of the great dissimilarity of their interests be ruinous to the other: That Texas is in continual danger from the aggression of Indian tribes, without any efficient government to protect her in such cases: That the present legislation is calculated to exasperate the Indian tribes by withholding their rights, whereas by doing them

justice, valuable auxiliaries might be gained, instead of deadly enemies, which should be the policy of Texas. That Texas possessed the necessary elements for a state government; and that for her attachment to the federal constitution, and to the republic, the petitioners pledged their lives and honor.

For the above reasons, among others, the petitioners prayed that Texas might be erected into a separate state of the Mexican confederacy, in obedience to the decree of the 7th of May, 1824, which declares that Texas shall be provisionally annexed to Coahuila, until its population and resources are sufficient to form a separate state, when the connexion shall be dissolved.

Austin proceeded to Mexico with this petition, and arrived there in the early part of June. He was well received by many of the members of the National Congress, who seemed disposed to give a favorable reception to his petition; but they were then deeply engaged in various projects of reform, on the success of which they believed the prosperity and welfare of the whole people depended. It was already manifest that Santa Anna, the new president, looked coldly upon these projects; and notwithstanding the liberal sentiments of his message, his sincerity began to be doubted, and his designs suspected.

Austin presented his petition, and embraced every opportunity to urge upon many of the individual members such considerations as he believed calculated to advance the object of it. But after waiting several months, without obtaining a hearing from Congress, and finding no encouragement on the part of the executive, he abandoned all hope of success in the present state of affairs at Mexico. He therefore addressed a letter to the municipal authorities of San Antonio, advising the call of a convention, to organize a state government in Texas, and expressing his belief that such a step on their part might tend to advance rather than prejudice their claim before the National Congress.

He soon after left Mexico, in order to return to Texas, and had proceeded as far as Saltillo, in the state of Coahuila, where he was arrested, and thrown into prison on a charge of treason—a charge which had no other foundation than the letter above spoken of.