

San Felipe de Austin Oct. 6. 1829

Mr. T. F. Leaning -

Sir,

I send you the two first numbers of the Texas Gazette published at this place - it is small but serves to show that our improvement is progressing -

My brother James who you know is no more he died of the yellow fever in Orleans - I have never met with such a blow in my life - he was all the relation I had with me (except a distant one, and we had participated in all the hardships of this wilderness) is generally lamented and was greatly esteemed -

I presume the map is published ere this - owing to an inadvertence the names of two of the rivers were spelt wrong - that is I think the Spanish orthography ought to have been adhered to - one is the Braxos, the other the Neches - in the map they were spelt Bassos, and Neches - the former is the Spanish name -

I wish to set a handsome edition of Tammers Common - can O'Stop if it does not come too high, will you have the good wif to inform me <sup>the price</sup> - I am of opinion that a Box of common School Geography & maps of the most approved authors, spelling and reading books, common arithmetics, Grammars, paper, quills and school books suitable for common schools & also Spanish <sup>Grammars</sup> and Dictionaries could be sold to advantage. If they were sent to me I could get our principal teacher to <sup>sell</sup> sell them as they might be wanted without charge any common and.

I would hold myself responsible either to return the articles, ~~or the money~~ if they were not sold, or the money if they were, I would not be bound to account for damages which they might unavoidably receive while on hands.

It would of course be expected that they would be put very low for otherwise they would not sell, as there is a regular intercourse now between this and Orleans by water, where such things can be had cheap, and besides this parents in general in this country are not able to pay high prices for school books —

Will you have the goodness to inform me also <sup>what</sup> will be the cost of a terrestrial Globe of the ~~cheapest~~ <sup>celestial</sup> kind, or of a pair including the ~~same~~ <sup>same</sup> if they cannot be had empty — Can any Spanish Bibles be had to give away —

I see in the U.S. papers a project of D. A. Smith, Exitor &c to dispose of 48,000,000 acres of land on the banks of Red River in Texas —

Those gentlemen have totally mistaken in the law, owing no doubt to a want of a correct knowledge of the Spanish language —

All those who advance or in any way interest money in that scheme as published will look in vain to the wild prairies on the head of red river for their cash — Exitor is nothing more than what the law calls an Empresario, and he is nothing more than an agent who is hired by the Gov. to introduce

no man and not remain within those limits after the settlement of the Empressario are provided for in all public lands and still belong to the state & not to the Empressario

a certain number of families of a certain description within a certain time, who are to be settled and confined to them by the Govt. within certain defined limits.

The titles are issued by a Commissioner who is specially appointed by the Govt. for that purpose and this Commissioner alone is authorized to make titles survey land &c. The Empressario merely as Empressario has no authority of any kind except to bring in the families, and if they are rec'd. by the Commissioner as being of the description required by law, the Empressario or contractor

for them gets his pay which is five leagues of land for every hundred families, ~~but~~ until he does so in no case <sup>not</sup> he is entitled to one foot of land — also no one can under any circumstances get a title until after he has removed to the country neither can a foreigner hold land here at all

I am now speaking of the colonization of the state of Coahuila & Texas passed in March 1825 which is the only law now in force — my first colony of 300 families was granted by the national Govt. before the federal system was adopted, and the authority and powers that were given to me were different and greater than can be given under the law as it now is to any person and I know that Exits and all <sup>other</sup> grants except my first one were issued under the laws of 1825 my first colony was completed some years since, in that all the powers of both Empressario and Commissioner were vested in me & the titles were signed by me in conjunction with another Commissioner

who was united with me, and <sup>who</sup> was the Baron de Bastrop.  
I am unwilling that my name should appear in the news  
in any way connected with this subject, but public  
opinion should <sup>be</sup> ~~disaband~~ <sup>informed</sup> and for this purpose there  
will be a correct translation made of the law and  
published in the Texas Gazette and I will send copies of it  
to the Editor of the National Gazette in your City —

Stephen Austin  
San Felipe de Austin  
Oct 8th 1829  
Rec'd Nov 19th 1829  
Rec'd 25  
Wm. H. B. W.  
Mr. Thos. F. Leaming  
Philadelphia  
Harrisburg  
OCT 21 1829

I have also been appointed Commissioner as well as Empressario  
in one of the colonies I contracted for on the coast between La Baca  
and San Jacinto under the laws of 1825. There is now a General  
Commissioner appointed for all Texas who is expected here soon  
he will supersede all other appointments. I am the only  
person in whom those two appointments have ever been  
united. — Persons ignorant of the laws & of the subject have sup-  
posed that I derived all my authority from being Empressario  
but that is an error  
Stephen F. Austin

*Life Austin see p 300  
298*

*July 8 Nat. Intelligencer*

*with "r" not expressed in either  
pages*

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The vacant land that remains within those limits after the settlers and Empresario are provided for is all public land and still belongs to the state & not to the Empresario -

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