

{ "Council Hall, San Felipe de Austin,
December 18, 1835.

"On motion of Mr. Barrett,

"Resolved, That the General Council feel that no better or more suitable report can be made to the people of Texas, and to the world, of the brilliant storming and taking of Bejar, than that contained in the returns of the brave officers who have communicated their achievements to the provisional government; and that the same be given to the printer for publication; and that five hundred copies, in hand-bill form, be printed as soon as possible.

JAMES W. ROBINSON,

Lieutenant Governor and Ex-officio President of the Gen. Council.

JOHN J. LINN,
DANIEL PARKER,
D. C. BARRETT,
ALEXANDER THOMPSON,
JOHN McMULLEN,
C. WEST,
J. D. CLEMENTS,
ASA MITCHELL,

WYATT HANKS,
W. P. HARRIS,
R. R. ROYALL,
JAMES KERR,
WILLIAM MENIFEE,
JAMES POWERS,
HENRY MILLARD,

E. M. PEASE, *Secretary to General Council.*"

In the early part of November, the Mexican fort at Lepantí-clan, on the west bank of the Nueces, had been stormed and taken by fifty Texians, commanded by Capt. Westover. After dismissing the garrison on the usual parole, the Texians dismantled the fort, and were recrossing the river to return to Goliad, whence they had proceeded on the expedition, when they found themselves suddenly attacked by a company of seventy Mexicans. A smart action ensued, which continued about thirty minutes; when the Mexicans retreated, with the loss of twenty-eight men killed and wounded. On the side of the Texians, one man was slightly wounded. Thus, the surrender of San Antonio left the Mexican chief without a single post in Texas; and, consequently, terminated the campaign of 1835.

CHAPTER VIII.

Civil affairs resumed—delegates convene in general consultation, and organize a provisional government—Message of Gov. Smith—measures of General Council—a convention recommended—delegates are chosen, and convene—independence declared—declaration of independence—constitution of Texas.

WE shall not enter here upon a review of the events of this campaign, in which there was nothing to wound the pride or dampen the joy of the Texians, saving the loss of a few brave men, who had fallen in the arms of victory; but first resume our notice of the civil affairs of the country, which we had brought down only to the choice of delegates.

The 15th of October had been named as the day on which the congress, or consultation, was to convene at Washington. When the day arrived, the war had commenced, and most of the members were in the field: a few, however, convened, who immediately adjourned, to meet at San Felipe on the first of November; at which time, a sufficient number assembled to form a quorum. The consultation was immediately organized by the choice of the necessary officers, and entered at once upon business.

The condition of the country had changed since their election. The war, then threatened, but with the possibility of being averted, had now become a horrid reality. Most of the citizens had exchanged their peaceful homes for the tented field, and the "strife of arms" had already begun.

The first measure adopted may serve to exhibit to the world the true character of the contest. They made a solemn declaration* in favor of the constitution of 1824, which was still the lawful government of the country, although elsewhere prostrated by a military usurper, and appealed to the "liberals" of the nation to support them.

They then organized a provisional government, consisting of a governor, lieutenant governor and general council, composed of one member from each district which had sent delegates. This government was to continue in force till the following March, when it would be ascertained whether the nation had responded to their declaration.

* For this declaration, see Austin's address, page 276 of this work.

The provisional government went into operation on the 14th of November. Measures were immediately adopted for raising a regular army for the defence of the country, and for providing resources for its support. In pursuance of this object, Samuel Houston was appointed commander-in-chief of the army to be raised, and Branch T. Archer, who had been president of the consultation, Stephen F. Austin, and William H. Wharton, commissioners to visit the United States, for the purpose of negotiating a loan upon the credit of the new government, and purchasing supplies and munitions for the use of the army.

In further organization of the provisional government, Henry Smith was chosen governor, and J. W. Robinson lieutenant governor. On the 15th of November, a message from the governor was read before the General Council, in which he called their attention to such measures as seemed to demand their immediate attention; the most prominent of which were the organizing a militia, and providing for calling them into service, and establishing a tariff of duties upon imports. The message concluded with urging upon the council the necessity of acting with "energy, boldness and promptitude, as the welfare of thousands depended upon their actions. The country, it said, possessed numerous resources, if properly developed; and it was their business to bring them fairly forth, to quicken and enliven the body politic, and make Texas, the Eden of America—what the God of nature designed her to be—a land of liberty and laws, of agriculture and commerce, the pride and support of their lives, and a legacy, of price unspeakable, to posterity."

The General Council followed up the suggestions of the governor, by carrying out, to the extent of their authority, most of the measures recommended. They remained in session, assiduously engaged in various plans to provide for the defence of the country, and for the civil administration, when the arms of Texas were crowned with complete success by the capitulation of the Mexican garrison of San Antonio. The happy results of the campaign, so fortunate for the country, and so glorious to her arms, which were unstained by a single defeat, gave also new dignity and importance to the provisional government, whose authority was now unquestioned—at least, in the country where it was exercised.

It must expire, however, by its own limitation, in March, 1836. It had been made provisional, and temporary, to await the action and co-operation of the people in other states of the republic, in restoring the constitution of the country. Nothing as yet indicated any such movement: on the contrary, every vestige of authority had been swept from the states, and the federal constitutions, whose provisions had long been superseded by military power,

had now been formally abolished by a decree of a Congress which was the mere creature of the instrument it assumed a right to destroy.

Under these circumstances, and in obedience to indications of public sentiment, the General Council of Texas, on the 17th day of December, adopted a resolution, inviting the people to elect delegates, clothed with full powers to declare the independence of the country, and adopt a permanent form of government. A day was also named for the choice of delegates, and another for the meeting of the convention.

This resolve met the entire approbation of the people. Indeed, it had been loudly called for, and the public mind was therefore fully prepared for it. Candidates for seats in the convention immediately opened the canvass, and made public their sentiments, not only upon the question of independence, but also upon various distinct propositions in regard to the most important provisions of the proposed constitution.

The prescribed number of delegates having been elected in due form from each of the municipalities, assembled according to appointment at Washington, on the first day of March, 1836; and, on the second day, unanimously agreed upon a declaration of independence; and on the seventeenth of the same month, upon a constitution for the republic of Texas. These important papers will appear at the close of this chapter.

The convention then provided for submitting the constitution to the sanction of the people; and, in the event of its adoption by them, for an election of officers under it. A day was also named, on which it was to go into operation.

It was deemed important by the convention, to collect the sentiments of the people upon the question of annexation of Texas to the United States. Accordingly, they were invited to declare their sentiments upon this question at the time of passing upon the constitution.

The authority of the late provisional government having now expired, by its own limitation, a government *ad interim* was organized by the convention, of which David Burnet was chosen president; and thus closed their labors.