

TEXAS.

ADDRESS

OF THE

HONORABLE WM. H. WHARTON,

DELIVERED IN

NEW YORK, ON TUESDAY, APRIL 26, 1836.

ALSO,

ADDRESS

OF THE

HONORABLE STEPHEN F. AUSTIN,

DELIVERED IN

LOUISVILLE, KENTUCKY,

ON THE 7TH MARCH, 1836.

TOGETHER

WITH OTHER DOCUMENTS EXPLANATORY

OF THE

Origin, Principles and Objects of the Contest in
which Texas is at present engaged.

PUBLISHED BY ORDER

OF THE

NEW YORK TEXAS COMMITTEE.

NEW YORK:

PRINTED BY WILLIAM H. COLYER, 104 BEEKMAN,
corner of Pearl street.

1836.

ADDRESS

OF THE

HONORABLE W. M. W. W. W. W.

DEPARTED IN

THE YEAR ON TUESDAY, APRIL 20, 1830

AND

ADDRESS

OF THE

HONORABLE STEPHEN L. AUSTIN

DEPARTED IN

THE YEAR ON TUESDAY, APRIL 20, 1830

AND

WITH OTHER DOCUMENTS EXPLANATORY

OF THE

CHIEF, BRANCHES AND OFFICES OF THE COMPANY IN
THE STATE OF TEXAS IN THE PRESENT YEAR

PUBLISHED BY ORDER

OF THE

NEW YORK TEXAS COMMISSION

NEW YORK:

PRINTED BY STEPHEN L. AUSTIN, 107 NASSAU

STREET, N. Y.

1830

TO THE PUBLIC.

THE contest in which Texas is at present engaged, has naturally excited the attention of the people of these United States, and every thing calculated to enlighten the public mind as to its origin, principles and objects, is sought after with avidity. The spectacle of a Spartan band contending against millions is of *itself* sufficient to arouse our sympathy and excite our admiration; but it is also important to convince the judgment that their cause is just.

In order, therefore to satisfy the public mind on this all absorbing subject, the Address delivered by William H. Wharton Esq. (Commissioner of Texas,) in this City, on the 26th instant; the speech of general Stephen F. Austin, at Louisville Kentucky, (another of the Commissioners,) and the Declaration of Independence made by the Convention of Texas on the 2d of March last, are now presented to a candid world. Public attention is earnestly and respectfully invited to these important and official documents. From a perusal of them, it will be found that the people of Texas are at this moment, battling for the same great principles which have been canonized by the blood of the patriots of *Seventy Six*, and that they, therefore, merit the sympathy and assistance of every friend of liberty.

TO THE PUBLIC

The contest in which Texas is at present engaged, has not only excited the attention of the people of those United States, and every thing calculated to call their public mind as to its origin, principles and objects, is now after with evidence. The spectacle of a Spanish land, containing as that millions of happy subjects to whom our sympathy and exertions are directed, and it is important to consider the judgment that the course is just.

In order therefore to satisfy the public mind on this important subject, the Address delivered by William H. Whittier (Commissioner of Texas) in this City, on the 23rd instant; the speech of General Stephen T. Austin at Louisville Kentucky, (another of the Commissioners) and the Declaration of Independence made by the Convention of Texas at San Antonio, are now presented to a candid world. Public attention is earnestly and respectfully invited to these important and official documents. From a personal view, it will be found that the people of Texas are as this moment battling for the same great principles which have been espoused by the blood of her patriots of former days, and that their interests merit the sympathy and assistance of every friend of liberty.

ADDRESS
OF THE
HONORABLE WM. H. WHARTON.

MR. CHAIRMAN AND GENTLEMEN,

On an occasion like the present, the question naturally occurs, why are we assembled?—Why the thronging of this spacious room? Why the earnestness and attention which prevail? Why that intensity of excitement which speaks in every action, and sparkles in every eye? Are we here assembled, to make a portion of a pageant in offering incense and adulation at the shrine of power, and to thereby advance our worldly interest by our very debasement? No, far purer, far nobler; and I may add, without irreverence, far holier motives have called us together. All local—all sectional—and all party feelings and purposes hide their diminished heads, and shrink into merited insignificance while contemplating the disinterested philanthropy and the moral grandeur of our present objects. And fortunate it is for the individual who now addresses you, that the subject with which he would occupy your attention, is one that will find an echo in the breast of every freeman and for that reason requires not a depth or variety of learning for elucidation, nor the force of argument, for conviction, nor the dazzling blaze of eloquence to make it interesting.

We are assembled to participate, for a few moments, in those lofty feelings which nerved the all conquering arms, and kindled the dauntless hearts of the heroes of '76. The most bloody and abhorrent outrage upon liberty will be depicted to you gentlemen, that has ever stained the annals of civilized warfare. True it is that this outrage has been perpetrated in another land,—but the inhabitants of that land “are bone of your bone, and flesh of your flesh.” They were once your

fellow-citizens, and they are now engaged in the cause of truth, and light and liberty—against the priestcraft and the military despotism that would enslave or exterminate them. Yes! they are now gallantly contending for the same sacred principles for which Henry thundered—Washington conquered—and Warren died.

Mr. Chairman and Gentlemen, at the request of my colleagues I appear before you this evening in their name and in my own, as one of the representatives of suffering Texas, for the purpose of explaining to you the origin of her difficulties and her present position and prospects. It is my intention to address your understandings, and not your sympathies. It will be my earnest endeavour, to convince you that the people of Texas, have been most reluctantly forced into the present contest on account of the violent, illegal and total destruction of that Constitution under the guarantees of which they left the firesides of their Fathers in this happy land, and penetrated a wilderness trod only by savages. So conscious am I of the truth of this position, that I boldly throw down the gauntlet to all the world, and here in your presence, and in the presence of my God, pledge myself to establish beyond refutation, that before we struck a blow in Texas, we had no alternative but slavery or resistance. A charge of ingratitude to Mexico on the part of the Texians has been made by a few who are either ignorant of the true state of facts, or interested in misrepresenting them. In order to refute this foul slander upon our character it will be necessary to unfold to you the origin of the Colonial settlements. It is known to many of you that on the dissolution of the connexion between Mexico, and Spain in 1822, Don Augustin Iturbide, by *corruption and violence*, established a short lived *Imperial Government* in Mexico, with himself at the head, under the title of Augustin the 1st. On arriving at supreme power, he found that vast portion of the Mexican Territory east of the Rio Grande, known by the name of Texas in the possession of various tribes of Indians, who not only prevented the populating of Texas, but committed incessant depredations on the Mexican frontier.

He ascertained that these savages could neither be subdued by the arms, nor purchased by the gold of Mexico; and that owing to their natural dread of Indians, the Mexicans could not be induced to venture into the wilderness of Texas. In addition to this dread of Indians, Texas held out no inducements for Mexican immigrants. They were accustomed to a lazy pastoral or mining life, in a healthy country. Texas was emphatically a land of agriculture—the land of cotton and of sugar cane, with the culture of which they were generally unacquainted; moreover, they had not that energy and perseverance necessary to combat the hardships and privations of a wilderness. Iturbide finding from these causes that Texas could not be populated with his own subjects, and that so long as it remained in the occupancy of the Indians, the inhabited part of his dominions continually suffered from their ravages and murders, undertook to expel the savages by the introduction of foreigners. Accordingly the national institute or council, on the 3d of January 1823 by his recommendation and sanction, adopted a law of colonization, in which they invited the immigration of foreigners to Texas on the following terms:—

1st. They promised to protect their liberty, property and civil rights.

2d. They offered to each colonist one league of land (4428 acres) for coming to Texas, he paying \$30 to the government.

3d. They guaranteed to each colonist the privilege of leaving the empire at any time, with all his property, and also the privilege of selling the land which he may have acquired from the Mexican government (see the colonization law of 1823, more especially articles 1st, 8th, and 20th.) These were the inducements, and invitations held out to foreigners under the imperial government of Iturbide or Augustin Ist. In a short time however the nation deposed Iturbide, and deposited the supreme executive power in three individuals. This supreme executive power on the 18th of August, 1824, adopted a national colonization law, in which they recognized and confirmed the imperial colonization law with all its guarantees of person and property. They also ceded to the different

states, all the vacant lands within their respective limits (see National Colonization law articles 1st, 4th,) In accordance with this law the state of Coahuila and Texas on the 24th of March 1825, adopted a colonization law for the purpose, as expressed in the preamble, of protecting the frontiers, expelling the savages, augmenting the population of its vacant territory, multiplying the raising of stock, promoting the cultivation of its fertile lands, and of the arts and of commerce. In this state—colonization law—the promises to protect the persons and property of the colonists, which had been made in the two preceding national colonization laws were renewed and confirmed.

We have now before us the invitations and guarantees under which the colonists immigrated to Texas;—Let us examine into the manner in which these conditions have been complied with, and these flattering promises fulfilled.

The donation of 4428 acres, sounds largely at a distance. Considering, however, the difficulty and danger necessarily encountered in taking possession of those lands it will not be deemed an entire gratuity nor a magnificent bounty. If this territory had been previously pioneered by the enterprise of the Mexican government, and freed from the insecurities which beset a wilderness—trod only by savages—if the government had been deriving an actual revenue from it and if it could have realised a capital from the sale of it—then we admit that the donation would have been unexampled in the history of national liberality. But how lamentably different from all this was the real state of the case.

The lands granted were in the occupancy of savages, and situated in a wilderness of which the government had never taken possession, and of which it could not with its own citizens, ever have taken possession, and they were not sufficiently explored to obtain that knowledge of their character and situation necessary to a sale of them. They were shut out from all commercial intercourse with the rest of the world, and inaccessible to the commonest comforts of life; nor were they brought into possession and cultivation by the colonists without much toil and privation, and patience and enter-

prise, and suffering and blood, and loss of lives from Indian hostilities, and other causes. Under the smiles of a benignant heaven, however, the untiring perseverance of the colonists triumphed over all natural obstacles, expelled the savages by whom the country was infested, reduced the forest into cultivation and made the desert smile.

From this it must appear that the lands of Texas, although nominally given, were in fact and in reality dearly bought. It may be here premised that a gift of lands by a nation to foreigners on condition of their immigrating and becoming citizens is immensely different from a gift by one individual to another. In the case of individuals, the donor loses all further claim or ownership over the thing bestowed. But in our case, the government only gave wild lands that they might be redeemed from a state of nature; that the obstacles to a first settlement might be overcome, and that they might be placed in a situation to augment the physical strength, and power, and revenue of the republic. It is not evident that Mexico, before the present revolution, held over the colonized lands of Texas, the same jurisdiction and right of property which all nations hold over the inhabited parts of their territory. But to do away more effectually the idea that the colonists of Texas are under great obligations to the Mexican government for their donations of land, let us examine at what price the government estimated the lands thus given.

Twelve or thirteen years ago, they gave to a colonist one league of land for settling in Texas, he paying the government \$30, and last year (1835) they sold hundreds of leagues of land for a less price to undomesticated foreigners. A true statement of facts then, is all that is necessary to pay at once that debt immense of endless gratitude which in the estimation of the ignorant and the interested, is due from the colonists to the Mexican government. It is perfectly evident that the colonists, in paying the government price for their lands, in expelling the savages, protecting the frontiers, redeeming the wilderness, and in augmenting the physical strength and resources of the nation, have rendered a full compensation for all that

they obtained from Mexico. I pass over the toil, and sufferings, and dangers which attended the redeeming and the cultivation of their lands by the colonists, and turn to their civil condition since their connexion with Mexico. We have never known what quiet and security *were* since we have been in Texas. To make this more plain, I will briefly relate the bloody and revolting history of the late Mexican Republic. On the establishment of the Independence of Mexico, in 1822, Gen. Iturbide, by fraud and force, caused himself to be proclaimed emperor. He was soon dethroned and banished. He returned, however, from his exile, and was put to death. This being over, Victoria was elected president, during all of whose term of service, the country was torn to pieces by civil wars and conspiracies, as is evidenced by the rebellion and banishment of Mentuno, Bravo, and others. Victoria served only four years, and General Pedraza, was elected his successor,—but he was dispossessed by violence, and Guerero put in his place. Guerero was scarcely seated before Bustamante, with open war deposed him, put him to death and placed himself at the head of the government. Bustamante was hardly in the chair before Santa Anna dispossessed him by deluging the country with a civil war; which, after strewing the plains of the noble state of Zacatecas with her murdered citizens—murdered, only because they contended for their constitution—has rolled on with unglutted vengeance and cannibal ferocity to the shores of Texas—there—to complete the work of massacre and desolation. This, in a few sentences, is the history of Mexico during the fourteen years of her independence, and what is it but an unbroken history of treachery—of violence—and of blood? Can the same amount of crime and carnage be culled and collected from one hundred years of the history of any other Christianized people? No! it would be impossible! I put it to your candor and republicanism, gentlemen, to say, if the *incapability of self-government* on the part of the Mexican people which is demonstrated by these incessant revolutions—if the insecurity of person and property—and the violation of all law and order which follow as the unavoidable consequences of such com-

motions—would not have justified the people of Texas in establishing an independent government, better calculated to promote their security and happiness? To this question, there can be but one answer given by the descendants of the sages and soldiers of '76.

Again, it will not be denied in this land of liberty, that *allegiance and protection are reciprocal*, and that when a state ceases to protect its inhabitants their allegiance simultaneously ceases. Mexico has never afforded the colonists a shadow of protection. When the colonial settlements commenced, Texas was in the occupancy of various tribes of Indians, who committed continual depredations and inhumanly murdered many of the most useful and respectable of both sexes. Not a Mexican soldier ever aided in expelling these Indians—not a gun, nor an ounce of ammunition was furnished the colonists; and not a dollar was paid them for their services. Again, the Mexican government has for years past exhibited a determination to annihilate the colonial settlements. I pass over many minor evidences of this diabolical determination, and come to the law of 6th of April, 1830. By this law, North Americans, and they alone, were forbidden admission into Texas. This was enough to blast all our hopes, and dishearten all our enterprise. It showed to us that we were to remain, scattered—isolated—and unhappy tenants of the wilderness. Compelled to gaze upon the resources of a lovely and fertile region, undeveloped for want of population. That we were to be cut off from the society of fathers and friends in the United States of the North—to prepare comforts suited to whose age and infirmities, many of us had immigrated and patiently submitted to every species of privation, and whose presents to gladden our firesides we were hourly anticipating. That feature of this law, granting admission to all other nations except our brethren of the United States of the North, was sufficient to goad us on to madness. Yes, the door of immigration to Texas was closed upon the only sister republic worthy of the name, which Mexico could boast of in this new world. It was closed upon a people, among whom the knowledge and foundations of rational liberty are more deeply

laid than among any other on the habitable globe. It was closed on a people who would have carried with them to Texas those principles of freedom, and those ideas of self-government, in which, from birth, they had been educated and practised. In short, and worse than all, as it stamps the Mexican government with the foul blot of ingratitude; it was closed on a people, who, generously and heroically aided them in their revolutionary struggle, and who were the first and foremost to recognise and rejoice at the consummation of their independence. Nothing but envy—jealousy—and a pre-determination to destroy the colonial settlements, could have prompted the passage of this most iniquitous law.

Simultaneous with it, all parts of Texas were deluged with garrisons, in a time of profound peace. In the presence and vicinity of these garrisons, the civil arm was paralyzed and powerless. They imprisoned our citizens without cause, detained them without trial, and in every respect trampled upon our rights and privileges. They could not have been sent to Texas for our protection; for when they came, we were able to protect ourselves. And, at the commencement of the colonial settlements, when we were few, and weak, and scattered, and defenceless, not a garrison,—no, not a soldier came to our assistance. As another evidence of the hostility of the Mexican government to the colonists, I will instance the following:

On the 7th May, 1824, when the late Mexican republic was divided into states, by the convention that formed the constitution, the territory called Texas, not being sufficiently populous to form a state, was attached provisionally to the state of Coahuila. It was specially decreed by the same convention however that whenever Texas was sufficiently populous to become a state, she should make it known to the general Congress, and be admitted. In 1833, the people of Texas knowing that their numbers exceeded those of several of the old states, and that they possessed all the requisite elements, met in solemn convention, formed a constitution, and sent on a delegate to the general Congress, with a respectful petition, praying to be admitted into the union. Instead of granting this just and legal request, they imprisoned our delegate, my colleague,

(General Austin,) in the darkest dungeons of the inquisition, and detained him, without a trial, for more than a year.

And now, gentlemen, I have briefly depicted to you the harassing uncertainty, and miserable bondage, under which we have laboured, since our connexion with Mexico. I have depicted to you their incessant revolutions, the insecurity and the violations of all law and order, necessarily growing out of them. I have shown to you, that they have failed to extend to us any protection, and that they have endeavoured to destroy us entirely, by a vexatious, oppressive, and unconstitutional series of legislative enactments. No one can deny but that this state of things would have justified us in casting off the yoke. Yet we did not even attempt to do so. We groaned and languished under these multiplied oppressions, consoling ourselves with the pleasing, but delusive hope, that a brighter day would dawn upon us. While laying this flattering unction to our souls, and indulging dreams of fancied felicity never to be realized, the military despot, Santa Anna, developed his tyrannical intention to reduce us to absolute slavery, or to involve all who refused to be *slaves* in one undistinguishing massacre. The particulars of his sanguinary career, I will now proceed to unfold to you. Besides the promises to protect our persons and property, contained in the colonization laws, which I have just commented upon, the people of Texas had another guarantee for their rights. This guarantee was the written constitution of the late Mexican Federal Republic. That constitution is almost a copy of the constitution of these U. States. The powers of government, are divided into legislative, executive, and judicial. The legislative powers are vested in a congress, consisting of a house of representative, and a senate. The executive power is vested in a president and vice president, elected for a limited period. The republic is divided into states; each of which has its governor, and its legislature. The constitution provides for its amendment after the following manner:—

ARTICLE 166. The legislatures of the states can make such observations as they may deem proper, about particular

articles of the constitution, and the constitutional acts, until the year 1830.

ARTICLE 167. The Congress in that year, shall confine itself to examining the observations that merit the deliberation of the next Congress, and its declaration shall be communicated to the president, who shall publish and circulate it without observation.

ARTICLE 168. The following Congress, in the first year of its ordinary sessions, shall occupy themselves in examining those observations thus submitted to their deliberation, in order to make such amendments as may be deemed necessary, but the same Congress which makes the examination provided in the last article, cannot decree the amendments.

ARTICLE 169. The amendments and additions that are proposed after 1830, shall be taken into consideration by the Congress, in the second year of each biennial, and if declared necessary, in conformity with the provisions made in the preceding article, they shall publish this resolution, in order that the next Congress may notice them.

ARTICLE 170. In order to reform or amend this constitution, or the constitution act, shall be observed, besides the rules prescribed in the foregoing articles, all the requisites provided for the formation of laws, excepting the right to make observations, granted to the President, in article 106.*

Let us now examine, if Santa Anna amended or rather destroyed the constitution, in the mode prescribed; and here, gentlemen, I will read to you, from a printed speech of my colleague, Gen. Austin, delivered at Louisville, Kentucky. Gen. Austin, as you all know, was the pioneer of the wilderness of Texas, and has, by his untiring exertions, opened an exhaustless field to the enterprise of countless thousands. He was, by reason of his cruel and illegal confinement in the city of Mexico, an eye-witness of the scenes he describes. In page the 10th of his speech, above referred to, he says:—

“In 1834, the president of the republic, Gen. Santa Anna, who heretofore was the leader and champion of the republican party and system, became the head and leader of his for-

* See the Mexican Constitution.

mer antagonists, the aristocratic and church party. With this accession of strength, this party triumphed. The constitutional general Congress of 1834, which was decidedly republican and federal, was dissolved in May, of that year, by a military order of the president, before the constitutional term had expired. The council of government, composed of half the senate, which, agreeably to the constitution, ought to have been installed the day after closing the session of Congress, was also dissolved; and a new revolutionary and unconstitutional Congress was convened by another military order of the president. This Congress met on the 1st January, 1835: it was decidedly aristocratic, ecclesiastical, and central in its politics. A number of petitions were presented to it from several towns and villages, praying that it would change the federal form of government, and establish a central form. These petitions were all of a revolutionary character, and were called 'pronunciameintos,' or pronouncements for centralism. They were formed by partial and revolutionary meetings, gotten up by the military and the priests. Petitions in favour of the federal system and constitution, and protests against such revolutionary measures, were also sent in by the people, and by some of the state legislatures, who still retained firmness to express their opinions. The latter were disregarded, and their authors persecuted and imprisoned. The former were considered sufficient to invest Congress with plenary powers. It accordingly, by a decree, deposed the constitutional vice president, Gomez Farias, who was a leading federalist, without any impeachment, or trial, or even the form of a trial, and elected another of their own party, Gen. Barragan, in his place. By another decree, it united the senate with the house of representatives, in one chamber; and thus constituted, it declared itself invested with full powers, as a national convention. In accordance with these usurped powers, it proceeded to amend the federal constitution and system, and to establish a central or consolidated government."

It is then clear, gentlemen, that this congress which destroyed the constitution, was an unconstitutional body, for it derived

its powers from a military order of the President instead of from the people in the regular course of election. Unconstitutional as it was in its origin it also acted unconstitutionally. It did more than a constitutional congress *could have done*. It amended or rather destroyed the constitution at the first session, when according to the mode prescribed for amending that instrument it required the deliberations of three or four successive sessions of congress before any change could be made in it. Superadded to all this it acted upon pronouncements made by illegal assemblies of the people, instead of upon observations made by the state legislatures as the constitution required. Let us now enter into the details of the *mockery* of a government established by these omnipotent and law despising minions of a military despot.

Decree of the 3d of October 1835.

ARTICLE 1. The present Governors of the state shall continue, notwithstanding the time fixed by the constitution may have expired; but shall be dependant for their continuance in the exercise of their attributes upon the supreme government of the nation.

ARTICLE 2. The legislatures shall immediately cease to exercise their legislative functions; but before dissolving (and those which may be in recess meeting for the purpose) they shall appoint a department council, composed for the present of five individuals, chosen either within or without their own body, to act as a council to the governor; and in case of a vacancy in that office, they shall propose to the supreme general government three persons the qualifications hitherto required; and until an appointment be made, the gubernatorial power shall be exercised by the first on the list, who is not an ecclesiastic.

ARTICLE 3. In those states where the legislature cannot be assembled within eight days, the Ayuntamiento of the capital shall act in its place, only for the purpose of electing the five individuals of the department council.

ARTICLE 4. All the judges and tribunals of the states, and the administration of justice shall continue as heretofore, until the organic laws relative to this branch be formed. The respon-

sibilities of the functionaries, which could only be investigated before congress, shall be referred to and concluded before the Supreme Court of the nation.

ARTICLE 5. All the subaltern Officers of the state shall also continue for the present (the places which are vacant, or which may be vacated, not to be filled) but they as well as the officers, revenues, and branches under their charge remain subject to and at the disposal of the supreme government of the nation by means of their respective governors.

MIGUEL BARRAGAN,

President Pro tem.

MANUEL DIAS DE BONILLA,

Secretary of state.

City of Mexico, October 3d, 1835.

You have now before you, gentlemen the decree, which, as you will perceive, annihilates the state governments, and makes all of their officers, even the most subaltern, dependent upon the will of a military despot.

In order the more effectually to prevent all resistance to this unholy, revolutionary and central despotism, the same congress, prior to the decree of October 3d, enacted that the whole population should be disarmed, leaving only one gun to 500 citizens. Against these tyrannical proceedings, the legislature of Coahuila and Texas protested.

That body was immediately dispersed by the troops of the despot. The governor in his flight was overtaken and imprisoned. It was the misfortune of the lamented *Milam*, who was at this time returning from the seat of government to his home in Texas, to be found in company with the governor. For this, in their estimation, dreadful offence, and for no other assigned or assignable one, he too, was thrown into confinement. After several months of imprisonment, he was enabled to effect his escape, and he immediately started for Texas. In order to elude the pursuit of his merciless enemies, he travelled six hundred miles without a road, prosecuting his journey in the night, and secreting himself during the day. Throughout this dangerous and protracted journey, he sub-

sisted alone on some few articles of food which he contrived to obtain on his escape from confinement, for he dared not show his face at any habitation.

Early in October last, near the town of Goliad, in Texas, his attention was aroused by the approach of soldiers. He at first, naturally enough conceived that he was overtaken by his enemies, and knowing that if he fell again into their hands, he would be subjected to death or endless imprisonment, although as one to fifty, he prepared to sell his life as dearly as possible.

How did his heart rebound, however, when on their nearer approach, he discovered that these soldiers were his Texian countrymen, on their march to storm the Mexican garrison at Goliad? They furnished him with some clothing, of which he was almost destitute, and with food, for the want of which he was nearly famished. In a few moments he joined the little band, and as some small revenge for the injuries, so causelessly and cruelly inflicted on himself, he had the satisfaction to be among the first and foremost in storming and capturing the garrison of Goliad. This being over, although he had been raised in the army of the United States, and was accustomed and qualified to command, yet by way of example, he entered into the ranks, and cheerfully discharged all the duties of a common soldier, until a few days previous to his final catastrophe. On the evening of the 4th of December last, he stepped forth from the ranks, and beat up for volunteers to storm the castle of San Antonio. His call was not unattended to. A Leonidas band of about three hundred placed themselves under his command, and on the night of the 5th of December, they entered the town to attack a garrison of more than five times their own numbers, who were also protected by forts, walls, houses, ditches, and twenty pieces of artillery. They entered the town, however, with the determination of soldiers, "to conquer or to die."

"Firm paced and slow, a fearless front they formed,
Sill as the breeze, but dreadful as the storm."

For six successive days and nights, did they grapple with the enemy. The life of their dauntless leader, was the price of his triumph. Yes, he was destined, like Wolfe and Pike, "to sleep the sleep of death in the arms of victory."

"Oft shall the soldier think of thee,
Thou dauntless leader of the brave,
Who on the heights of tyranny,
Won Freedom—and a glorious grave.

And o'er thy tomb shall pilgrims weep,
And utter prayers in murmurs low,
That peaceful be the Hero's sleep,
Who conquer'd San Antonio.

Enshrin'd on honor's deathless scroll,
A nation's thanks shall tell thy fame,
Long as her beauteous rivers roll,
Shall Freedom's votaries hymn thy name."*

Of the other unconquerable spirits who perished in the late massacre at San Antonio, it would seem invidious not to speak. The gallant Travis was cut off in the flower of his life. He was accomplished and dignified in his department, and collegiately and legally educated. Bowie is a name that was synonymous with all that was manly and indomitable in the character of man. Col. Bonham was a native of South Carolina, he lately acted as aid to Governor Hamilton, and has not left a more chivalrous gentleman behind him. Of Col. David Crocket, it is unnecessary here to speak. He was known, at least by character, to all of us. Suffice it to say, that although the world has been often amused with his innocent eccentricities, no one has ever denied to him, the character of a firm and honest man—qualities which would cancel ten thousand faults if he had them. Gallant, departed, lamented, martyred, and mangled heroes,

"How many ages hence
Will these your lofty deeds be acted o'er,
In states unborn, and accents yet unknown."

* New-York Spirit of the Times.

I trust, gentlemen, that I will be pardoned for this digression. It was prompted by my own irrepressible feelings of gratitude, for they poured out their blood in defence of *my* rights, and in defence of the great principle of *human liberty*, in the establishment of which, all mankind are deeply interested.

You have now seen, gentlemen, that our constitution has been violently, illegally, and totally destroyed. You have seen that, superadded to this, our governor has been deposed and imprisoned, our legislature dispersed, and all the subaltern officers of our state, made dependent on the supreme government alone, instead of, on the suffrages of the people. In short, you have seen that our federative form of government has been converted into a central, consolidated and military despotism, enforced and administered by bayonets alone. Now, mark the forbearance of the people of Texas! Even after all these outrages on their rights, they did not rise in arms, and make an appeal to the God of battles, for justice and redress of their wrongs. They still hoped that the Mexican nation would have the firmness and patriotism to crush this military despotism, before the practical evils of it had reached the distant shores of Texas. In this hope, they were cruelly deceived. In the month of September last, a Mexican armed schooner appeared off our coast, and declared all of our ports in a state of blockade. Simultaneously with this General Coss invaded our territory by land, with express orders to disarm our citizens, and to require an unconditional submission to the central military despotism, under penalty of extermination or expulsion from the land. True to his unholy mission, he demanded the arrest and delivery to him of some of our most respectable citizens, to be murdered by military tribunals, or to be endlessly incarcerated in the foulest and darkest of dungeons. About the same time a military force was sent to the colonial town of Gonzales, to demand of the inhabitants a surrender of their arms. This demand was refused with the promptness and indignation of freemen. A battle immediately ensued on the 28th September last, which terminated in the discomfiture

and precipitate retreat of the Mexican forces. Gonzales was then the Lexington of our struggle, and the same cry of injured and insulted liberty, which from the blood of the slain at Lexington and Bunker's Hill ascended to high Heaven, and penetrated every corner of this land rousing the inhabitants to avenge their slaughtered countrymen, flew with electrical rapidity, after the battles of Gonzales and St. Antonio, over the beautiful and hitherto peaceful plains of Texas. The inhabitants promptly responded to its summons. They felt now that farther forbearance would be a crime.—That the cup of their bitterness was full to overflowing.—That the rod of oppression had smitten sufficiently severe, and that they could no longer submit without relinquishing for ever the glorious appellation of freemen. Accordingly they rallied around the standard of their country, from the hoary veteran of more than sixty, down to the beardless youth who had scarcely numbered a dozen years. All were animated with the indomitable spirit of "76." Yes! in the language of the martyred Emmet, all were determined that the "last intrenchment of liberty should be their graves." That this godlike resolve *has* been and *will* be fulfilled, the blood and martyrdom of a Milam, a Travis, a Bowie, a Crockett, a Bonham and their brave compatriots have rendered as plain to every understanding, as if it "were written in sunbeams on the face of heaven."

And here gentlemen, I would again turn your attention to the forbearance of the people of Texas. Even after their territory had been invaded, battles had been fought, and victory had perched upon their standard—even after all this, they did not declare their independence. No, on the 7th of November last, while flushed with various and signal triumphs over the central mercenaries, the people of Texas, in solemn convention, declared for the constitution of 1824,* and pledged themselves to aid with their fortunes and their lives in its restoration. On the second of March, however, finding that all parties in Mexico had united against them, that the constitution had been forgotten, and that they could hope for no aid

*See declaration of 7th November, 1835, contained in Gen. Austin's speech:

in restoring it, they then declared their absolute independence. This they were compelled to do by *self preservation*, which is above all human law, above all human constitutions, above every thing, that does not emanate from the throne of God himself!

Of what has transpired since the commencement of this contest, you, gentlemen, have been apprized through the public journals. Of one fact, however, you may be assured: *Mexico can never conquer Texas!* We may be *exterminated*, but we never can be *conquered*. But I have gone too far in this admission. *We cannot be exterminated!* The ultimate triumph of our cause is as certain, as that the sun will continue to illuminate the universe. Like the sun itself, it may be temporarily obscured by passing clouds, but it will again burst forth with its all-dazzling and undying effulgence. The justice and benevolence of God, will forbid that the delightful region of Texas should again become a howling wilderness, trod only by savages, or that it should be permanently benighted by the ignorance and superstition, the anarchy and rapine of Mexican misrule. The Anglo-American race are destined to be for ever the proprietors of this land of *promise and fulfilment*. *Their laws will govern it, their learning will enlighten it, their enterprise will improve it. Their flocks will range its boundless pastures, for them its fertile lands will yield their luxuriant harvests; its beauteous rivers will waft the products of their industry and enterprise, and their latest posterity will here enjoy legacies of "price unspeakable," in the possession of homes fortified by the genius of liberty, and sanctified by the spirit of a beneficent and tolerant religion. This is inevitable, for the wilderness of Texas has been redeemed by Anglo-American blood and enterprise. The colonists have carried with them the language, the habits, and the lofty love of liberty, that has always characterized and distinguished their ancestors. They have identified them indissolubly with the country. Yes! they have founded them on a basis, which, without being a prophet, I venture to assert will be codurable with the liberties of this land of *Washington*. I repeat it again and again. Mexico can never conquer Texas.*

Her armies may be for a time successful, but they will only be masters of the ground they occupy. We are not congregated in great cities as in France or England, where the conquest of London or Paris is the conquest of the whole country. Our situation resembles more the indomitable Scythians of old in their forest fastnesses. Our inhabitants can easily retire before a pursuing enemy. But if they temporarily retire, it will only be to return with redoubled numbers, and recuperated energy. Yes! return they will, month after month, and year after year, until their object is accomplished. The tears of every orphan, the shriek of every widow, and the blood of every martyred patriot, will only more certainly and suddenly seal the doom of their barbarian invaders. If thousands offer up their lives, there will still be lives to offer. All will gloriously persevere until relieved of the misery of a slavish existence, or until their tyrannic oppressors are made to feel and know, from blood-bought experience, that

“Freedom’s battle once begun,
Bequeathed from bleeding sire to son,
Tho’ baffled oft—is surely won.”

But, gentlemen, Texas requires immediate pecuniary aid in order to feed and clothe her gallant soldiers, and thereby accomplish at once, what must necessarily be her *ultimate* destiny. Without this pecuniary aid a *temporary* triumph of despotism over liberty will take place. Without it, the darkness of midnight will glitter with the blaze of her dwellings, her soil will drink the blood of her bravest citizens, and the air be rent with the wailings of the widow and the fatherless. *Will they, can they*, who generously and promptly responded to and relieved the sufferings of Greece and Poland turn a deaf ear to their imploring brethren of Texas? Shall suppliant Greece and Poland be heard and aided, and the blood of Texas “sink in the ground?” Shades of our ancestors forbid it! Forbid it heaven! Gentlemen, again and again I appeal to you for succour. I feel it a glorious occupation to plead in so noble a cause. I invoke you by every principle of honour, by every feeling of humanity, by every obligation of blood, by your devotion to

liberty, and your detestation of oppression, to step nobly forward, entitle yourselves to the prayers and blessings of the distressed, and embalm your names in a nation's gratitude. Do honor to the memories of your departed ancestors—do honor to this consecrated land of your birth—do honor to the *Anglo-Saxon American* race—do honor to the enlightened age in which we live—do honor to the sacred cause in which we are embarked, and more especially do honor to this great commercial metropolis, New-York, and enable her future historian to say, with truth and exultation, that although the sails of her commerce whiten every sea, and the *hum* of a million animates her streets, yet that her generous ardour and munificence in the cause of liberty and bleeding Texas, constitute for her a renown, far more imperishable and dear to the soul.

I will turn your attention for a moment, gentlemen, to the intrinsic resources of Texas. Its soil is unsurpassed by that of any country on the face of the globe, and its climate is equalled only by that of Italy. It is situated within the cotton and sugar region, intersected by numerous navigable rivers, and bounded on one side by the Gulf of Mexico, on which there are bays and harbours well adapted to all the purposes of commerce. It contains at present a population of about 70,000, composed of bold and enterprising men, devotedly attached to liberty and at all times ready to defend their homes *inch by inch* if necessary. In short, Texas is larger than England or France, and susceptible of a greater and denser population.*

Mr. Chairman and gentlemen, our inhuman oppressors not content with enslaving the body, also endeavour to enslave the *conscience*. They require us to subscribe implicitly to all the *dogmas* of a particular religion without reference to our feelings or our creed. Can we submit to this? Will not prayers for our success in a cause so righteous ascend to heaven from every temple of God throughout this land? Did not our fathers of the American revolution contend as well for religious as for civil liberty? Did they not fight, and bleed,

* See Gen. Austin's speech at Louisville,

and conquer to establish the sacred principle that all men have a right to worship Almighty God according to the dictates of their own consciences. And shall we, to whom this glorious inheritance has been left, basely surrender the blood bought privilege at the nod and command of an earthly tyrant? Perish! perish for ever the hateful thought.

My feelings will not permit me, gentlemen, to dwell upon the brutal atrocities and cold blooded massacres of the Mexican army. It is too evident to require argument, that in the refusal of quarter and in hoisting the red flag, the inhuman despot, Santa Anna, has *denationized himself*. That he now stands before the world as a pirate—the common enemy of mankind. That he has offered an insult to every civilized nation, and has made it their imperious duty to check his blood stained career. But those martyred patriots have not fallen in vain. Although their blood has been swallowed by the sands of that field of death, and their ashes have been scattered by the whirlwinds of heaven, yet the *light* of their funeral pyre will gather together the sons of liberty who will teach these *Mexican murderers* that the *Anglo American race* in a cause so sacred, can never die unhonoured and unrevengeed.

Mr. Chairman and Gentlemen, I have done. I trust I have shown to you that the people of Texas have, for fourteen years, lived under a government distracted by incessant revolutions, necessarily involving a violation of all law and order, and a total insecurity of person and property. That no shadow of protection has ever been extended to them; but that on the contrary, a vexatious, oppressive, and unconstitutional system of legislation, has been pursued towards them, calculated and intended to blast all of their hopes, and to dishearten of all their enterprise. Superadded to this, I have shown to you that every guarantee of their rights, has been violently, unconstitutionally, and totally destroyed. That their governor has been imprisoned, their legislature dissolved, and an army of mercenaries sent to rivet upon them the chains of a military despotism. Impelled by these multiplied oppressions, the people of Texas have *declared their Independence*.

Who will say that they were not justified in rising and bursting their fetters? None! none, but the slaves of a tyrant, or his hireling defenders, some of whom I blush to say even dare to contaminate, by their accursed presence, this land of Washington—this, the strongest, the proudest, if not the only citadel of human hope, and human freedom.

Gentlemen, I will bring this matter more immediately home to yourselves. Suppose that the president of these United States should dissolve the present Congress, at the point of the bayonet, and should order an election for new members, to take place at an unconstitutional period. Suppose that this new Congress, the minions of the president, should vest him with despotic powers, should depose and imprison the governor of the state of New-York, should dissolve your legislature by violence, should disarm your citizens, and send on an army of mercenaries, to enforce your submission to this destruction of your liberties. Gentlemen, this is the precise attitude at present occupied by Texas, and if it were attempted to practice such oppressions on the state of New-York, is there one of her citizens so degraded, so craven-hearted, so worthy of being a slave, as not to resist even unto death? Would not the departed spirits of a Montgomery, a Hamilton, a Jay, a Morris, and a Clinton, within these confines, with a monarch's voice, "cry *havoc*, and let slip the dogs of war?"

But, gentlemen, I will detain you no longer. I know that you will recognise the people of Texas, as strugglers for the sacred principles of the American revolution, and that you will animate them to let "*victory or death*," alone terminate their resistance. I know that you will say to them, that although their resistance may lead through seas of blood, yet that the same God who conducted a Washington, and his gallant compatriots, through every difficulty, still rules and reigns in all his glory. That he is still the enemy of the oppressor, and the avenger of the oppressed. That he still gives courage to the hearts, and strength to the arms raised to defend man's natural rights. Finally, gentlemen, I know that you will say to the people of Texas, once your fellow-citi-

zens, forget not the deeds of your, fathers! March boldly on in your glorious career, "conquering, and to conquer." But if after all that your chivalry and perseverance can accomplish, we find that you are overpowered by superior numbers, sooner than your dearest rights shall be profaned and prostituted—sooner than your heroic citizens shall be inhumanly massacred, and their wives and daughters polluted by a brutal soldiery, in this the land of your nativity, "ten thousand swords will leap from their scabbards."

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ADDRESS

OF THE

HONORABLE S. F. AUSTIN,

*One of the Commissioners of Texas, delivered at Louisville,
Kentucky, on the 7th, of March 1836.*

It is with the most unfeigned and heartfelt gratitude that I appear before this enlightened audience, to thank the citizens of Louisville, as I do in the name of the people of Texas, for the kind and generous sympathy they have manifested in favor of the cause of that struggling country; and to make a plain statement of facts explanatory of the contest in which Texas is engaged with the Mexican Government.

The public has been informed, through the medium of the newspapers, that war exists between the people of Texas and the present government of Mexico. There are, however, many circumstances connected with this contest, its origin, its principles and objects which, perhaps, are not so generally known, and are indispensable to a full and proper elucidation of this subject.

When a people consider themselves compelled by circumstances or by oppression, to appeal to arms and resort to their natural rights, they necessarily submit their cause to the great tribunal of public opinion. The people of Texas, confident in the justice of their cause, fearlessly and cheerfully appeal to this tribunal. In doing this the first step is to show, as I trust I shall be able to do by a succinct statement of facts, that our cause is just, and is the cause of light and liberty:—the same holy cause for which our forefathers fought and bled:—the same that has an advocate in the bosom of every freeman, no matter in what country, or by what people it may be contended for.

But a few years back Texas was a wilderness, the home of the uncivilized and wandering Comanche and other tribes of Indians, who waged a constant and ruinous warfare against the Spanish settlements. These settlements at that time were limited to the small towns of Bexar, (commonly called San Antonio) and Goliad, situated on the western limits. The incursions of the Indians also extended beyond the Rio Bravo del Norte, and desolated that part of the country.

In order to restrain these savages and bring them into subjection, the government opened Texas for settlement. Foreign emigrants were invited and called to that country. American enterprise accepted the invitation and promptly responded to the call. The first colony of Americans or foreigners ever settled in Texas was by myself. It was commenced in 1821, under a permission to my father, Moses Austin, from the Spanish government previous to the independence of Mexico, and has succeeded by surmounting those difficulties and dangers incident to all new and wilderness countries infested with hostile Indians. These difficulties were many and at times appalling, and can only be appreciated by the hardy pioneers of this western country, who have passed through similar scenes.

The question here naturally occurs, what inducements, what prospects, what hopes could have stimulated us, the pioneers and settlers of Texas, to remove from the midst of civilized society, to expatriate ourselves from this land of liberty, from this our native country, endeared to us as it was, and still is, and ever will be, by the ties of nativity, the reminiscences of childhood and youth and local attachments, of friendship and kindred? Can it for a moment be supposed that we severed all these ties—the ties of nature and of education, and went to Texas to grapple with the wilderness and with savage foes, merely from a spirit of wild and visionary adventure, without guarantees of protection for our persons and property and political rights? No, it cannot be believed. No American, no Englishman, no one of any nation who has a knowledge of the people of the United States, or of the prominent characteristics of the Anglo-Saxon race

te which we belong—a race that in all ages and in all countries wherever it has appeared has been marked for a jealous and tenacious watchfulness of its liberties, and for a cautious and calculating view of the probable events of the future—no one who has a knowledge of this race can or will believe that we removed to Texas without such guarantees, as free born and enterprising men naturally expect and require.

The fact is, we *had* such guarantees; for, in the first place the government bound itself to protect us by the mere act of admitting us as citizens, on the general and long established principle, even in the dark ages, that *protection* and *allegiance* are reciprocal—a principle which in this enlightened age has been extended much further; for its received interpretation now is, that the object of government is the well being, security, and happiness of the governed, and that allegiance ceases whenever it is clear, evident, and palpable, that this object is in no respect effected.

But besides this general guarantee, we had others of a special, definite, and positive character—the colonization laws of 1823, '24, and '25, inviting emigrants generally to that country, especially guaranteed protection for person and property, and the right of citizenship.

When the federal system and constitution were adopted in 1824, and the former provinces became states, Texas, by her representative in the constituent congress, exercised the right which was claimed and exercised by all the provinces, of retaining within her own control, the rights and powers which appertained to her as one of the *unities* or distinct societies, which confederated together to form the federal republic of Mexico. But not possessing at that time sufficient population to become a state by herself, she was with her own consent, united provisionally with Coahuila, a neighbouring province or society, to form the state of COAHUILA AND TEXAS, “*until Texas possessed the necessary elements to form a separate state of herself.*” I quote the words of the constitutional or organic act passed by the constituent congress of Mexico, on the 7th of May, 1824, which establishes the state of Coahuila and Texas. This law, and the principles on which the Mexi-

can federal compact was formed, gave to Texas a specific political existence, and vested in her inhabitants the special and well defined rights of self-government as a state of the Mexican confederation, so soon as she "*possessed the necessary elements.*" Texas consented to the provisional union with Coahuila on the faith of this guarantee. It was therefore a solemn compact, which neither the state of Coahuila and Texas, nor the general government of Mexico, can change without the consent of the people of Texas.

In 1833 the people of Texas, after a full examination of their population and resources, and of the law and constitution, decided, in a general convention elected for that purpose, that the period had arrived contemplated by said law and compact of 7th May, 1824, and that the country possessed the necessary elements to form a state separate from Coahuila. A respectful and humble petition was accordingly drawn up by this convention, addressed to the general congress of Mexico, praying for the admission of Texas into the Mexican confederation as a state. I had the honor of being appointed by the convention the commissioner or agent of Texas to take this petition to the city of Mexico, and present it to the government. I discharged this duty to the best of my feeble abilities, and, as I believed, in a respectful manner. Many months passed and nothing was done with the petition, except to refer it to a committee of congress, where it slept and was likely to sleep. I finally urged the just and constitutional claims of Texas to become a state in the most pressing manner, as I believed it to be my duty to do; representing also the necessity and good policy of this measure, owing to the almost total want of local government of any kind, the absolute want of a judiciary, the evident impossibility of being governed any longer by Coahuila, (for three fourths of the legislature were from there,) and the consequent anarchy and discontent that existed in Texas. It was my misfortune to offend the high authorities of the nation—my frank and honest exposition of the truth was construed into threats.

At this time (September and October, 1833,) a revolution was raging in many parts of the nation, and especially in the

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At this time (September and October, 1833,) a revolution was raging in many parts of the nation, and especially in the

vicinity of the city of Mexico. I despaired of obtaining anything, and wrote to Texas, recommending to the people there to organize as a state *de facto* without waiting any longer. This letter may have been imprudent, as respects the injury it might do me personally, but how far it was criminal or treasonable, considering the revolutionary state of the whole nation, and the peculiar claims and necessities of Texas, impartial men must decide. It merely expressed an opinion. This letter found its way from San Antonio de Bexar, (where it was directed) to the government. I was arrested at Saltillo, two hundred leagues from Mexico, on my way home, taken back to that city and imprisoned one year, three months of the time in solitary confinement, without books or writing materials, in a dark dungeon of the former inquisition prison. At the close of the year I was released from confinement, but detained six months in the city on heavy bail. It was nine months after my arrest before I was officially informed of the charges against me, or furnished with a copy of them. The constitutional requisites were not observed, my constitutional rights as a citizen were violated, the people of Texas were outraged by this treatment of their commissioner, and their respectful, humble and just petition was disregarded.

These acts of the Mexican government, taken in connexion with many others and with the general revolutionary situation of the interior of the republic, and the absolute want of local government in Texas, would have justified the people of Texas in organizing themselves as a State of the Mexican confederation, and if attacked for so doing in separating from Mexico. They would have been justifiable in doing this, because such acts were unjust, ruinous and oppressive, and because self-preservation required a local government in Texas suited to the situation and necessities of the country, and the character of its inhabitants. Our forefathers in '76 flew to arms for much less. They resisted a *principle*, "the theory of oppression," but in our case it was the *reality*—it was a denial of justice and of our guaranteed rights—it was oppression itself.

Texas, however, even under these aggravated circum-

stances forbore and remained quiet. The constitution, although outraged and the sport of faction and revolution, still existed in name, and the people of Texas still looked to it with the hope that it would be sustained and executed, and the vested rights of Texas respected. I will now proceed to show how this hope was defeated by the total prostration of the constitution, the destruction of the federal system, and the dissolution of the federal compact.

It is well known that Mexico has been in constant revolutions and confusion, with only a few short intervals, ever since its separation from Spain in 1821. This unfortunate state of things has been produced by the efforts of the ecclesiastical and aristocratical party to oppose republicanism, overturn the federal system and constitution, and establish a monarchy, or a consolidated government of some kind.

In 1834, the President of the Republic, Gen. Santa Anna, who heretofore was the leader and champion of the republican party and system, became the head and leader of his former antagonists—the aristocratic and church party. With this accession of strength, this party triumphed. The constitutional general Congress of 1834, which was decidedly republican and federal, was dissolved in May of that year by a military order of the President before its constitutional term had expired. The council of government composed of half the Senate which, agreeably to the constitution, ought to have been installed the day after closing the session of Congress, was also dissolved; and a new, revolutionary, and unconstitutional Congress was convened by another military order of the President. This Congress met on the 1st of January, 1835. It was decidedly aristocratic, ecclesiastical and central in its politics. A number of petitions were presented to it from several towns and villages, praying that it would change the federal form of government and establish a central form. These petitions were all of a revolutionary character, and were called "*pronunciamientos*," or pronouncements for centralism. They were formed by partial and revolutionary meetings gotten up by the military and priests. Petitions in favour of the federal system and con-

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stitution, and [protests against such revolutionary measures, were also sent in by the people and by some of the State Legislatures, who still retained firmness to express their opinions. The latter were disregarded and their authors persecuted and imprisoned. The former were considered sufficient to invest Congress with plenary powers. It accordingly, by a decree, deposed the constitutional Vice President, Gomez Farias, who was a leading federalist, without any impeachment or trial, or even the form of a trial, and elected another of their own party, Gen. Barragan, in his place. By another decree it united the Senate with the House of Representatives in one chamber, and thus constituted, it declared itself invested with full powers as a national convention. In accordance with these usurped powers, it proceeded to annul the federal constitution and system, and to establish a central or consolidated government. How far it has progressed in the details of this new system is unknown to us. The decree of the 3d of October last, which fixes the outlines of the new government, is however sufficient to show that the federal system and compact is dissolved and centralism established. The States are converted into departments. This decree is as follows as translated :

[Decree of the 3d October, 1835.]

“ Office of the First Secretary of }
State, Interior Department. } ”

“ His Excellency the President *pro tem.* of the Mexican United States to the inhabitants of the Republic. Know ye, that the General Congress has decreed the following :

“ ART. 1. The present Governors of the States shall continue, notwithstanding the time fixed by the Constitution may have expired ; but they shall be dependent for their continuance in the exercise of their attributes upon the supreme government of the nation.

“ ART. 2. The Legislatures shall immediately cease to exercise their legislative functions ; but before dissolving (and those which may be in recess meeting for the purpose) they shall appoint a department council, composed for the present of five individuals, chosen either within or without their own body, to act as a council to the governor ; and in case of a vacancy in that office, they shall propose to the supreme general government three persons, possessing the qualifications hitherto required ; and until an appointment be made, the gubernatorial powers shall be exercised by the first on the list, who is not an ecclesiastic.

"ART. 3. In those States where the Legislatures cannot be assembled within eight days, the *ayuntámicnto** of the capital shall act in its place, only for the purpose of electing the five individuals of the department council.

"ART. 4. All the judges and tribunals of the States, and the administration of justice, shall continue as hitherto, until the organic law relative to this branch be formed. The responsibilities of the functionaries which could only be investigated before Congress, shall be referred to and concluded before the supreme court of the nation.

"ART. 5. All the subaltern officers of the State shall also continue for the present, (the places which are vacant, or which may be vacated, not to be filled,) but they, as well as the offices, revenues and branches under their charge, shall be subject to and at the disposal of the supreme government of the nation, by means of their respective governors."—City of Mexico, Oct. 3d, 1835.

MIGUEL BARRAGAN, *President, pro. tem.*

MANUEL DIAS DE BONILLA, *Secretary of State.*

For the information of those who are not acquainted with the organization of the Mexican Republic under the federal system and constitution of 1824, it may be necessary to state that this constitution is copied, as to its general principles, from that of the United States. The general Congress had the same organization in substance and was elected in the same manner. A Senate elected by the State Legislatures for four years, and a House of Representatives elected by the people for two years. A President and Vice President elected for four years, and removable only by impeachment and trial. The mode of amending the constitution was clearly fixed.† The powers of the States were the same in substance as the States of the United States, and in some instances greater. In addition to this, during the recess of Congress, half the Senate formed the council of government,

* The *ayuntamientos* are the municipal bodies, or corporations of cities, and are similar to the mayor and council or corporations of the cities in the United States. To explain by a comparison the unconstitutional power vested by the decree of 3d of October in the *ayuntamientos*, or corporations of capitals of the States, we have only to suppose that a similar decree to this one of the 3d of October, was passed by the Congress of the United States, and that the Legislature of Kentucky was not in session and could not be convened, and that the corporation or municipal authority of Frankfort, acting in the name and as the representative of the whole State, was to nominate five persons to compose the department council of Kentucky, which by such a decree as this one of 3d October, would be converted from a State into a department of the consolidated government, like the departments of France.

† See articles 166, 167, 168, 169 and 170 of the Mexican constitution.

By keeping these facts in view, and then supposing the case that the President and Congress of these United States were to do, what the President and Congress of Mexico have done, and that one of the states was to resist, and insist on sustaining the federal constitution and state rights, and a parallel case would be presented of the present contest between Texas and the revolutionary government of Mexico.

In further elucidation of this subject, I will present an extract from a report made by me to the provisional government of Texas on the 30th of November last, communicating the said decree of 3d October.

“That every people have the right to change their government, is unquestionable; but it is equally certain and true, that this change, to be morally or politically obligatory, must be effected by the free expression of the community, and by legal and constitutional means; for otherwise, the stability of governments and the rights of the people, would be at the mercy of fortunate revolutionists, of violence, or faction.

“Admitting, therefore, that a central and despotic, or strong government, is best adapted to the education and habits of a portion of the Mexican people, and that they wish it; this does not, and cannot, give to them the right to dictate, by unconstitutional means and force, to the other portion who have equal rights, and differ in opinion.

“Had the change been effected by constitutional means, or had a national convention been convened, and every member of the confederacy been fairly represented, and a majority agreed to the change, it would have placed the matter on different ground; but, even then, it would be monstrous to admit the principle, that a majority have the right to destroy the minority, for the reason, that self-preservation is superior to all political obligations. That such a government as is contemplated by the before mentioned decree of the 3d of October, would destroy the people of Texas, must be evident to all, when they consider its geographical situation, so remote from the contemplated centre of legislation and power; populated as it is, by a people who are so different in education, habits, customs, language, and local wants, from all the rest of the nation; and especially when a portion of the central party have manifested violent religious and other prejudices and jealousies against them. But no national convention was convened, and the constitution has been, and now is, violated and disregarded. The constitutional authorities of the State of Coahuila and Texas, solemnly protested against the change of government, for which act they were driven by mili-

tary force from office, and imprisoned.* The people of Texas protested against it, as they had a right to do, for which they have been declared rebels by the government in Mexico.

"However necessary, then, the basis established by the decree of the 3d of October, may be to prevent civil wars and anarchy in other parts of Mexico, it is attempted to be effected by force and unconstitutional means. However beneficial it may be to some parts of Mexico, it would be ruinous to Texas. This view presents the whole subject to the people. If they submit to a forcible and unconstitutional destruction of the social compact, which they have sworn to support, they violate their oaths. If they submit to be tamely destroyed, they disregard their duty to themselves, and violate the first law which God stamped upon the heart of man, civilized or savage; which is the law or the right of self-preservation.

"The decree of the 3d October, therefore, if carried into effect, evidently leaves no remedy for Texas but resistance, secession from Mexico, and a direct resort to natural rights."

These revolutionary measures of the party who had usurped the government in Mexico, were resisted by the people in the states of Puebla, Oaxaca, Mexico, Jalisco, and other parts of the nation. The state of Zacatecas took up arms, but its efforts were crushed by an army, headed by the president, General Santa Anna, in person; and the people of that state were disarmed, and subjected to a military government. In October last, a military force was sent to Texas, under Gen. Cos, for the purpose of enforcing these unconstitutional and revolutionary measures, as had been done in Zacatecas, and other parts of the nation. This act roused the people of Texas, and the war commenced.

Without exhausting the patience by a detail of numerous other vexatious circumstances, and violations of our rights, I

* The Legislature of the State of Coahuila and Texas of 1835, which made this protest, was dissolved by a military force acting under the orders of Gen. Cos, and the Governor, Don Augustin Viesca, the Secretary of State, and several of the members of the Legislature were imprisoned. Col. Benjamin R. Milam, who fell at San Antonio De Bexar, and several other Texans were at Monclova, the capital of the State, when these events took place—they took a decided stand in support of the State authorities and the constitution. Milam was taken prisoner with the Governor, the others escaped to Austin's colony, and the local authorities were commanded by a military order from General Cos to deliver them up to him. This order was not obeyed of course: it was the precursor of the invasion of Texas by this General in October.

trust that what I have said on this point, is sufficient to show that the federal social compact of Mexico is dissolved; that we have just and sufficient cause to take up arms against the revolutionary government which has been established; that we have forborne until the cup was full to overflowing; and that further forbearance or submission on our part would have been both ruinous and degrading; and that it was due to the great cause of liberty, to ourselves, to our posterity, and to the free blood which I am proud to say, fills our veins, to resist and proclaim *war* against such acts of usurpation and oppression.

The justice of our cause being clearly shown, the next important question that naturally presents itself to the intelligent and inquiring mind, is, *what are the objects and intentions of the people of Texas?*

To this we reply, that our object is *freedom*—civil and religious freedom—emancipation from that government, and that people, who, after fifteen years experiment, since they have been separated from Spain, have shown that they are incapable of self-government, and that all hopes of any thing like stability or rational liberty in their political institutions, at least for many years, are vain and fallacious.

This object we expect to obtain, by a total separation from Mexico, as an independent community, a new republic, or by becoming a state of the United States. Texas would have been satisfied to have been a state of the Mexican Confederation, and she made every constitutional effort in her power to become one. But that is no longer practicable, for that confederation no longer exists. One of the two alternatives above mentioned, therefore, is the only resource which the revolutionary government of Mexico has left her. Either will secure the liberties and prosperity of Texas, for either will secure to us the right of self-government over a country which we have redeemed from the wilderness, and conquered without any aid or protection whatever from the Mexican government, (for we never received any,) and which is clearly ours. Ours, by every principle on which original titles to countries are, and ever have been founded. We have explo-

red and pioneered it, developed its resources, made it known to the world, and given to it a high and rapidly increasing value. The federal republic of Mexico had a *constitutional* right to participate *generally* in this value, but it had not, and cannot have any other; and this one has evidently been forfeited and destroyed by unconstitutional acts and usurpation, and by the total dissolution of the social compact. Consequently, the true and legal owners of Texas, the only legitimate sovereigns of that country, are the people of Texas.

It is also asked, *what is the present situation of Texas, and what are our resources to effect our objects, and defend our rights?*

The present position of Texas is an *absolute Declaration of Independence*—a *total separation* from Mexico. This declaration was made on the 7th of November last. It is as follows:—

“Whereas Gen. Antonio Lopez de Santa Anna, and other military chieftains, have by force of arms, overthrown the federal institutions of Mexico, and dissolved the social compact which existed between Texas and the other members of the Mexican Confederacy, now the good people of Texas, availing themselves of their natural rights, **SOLEMNLY DECLARE,**

“1st. That they have taken up arms in defence of their rights and liberties, which were threatened by encroachments of military despots, and in defence of the republican principles of the federal constitution of Mexico, of 1824.

“2d. That Texas is no longer morally or civilly bound by the compact of union; yet stimulated by the generosity and sympathy common to a free people, they offer their support and assistance to such of the members of the Mexican Confederacy as will take up arms against military despotism.

“3d. That they do not acknowledge that the present authorities of the nominal Mexican Republic, have the right to govern within the limits of Texas.

“4th. That they will not cease to carry on war against the said authorities, whilst their troops are within the limits of Texas.

“5th. That they hold it to be their right, during the disorganization of the federal system, and the reign of despotism to withdraw from the union, to establish an independent government, or to adopt such measures as they may deem best calculated to protect their rights and liberties; but that they

will continue faithful to the Mexican government so long as that nation is governed by the constitution and laws, that were framed for the government of the political association.

“6th. That Texas is responsible for the expenses of her armies, now in the field.

“7th. That the public faith of Texas is pledged for the payment of any debts contracted by her agents.

“8th. That she will reward by donations in land, all who volunteer their services in her present struggle, and receive them as citizens.

“These declarations we solemnly avow to the world, and call God to witness their truth and sincerity, and invoke defeat and disgrace upon our heads, should we prove guilty of duplicity.”

It is worthy of particular attention that this declaration affords another and unanswerable proof of the forbearance of the Texians, and of their firm adherence, even to the last moment, to the constitution which they had sworn to support, and to their political obligations as Mexican citizens. For, although at this very time the federal system and constitution of 1824, had been overturned and trampled under foot by military usurpation, in all other parts of the republic, and although our country was actually invaded by the usurpers for the purpose of subjecting us to the military rule, the people of Texas still said to the Mexican nation—“restore the federal constitution and govern in conformity to the social compact, which we are all bound by our oaths to sustain, and we will continue to be a member of the Mexican Confederation.” This noble and generous act, for such it certainly was, under the circumstances, is of itself sufficient to repel and silence the false charges which the priests and despots of Mexico have made of the ingratitude of the Texians. In what does this ingratitude consist? I cannot see, unless it be in our enterprise and perseverance, in giving value to a country that the Mexicans considered valueless, and thus exciting their jealousy and cupidity.

To show more strongly the absurdity of this charge of ingratitude, &c. made by the general government of Mexico, and of the pretended claims to liberality, which they set up, for having given fortunes in land to the settlers of Texas, it

must be remembered, that with the exception of the first three hundred families, settled by myself, the general government have never granted or given one foot of land in Texas. The vacant land belonged to the state of Coahuila and Texas, so long as they remained united, and to Texas so soon as she was a state, separate from Coahuila. Since the adoption of the federal system in 1824, the general government have never had any power or authority whatever to grant, sell, or give any land in Texas, nor in any other state. This power was vested in the respective states. The lands of Texas have therefore been distributed by the state of Coahuila and Texas (with the exception of the three hundred families above mentioned) and not by the general government, and, consequently, it is truly absurd for that government to assume any credit for an act in which it had no participation, and more especially when it has for years past thrown every obstacle in the way, to impede the progress of Texas, as is evident from the 11th article of the law of the 6th April, 1830, which absolutely prohibited the emigration to Texas of citizens of the United States; and many other acts of a similar nature—such as vexatious custom-house regulations, passports, and garrisoning the settled parts of the country where troops were not needed to protect it from the Indians, nor from any other enemy. It is therefore clear that if any credit for liberality is due, it is to the state government, and how far *it* is entitled to this credit, men of judgment must decide, with the knowledge of the fact that it *sold* the lands of Texas, at from thirty to fifty dollars per square league, Mexican measure, which is four thousand four hundred and twenty-eight acres English, and considered they were getting a high price and full value for it.

The true interpretation of this charge of ingratitude is as follows:—The Mexican government have at last discovered that the enterprising people who were induced to remove to Texas by certain promises and guaranties, have by their labours given value to Texas and its lands. An attempt is therefore now made to take them from us and to annul all those guaranties, and we are ungrateful because we are not suffi-

ciently "*docile*" to submit to this usurpation and injustice as the "*docile*" Mexicans have in other parts of the nation.

To close this matter about *ingratitude*, I will ask—if it was not ingratitude in the people of the United States to resist the "theory of oppression" and separate from England?—can it be ingratitude in the people of Texas to resist *oppression* and *usurpation* by separating from Mexico?

To return to the declaration of the 7th of November last, it will be observed that it is a total separation from Mexico—an absolute declaration of independence—in the event of the destruction of the federal compact or system, and the establishment of centralism. *This event has taken place.* The federal compact is dissolved, and a central or consolidated government is established. I therefore repeat that the present position of Texas is absolute independence:—a position in which we have been placed by the unconstitutional and revolutionary acts of the Mexican government. The people of Texas firmly adhered to the last moment, to the constitution which they and the whole nation had sworn to support. The government of Mexico have not—the party now in power have overturned the constitutional government and violated their oaths—they have separated from their obligations, from their duty and from *the people of Texas*; and, consequently, *they* are the true rebels. So far from being grateful, as they ought to be, to the people of Texas for having given value to that country, and for having adhered to their duty and constitutional obligations, the Mexicans charge us with these very acts as evidence of ingratitude. Men of judgment and impartiality must decide this point, and determine who has been, and now is ungrateful, and who are the true rebels.

In order to make the position of Texas more clear to the world, a convention has been called to meet the first of March, and is no doubt, now in session, for the express purpose of publishing a positive and unqualified declaration of independence, and organizing a permanent government.*

Under the declaration of 7th November, a provisional go-

* The declaration of independence was made on the 2d March, and is herewith published.

vernment has been organized, composed of an executive head or governor, a legislative council and a judiciary. A regular army has been formed, which is now on the western frontiers prepared to repel an invasion, should one be attempted. A naval force has been fitted out, which is sufficient to protect our coast. We have met the invading force that entered Texas in October, under Gen. Cos, and beaten him in every contest and skirmish, and driven every hostile soldier out of Texas. In San Antonio de Bexar, he was entrenched in strong fortifications, defended by heavy cannon, and a strong force of regular troops, greatly superior to ours in number, which was of undisciplined militia without any experienced officer. This place was besieged by the militia of Texas. The enemy was driven into his works; his provisions cut off, and the spirits and energies of his soldiers worn down, with the loss of only one man to the Texans, and the place was then taken by storm. A son of Kentucky, a noble and brave spirit from this land of liberty and of chivalry, led the storm. He conquered, and died, as such a spirit wished to die, in the cause of liberty, and in the arms of victory. Texas weeps for her Milam; Kentucky has cause to be proud of her son. His free spirit appeals to his countrymen to embark in the holy cause of liberty for which he died, and to avenge his death.

I pass to an examination of the resources of Texas. We consider them sufficient to effect and sustain our independence. We have one of the finest countries in the world, a soil surpassed by none for agriculture and pasturage, not even by the fairest portions of Kentucky—a climate that may be compared to Italy; within the cotton or sugar region, intersected by navigable rivers, and bounded by the Gulf of Mexico, on which there are several fine bays and harbors suitable for all the purposes of commerce—a population of about seventy thousand, which is rapidly increasing, and is composed of men of very reputable education and property, enterprising, bold and energetic, devotedly attached to liberty and their country, inured to the exercise of arms, and at all times ready to use them, and defend their homes inch by inch if necessary. The exportations of cotton are large. Cattle, sheep and hogs

are very abundant and cheap. The revenue from importations and direct taxes will be considerable, and rapidly increasing; the vacant lands are very extensive and valuable, and may be safely relied upon as a great source of revenue and as bounties to emigrants.

The credit of Texas is good, as is proven by the extensive loans already negotiated. The country and army are generally well supplied with arms and ammunition, and the organized force in February last in the field exceeded two thousand, and is rapidly increasing. But besides these resources, we have one which ought not, and certainly will not fail us—*it is our cause*—the cause of light and liberty, of religious toleration and pure religion. To suppose that such a cause will fail, when defended by Anglo-Saxon blood, by Americans, and on the limits, and at the very door of this free and philanthropic and magnanimous nation, would be calumny against republicanism and freedom, against a noble race, and against the philanthropic principles of the people of the United States. I therefore repeat that we consider our resources sufficient to effect our independence against the Mexicans, who are disorganized and enfeebled by revolutions, and almost destitute of funds or credit.

Another interesting question which naturally occurs to every one is, what great benefits and advantages are to result to philanthropy and religion, or to the people of these United States from the emancipation of Texas? To this we reply, that ours is most truly and emphatically the cause of liberty, which is the cause of philanthropy, of religion, of mankind; for in its train follow freedom of conscience, pure morality, enterprise, the arts and sciences, all that is dear to the noble minded and the free, all that renders life precious. On this principle, the Greeks and the Poles, and all others who have struggled for liberty, have received the sympathies or aid of the people of the United States; on this principle the liberal party in priest-ridden Spain, is now receiving the aid of high-minded and free born Englishmen; on this same principle Texas expects to receive the sympathies and aid of their brethren, the people of the United States, and of the freemen

of all nations. But the Greeks and the Poles are not parallel cases with ours—they are not the sons and daughters of Anglo-Americans. We are. We look to this happy land as to a fond mother from whose bosom we have imbibed those great principles of liberty which are now nerving us, although comparatively few in numbers and weak in resources, to contend against the whole Mexican nation in defence of our rights.

The emancipation of Texas will extend the principles of self-government, over a rich and neighbouring country, and open a vast field there for enterprise, wealth, and happiness, and for those who wish to escape from the frozen blasts of a northern climate, by removing to a more congenial one. It will promote and accelerate the march of the present age, for it will open a door through which a bright and constant stream of light and intelligence will flow from this great northern fountain over the benighted regions of Mexico.

That nation of our continent will be regenerated; freedom of conscience and rational liberty will take root in that distant and, by nature, much favoured land, where for ages past the upas banner of the inquisition, of intolerance, and of despotism has paralyzed, and sickened, and deadened every effort in favour of civil and religious liberty.

But apart from these great principles of philanthropy, and narrowing down this question to the contracted limits of cold and prudent political calculation, a view may be taken of it, which doubtless has not escaped the penetration of the sagacious and cautious politicians of the United States. It is the great importance of *Americanizing* Texas, by filling it with a population from this country, who will harmonize in language, in political education, in common origin, in every thing, with their neighbours to the east and north. By this means, Texas will become a great outwork on the west, to protect the outlet of this western world, the mouths of the Mississippi, as Alabama and Florida are on the east; and to keep far away from the southwestern frontier—the weakest and most vulnerable in the nation—all enemies who might make Texas a door for invasion, or use it as a theatre from which mistaken philanthropists and wild fanatics, might at-

tempt a system of intervention in the domestic concerns of the south, which might lead to a servile war, or at least jeopardize the tranquillity of Louisiana and the neighbouring states.

This view of the subject is a very important one, so much so that a bare allusion to it is sufficient to direct the mind to the various interests and results, immediate and remote, that are involved.

To conclude, I have shown that our cause is just and righteous, that it is the great cause of mankind, and as such merits the approbation and moral support of this magnanimous and free people. That our object is independence, as a new republic, or to become a state of these United States; that our resources are sufficient to sustain the principles we are defending; that the results will be the promotion of the great cause of liberty, of philanthropy, and religion, and the protection of a great and important interest to the people of the United States.

With these claims to the approbation and moral support of the free of all nations, the people of Texas have taken up arms in self-defence, and they submit their cause to the judgment of an impartial world, and to the protection of a just and omnipotent God.

The following Resolutions and Regulations of the Government of Texas, are interesting :

WHEREAS many individuals of the United States have left their homes of peace and comfort, to volunteer in the service of this country, and endured the hardships and perils of war, in the struggle of Mexican tyranny, and have by their generous patriotism and gallant conduct in the field, earned our warmest gratitude :—

Resolved, That bounties of land be granted, and are hereby granted to said volunteers, as follows, viz :—

'To all who are now in service, and shall continue faithfully in service during the war—1280 acres.

To all who served faithfully, or shall have served faithfully for a period not less than six months—640 acres.

To all who have served faithfully for a period not less than three months—320 acres.

To all who shall enter the service previous to the first day of July, and shall continue in service faithfully during the war, provided the war shall continue for a period more than six months—960 acres.

To all who shall enter the service after the first day of July, a quantity proportionate to their services—to be hereafter determined on by law.

The lawful heir or heirs of all such volunteers as may have fallen, or may hereafter fall in the present contest with the Mexican government, or who may have died, or may hereafter die, from any accident while in the service of the country during the war, shall be entitled to the quantity of land which would have been due the deceased under the colonization law, as established by the laws of the land, had he have survived; that is to say, one league and lot, (or 4604 acres,) for a man of family, and one-third of a league, (1476 acres,) for a single man; also, that the said heir or heirs shall receive an addition to the land granted as aforesaid, a bounty of 460 acres, as decreed by the council of San Felipe, on the 11th of December, 1835.

Resolved, That no bounty of land, as herein specified, shall be so construed as to effect the rights and privileges to lands under the colonization laws, established by the law of the land, of any said volunteer, more than if it never had been granted.

Resolved, That said volunteers shall, in case they may by error, locate any of said claims on lands previously held by legal titles or possession, be allowed to lift said location, and again locate said claims upon any vacant lands in the republic.

The foregoing resolutions were adopted in the Convention of Texas, at the town of Washington, on the 17th day of March, 1836.

RICHARD ELLIS,

President of the Convention.

N. B. In addition to the bounty, volunteers in the army of Texas receive the same pay and rations as soldiers in the regular armies of the United States.

injustice that of the people to appeal to first principles and take their political affairs into their own hands in extreme cases, enjoys it as a right towards themselves, and a sacred obligation to their posterity to abet such government, and create another in its stead calculated to rescue them from impending dangers, and to secure their welfare and happiness.

**THE DECLARATION
OF INDEPENDENCE,**

Made by the Delegates of the people of Texas, in General Convention, at Washington, on March 2, 1836.

WHEN a government has ceased to protect the lives, liberty, and property of the people, from whom its legitimate powers are derived, and for the advancement of whose happiness it was instituted; and so far from being a guarantee for their inestimable and inalienable rights, becomes an instrument in the hands of evil rulers for their oppression. When the Federal republican constitution of their country which they have sworn to support, no longer has a substantial existence, and the whole nature of their government has been forcibly changed without their consent, from a restricted Federative Republic, composed of sovereign states, to a consolidated central military despotism, in which every interest is disregarded but that of the army and the priesthood, both the eternal enemies of civil liberty, the ever ready minions of power, and the usual instruments of tyrants. When, long after the spirit of the constitution has departed, moderation is at length so far lost by those in power, that even the semblance of freedom is removed, and the forms themselves of the constitution discontinued, and so far from their petitions and remonstrances being regarded, the agents who bear them are thrown into dungeons, and mercenary armies sent forth to force a new government upon them at the point of the bayonet.

When, in consequence of such acts of malfesance on the part of the government, anarchy, revolutions and civil society is dissolved into its original elements, in such a crisis, the first law of nature, the right of self preservation, the inherent and

inalienable right of the people to appeal to first principles, and take their political affairs into their own hands in extreme cases, enjoins it as a right towards themselves, and a sacred obligation to their posterity to abolish such government, and create another in its stead calculated to rescue them from impending dangers, and to secure their welfare and happiness.

Nations, as well as individuals are amenable for their acts to the public opinion of mankind. A statement of a part of our grievances is therefore submitted to an impartial world, in justification of the hazardous but unavoidable step now taken, of severing our political connexion with the Mexican people, and assuming an independent attitude among the nations of the earth.

The Mexican Government by its colonization laws, invited and induced the Anglo-American population of Texas to colonize its wilderness, under the pledged faith of a written constitution, that they should continue to enjoy that constitutional liberty and republican government to which they had been habituated in the land of their birth, the United States of America.

In this expectation they have been cruelly disappointed, inasmuch, as the Mexican nation has acquiesced in the late changes made in the government by General Antonio Lopez Santa Anna, who having overturned the constitution of his country, now offers, as the cruel alternative, either to abandon our homes, acquired by so many privations, or submit to the most intolerable of all tyranny, the combined despotism of the sword and the priesthood.

It hath sacrificed our welfare to the state of Coahuila, by which our interests have been continually depressed through a jealous and partial course of legislation, carried on at a far distant seat of government, by a hostile majority, in an unknown tongue, and this too, notwithstanding we have petitioned in the humblest terms for the establishment of a separate state government, and have, in accordance with the provisions of the national constitution, presented to the general congress a republican constitution, which was without a just cause, contemptuously rejected.

It incarcerated in a dungeon, for a long time, one of our citizens, for no other cause but a zealous endeavor to procure the acceptance of our constitution and the establishment of a state government.

It has failed, and refused to secure, on a firm basis the right of trial by jury, that palladium of civil liberty and only safe guarantee for the life, liberty, and property of the citizen.

It has failed to establish any public system of education, although possessed of almost boundless resources, (the public domain;) and although it is an axiom in political science, that unless a people are educated and enlightened, it is idle to expect the continuance of civil liberty, or the capacity for self-government.

It has suffered the military commandants, stationed among us, to exercise arbitrary acts of oppression and tyranny, thus trampling upon the most sacred rights of the citizen, and rendering the military superior to the civil power.

It has dissolved, by force of arms, the state congress of Coahuila and Texas, and obliged our representatives to fly for their lives from the seat of government, thus depriving us of the fundamental political right of representation.

It has demanded the surrender of a number of our citizens, and ordered military detachments to seize and carry them into the interior for trial, in contempt of the civil authorities, and in defiance of the laws and the constitution.

It has made piratical attacks upon our commerce by commissioning foreign desperadoes, and authorizing them to seize our vessels, and convey the property of our citizens to far distant parts for confiscation.

It denies us the right of worshipping the Almighty, according to the dictates of our own conscience, by the support of a National Religion, calculated to promote the temporal interests of its human functionaries, rather than the glory of the true and living God.

It has demanded us to deliver up our arms, which are essential to our defence—the rightful property of freemen—and formidable only to tyrannical governments.

It has invaded our country both by sea and by land, with

the intent to lay waste our territory, and drive us from our homes; and has now a large mercenary army advancing, to carry on against us a war of extermination.

It has, through its emissaries, incited the merciless savage, with the tomahawk and scalping knife, to massacre the inhabitants of our defenceless frontiers.

It has been, during the whole time of our connexion with it, the contemptible sport and victim of successive military revolutions, and hath continually exhibited every characteristic of a weak, corrupt and tyrannical government.

These, and other grievances, were patiently borne by the people of Texas, until they reached that point at which forbearance ceases to be a virtue. We then took up arms in defence of the National Constitution. We appealed to our Mexican brethren for assistance: our appeal has been made in vain, though months have elapsed, no sympathetic response has yet been heard from the interior. We are therefore forced to the melancholy conclusion, that the Mexican people have acquiesced in the destruction of their liberty, and the substitution therefor of a military government; that they are unfit to be free, and incapable of self-government.

The necessity of self preservation, therefore, now decrees our eternal political separation.

We, therefore, the delegates, with plenary powers, of the people of Texas, in solemn convention assembled, appealing to a candid world for the necessities of our condition, do hereby resolve and DECLARE, that our political connexion with the Mexican nation has for ever ended, and that the people of Texas, do now constitute a FREE, SOVEREIGN, and INDEPENDENT REPUBLIC, and are fully invested with all the rights and attributes which properly belong to independent nations; and conscious of the rectitude of our intentions, we fearlessly and confidently commit the issue to the decision of the supreme Arbiter of the destinies of nations.

RICHARD ELLIS, *President.*

C. B. Stewart, Thomas Barnett, *Austin.* Jas. Collinsworth, Edwin Waller, Asa Brigham, J. S. D. Byrom, *Braxton.* Francisco Ruis, Antonio Navaro, Jesse B. Badgett,

Bexar. William D. Lacy, William Menifee, *Colorado.* John Fisher, Matt. Caldwell, *Gonzales.* William Motley, *Goliad.* L. de Zavala, *Harrisburg.* Steph. H. Everitt, George W. Smith, *Jasper.* Elijah Stapp, *Jackson.* Claiborne West, William B. Scates, *Jefferson.* M. B. Menard, A. B. Hardin, *Liberty.* J. W. Bunton, Thos. J. Gazeley, R. M. Coleman, *Mina.* S. C. Robertson, G. C. Childress, *Milam.* Bailey Hardiman, *Matagorda.* Robert Potter, Thomas J. Rusk, Ch. S. Taylor, John S. Roberts, *Nacogdoches.* Robert Hamilton, Collin McKinfee, Alb. H. Lattimer, *Red River.* James Power, Sam. Houston, David Thomas, Edward Conrad, *Refugio.* Martin Parmer, E. O. Legrand, Steph. W. Blount, *San Augustin.* James Gaines, W. Clark, Jr. *Sabine.* Syd. O. Pennington, W. Car'l Crawford, *Shelby.* John Turner, *San Patricio.* B. Briggs Goodrich, G. W. Barnett, James G. Swisher, Jesse Grimes, *Washington.*

GREAT MEETING IN NEW YORK.

Pursuant to public notice previously given, a very large and respectable meeting of citizens convened at 8 o'clock last evening, at Masonic Hall, to consider and adopt such measures, as might be deemed legitimate and proper, in aid of the patriotic people of Texas, in their struggle to achieve their independence, from the tyrannical government of Mexico :

On motion, SAMUEL SWARTWOUT, Esq. was unanimously appointed President; and Daniel Jackson, James Monroe, Alexander Hamilton, Charles A. Clinton, Silas M. Stillwell, and James Watson Webb, Vice Presidents; and Willis Hall, James L. Curtis, Asa P. Ufford, and William Van Wyck, Secretaries.

The objects of the meeting were briefly and appropriately stated, by the President, when the meeting was addressed by Col. Wharton, one of the Texian Commissioners, in a speech of thrilling power and eloquence, in which he depicted in bold and glowing language, the wrongs, the injuries, the sufferings, and the noble struggle of the patriotic people of Texas, and in a strain of sublime and touching pathos, appealed to the feelings, and invoked the pecuniary assistance of the citizens of New-York in behalf of his suffering countrymen, whom he declared might be *exterminated*, but could never be *conquered*. His speech was received with thunders of applause.

He was followed by Dr. Archer and Col. Austin, the other commissioners, who addressed the meeting at considerable length, and gave a history of the oppressions and tyrannies practiced upon the people of Texas, justified their

efforts to establish their independence, compared their present struggle to the determined spirit that animated the fathers of our revolution to strike for Liberty, and Freeman's Rights.

Willis Hall, Esq. being loudly called for, after a number of interesting prefatory remarks, which were loudly applauded, offered the following resolutions :

Resolved, That the cause of Texas, is the cause of Liberty ; that her contest has been marked by all the features that characterise a brave people, struggling for their natural rights, and battling gloriously for Freedom.

Resolved, That we tender to the Texians, our warm applause, for the spirit with which they have resisted oppression ; our admiration for the dauntless courage with which they have driven their tyrant from his strong holds ; maintained the unequal fight against every advantage. Their *spirit* proves that they deserve to be free ; their *courage*, that they will be so.

Resolved, That we deeply sympathize with the Texians in their wrongs, in their sufferings, and in their sorrows over the graves of the heroes who have already fallen in their defence. But let them be comforted, for such wrongs, such sufferings, and such blood, are the sure price of a nation's liberty.

Resolved, That the State of Texas, having become severed from the confederation of Mexico by no act or fault of her own, and having been driven, by unequivocal acts of tyranny, which evidently aimed at her political annihilation, to defend herself by arms against a nation whose duty it was to protect her, has justly and righteously declared herself free, sovereign, and independent, and that it is for the honour of a free and powerful nation like the United States, to be the first to take her by the hand, and acknowledge her independence.

Resolved, That the law which is paramount to all law, the great law of humanity, justifies us in extending aid to the

Texians, who are invaded by an army whose progress has hitherto been marked by atrocities unknown to civilized warfare—an army which wages a war of extermination, and whose savage chief swears to make her fertile soil a desert.

Resolved, That a Committee of sixteen be appointed, to solicit and receive donations, for the relief of the citizens of Texas, who are suffering from the ruthless warfare of Santa Anna, and that said Committee be authorized to confer with the Commissioners and Agents of Texas, as to the best method of affording efficient aid to their people, and also to add to their number, and appoint Ward Committees, and to act as a Committee of Correspondence, if deemed expedient.

The resolutions were seconded by a gentleman from Bunker's Hill, near Boston, and William W. Campbell, Esq. in able and interesting speeches; and Col. J. W. Webb being loudly called for, addressed the meeting in a brief and appropriate speech. The resolutions were then un-animously adopted.

The following gentlemen were appointed the Committee, viz:—John Ward, James B. Murray, John F. Sibell, Robert Emmet, John R. Livingston, Jun. Morgan L. Smith, Thomas Davis, Joseph D. Beers, James R. Whiting, Joseph L. Joseph, Eli Hart, William C. Wales, R. C. Wetmore, Isaac L. Varian, Edward Curtis, and McDonald Fraser; to which were added the President, Vice Presidents and Secretaries of the meeting.

Resolved, That the proceedings of this meeting be published in the daily papers of this city, and that a copy of them, signed by the officers of the meeting, be transmitted to the President and Congress of the State of Texas.

New-York, April 26, 1836.