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THE TEXAS COLONISTS
AND RELIGION
1821-1836

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The Texas Colonists and Religion 1821-1836

A Centennial Tribute to the Texas Patriots who
shed their blood that we might enjoy
civil and religious liberty.

WILLIAM STUART RED

E. L. Shettles, *Publisher*
Austin, Texas

80330

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FOREWORD


This is the only attempt known to the writer to present comprehensively the religious life and interests of the Anglo-American settlers of Texas. Social phenomena, aside from political activities, are the most difficult problems of the historian's craft. The facts are obscure and hard to come by, and the inevitable bias of the investigator is hard to subordinate. Dr. Red has nevertheless achieved a commendable study. It is objective and thorough. Some harsh things are quoted concerning representatives of the Mexican Catholic clergy, but, in general, they are confirmed by students and observers of the same faith, and they are necessary to a full explanation of the reluctance of the colonists to embrace the established church.

There is always danger of over-emphasis in segregating a particular topic for investigation; and it is possible that this little volume falls somewhat short of true perspective. At least, while the question of religious toleration undeniably bulked large in the minds of prospective colonists, it has seemed to the writer that they adapted themselves with noteworthy resignation to the absence of ecclesiastical ministrations after their arrival. To be sure, it was inconvenient, when the wedding was set, to have to wait while the priest could be persuaded to travel, in a pleasant season of the year, from San Antonio, but after a time the civil marriage of the United States, though unrecognized by the church or the state, proved a reasonably satisfactory substitute; and one does not gather from the records that the absence of spiritual joys supplied by the evangelists in the north was a sore burden. What might have been their attitude if the church had sought to enforce active uniformity, one can only guess. In other words, it has not seemed to the writer that religious thought played so large a part in the life of the colonies as Dr. Red believes. That, however, is a matter of opinion.

The book is presented by two Protestant clergymen. Dr. Red is a Presbyterian and Dr. Shettles, the publisher, is a Methodist—and a bibliophile and collector. It is a contribution to the early history of Texas, and deserves a cordial reading.

EUGENE C. BARKER.

The University of Texas,
Austin, Texas.



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INTRODUCTION

Religion has been given a very small space in the histories of Texas. In reviewing *Texas: A Contest of Civilizations*, by George P. Garrison, Judge John C. Townes says: "So far as the Republic and State [of Texas] are concerned . . . it is only by inference that we may have any idea as to the prevailing religion or its influence upon the growth and destiny of the people."¹ With all propriety he could have included the period of the colonists, for no written history has given any real information as to the large part that religion had in making the history of the colonists. However, with the light that is now before us after about one hundred years, we know that they had much to do with religion. Of the fourteen points specified as reasons for the Declaration of Independence no one point save religion is referred to more than once. For instance, in the Preamble to the Declaration of Independence mention is made of the "tyranny" of the "priesthood" and the support of a "National Religion"; besides, in the introduction to the Preamble the "army and the priesthood" are mentioned as the "eternal enemies of civil liberty."

The compiler of this bochure is conscious that it is not complete, nor can the subject be adequately treated until some one presents the Mexican ecclesiastico-political viewpoint. This cannot be done until the episcopal archives of Monterey and the files of the acts of the government of Mexico give up their secrets. The most striking evidence that has come under my observation that there is another side to the question under discussion is to be found in *Texas* by D. B. Edward, 259; where he quotes from the Commercial Advertiser of New York of November 23, 1835, which in turn "quotes from the Mexican papers of recent date" as follows: "What the ungrateful men [the Texas Colonists] aspire to is to rob Mexico of the fertile soil to which they were admitted without any other

¹*The Quarterly*, VII, 78. (*The Southwestern Historical Quarterly*, being a continuation of *The Quarterly of the Texas State Historical Association*, is referred to as *The Quarterly*).

condition than submission to the laws of the country which they hypocritically swore to obey. . . . They would deal with us as the viper did with the simple and humane husbandman who warmed it in his bosom to bring it into life, but they are greatly mistaken. . . . Let us take up arms and march against the robbers of Texas that nothing more may remain of them than there does of Troy, the memory that it once existed.”

I have taken for granted that those who will read this treatise have sufficient knowledge of the economic and political history of Texas from 1821 to 1836 to make it unnecessary for me to do more than merely allude to such facts by way of finding a setting for that which finally became the dominant factor of Texas colonial life,—the expression or want of expression of religious experience.

The family, the church, and the state are Divine institutions. Civil and religious liberty are realized where the people who live in each of these institutions function in the affairs of the family, the church, and the state without allowing their acts in any one sphere to encroach upon the God-ordained operations which are legitimate in the other spheres. Our fathers learned by personal experience that neither civil nor religious liberty could flourish where the people are ignorant. Consequently, some of the men who signed the Declaration of Independence also signed or promoted a “Memorial on Subject of a System of Education.” Every state educational institution in Texas owes its origin primarily to this memorial. These two papers are given in facsimile at the close of this volume.

I desire to acknowledge my indebtedness to Professor E. R. Sims, Mr. E. W. Winkler, Miss E. C. Buckley, Mrs. Mattie Austin Hatcher, and Dr. E. C. Barker, for valuable assistance kindly given in the preparation of this booklet, but no one of them is responsible for any statement made by me or inference drawn.

WILLIAM STUART RED.

Austin, Texas, May 1, 1924.

NOTICE
Please do not write in this
book or turn down the pages

THE ESTABLISHED CHURCH OF MEXICO²

By the early part of the nineteenth century the peoples who settled the original thirteen colonies and gave to the United States its free republican institutions had crossed the great river and stood facing the Spanish civilization of Mexico. The one population was prevailingly Protestant, while the other was Roman Catholic. Philosophy teaches that personal responsibility implies freedom of thought and action; upon this principle civil and religious liberty are founded. Both Protestantism and Roman Catholicism claim Divine authority for the methods which they use in seeking to secure the temporal and eternal well-being of their followers, but these views of civil and religious liberty clashed in Texas from 1821 to 1836. While many have sought to show how the Texas colonists achieved civil liberty, I shall confine my efforts to presenting, *in outline*, their strivings after religious liberty.

From February 24, 1821, to October 4, 1824, four different governments arose in Mexico. During those troublesome times the established church was kept busy trying to retain its hold upon the government and people. On the last named date a constitution patterned after the liberal Spanish constitution of 1812 was adopted. Following the counsel of Stephen F. Austin, certain federal features taken from the Constitution of the United States were engrafted upon it. By this constitution the Roman Catholic Apostolic was continued as the established church of the country, "to the exclusion of any other." The third article reads as follows: "The religion of the Mexican Nation is, and will be perpetually, the Roman Catholic Apostolic. The nation will protect it by wise and just laws, and prohibits the exercise of any other." Likewise, the constitution of the State of Coahuila and Texas says, in article nine: "The Apostolic Catholic Religion is that of the State; this it

²See Appendix A.

will protect by wise and just laws, and prohibits the exercise of any other." The national colonization laws and the colonization law of Coahuila and Texas, up to 1834, were in accord with the respective constitutions.

The claim of the Mexican government to the right to require all of its citizens to be members of the established church to the exclusion of any other harkens back through Spain to the Pope of Rome, who, as vicegerent of Christ, claimed the right to give any country, island, or continent inhabited by heathen peoples to whomsoever he would, for "the earth is the Lord's and the fullness thereof." Shortly after the return of Columbus Pope Alexander the sixth did, on the third day of May, 1493, "out of the pure liberality, infallible knowledge and plenitude of apostolic power", confirm Ferdinand and Isabella in the possession of all lands discovered by them, or to be discovered, lying west of a line from pole to pole running one hundred leagues west of the Azores. He also granted to Ferdinand all titles belonging to the church. His successor, Julius II, confirmed these grants and added all the beneficences, dignities, and offices claimed by the "Holy See". Consequently, the king of Spain came into possession of all the "right, title and interest", so far as the Pope could convey them, to all the countries his subjects discovered. This, in effect, made him supreme over the bodies, souls, and estates of the inhabitants. The king of Spain was the supreme head of the church and state in Mexico.³ Isabella, according to her light and knowledge, endeavored to fulfill the prophecy which says: "And kings shall be thy nursing fathers and their queens thy nursing mothers" to the church; she sought to make christians of the natives and to protect them from the contaminating influences of heretical foreigners by excluding such foreigners from citizenship.

³Navarete, *Colección de Viages*, tom. II, Col. Diplom., Nos. 17, 18. Appendice al Col. Diplom., No. II; Robertson, *America*, I, 66; II, 157-162; Prescott, *Ferdinand and Isabella*, II, 171-174; *Texas Supreme Court Reports*, III, 288; Abbott, *Mexico and the United States*, 21, 22.

For the most part the Anglo-Americans had been trained to believe that the Pope had no such right as he claimed, nor had any government the right to exclude any one from citizenship and the full enjoyment of life, liberty, and the pursuit of happiness on account of his religious belief. Besides, the practice of the Spanish officials in the province of Louisiana, while it was still a Spanish possession, would have had a tendency to produce the impression that the oath of allegiance to the government of Mexico, in so far as religion was concerned, was nothing more than a form. In the latter part of the eighteenth century the Spanish authorities of Upper Louisiana welcomed emigrants from the United States, supposing that they could be depended upon to help defend Louisiana from the encroachments of the British through Canada.⁴ From 1783 to 1798 religious toleration was granted, in so far as liberty of conscience in private worship was concerned, but no public worship was allowed except the Roman Catholic. From January 1798, the following restrictions were imposed: "Liberty of conscience is not to be extended beyond the first generation; the children of emigrants must be catholic; and emigrants not agreeing to this must not be admitted, but removed, even when they bring property with them. This is to be explained to settlers who do not profess the catholic religion. It is especially recommended to commandants to watch that no preacher of any religion but the catholic comes into the province."⁵ Although the Roman Catholic was the established religion to the exclusion of any other, "by a pious fiction" toleration really existed. It was customary to ask the emigrant a few general questions such as, "Do you believe in God? in the Holy Ghost? in the apostolic church? in the holy evangelists? in Jesus Christ?" An affirmative

⁴Sparks, *American Biography*, XXIII, 170; Robertson, *Louisiana under Spain, France, and the United States*, I, 355-57.

⁵Martin, *History of Louisiana*, 276.

answer to such questions would be followed by the declaration "Un Bon Catholique" and full citizenship.⁶

Moses Austin, who had been baptised by Ebenezer Goodrich, a Congregational minister of Durham, Connecticut, on October 11, 1761, arrived with his family at St. Genevieve, Province of Louisiana, September 8, 1798, eight months after the above regulations had gone into effect.⁷ According to the records of St. Genevieve catholic church Stephen Fuller Austin, who was then nearly five years of age, does not appear to have been baptized, but Jacques Elijah Brown Austin was baptized July 13, 1804.⁸ When Moses Austin was summoned to appear before Colonel Don Antonio Martinez, Governor of the Province of Texas, on the twenty-third day of December 1820, in the city of Bexar, he was questioned as to his name, native country, and residence. He answered: " . . . He is a native of the State of Connecticut, actually a resident of Missouri, is a Catholic, a merchant and dealer in lead ore."⁹ Furthermore, Stephen Fuller Austin in writing to his sister, Mrs. Emily Perry, concerning the final resting place of the remains of their parents says, "They were recognized by the Spanish government as Catholics."¹⁰ The wife of Moses Austin was in all probability a member of the Episcopal church, for the Rev. John C. Harbison of Jackson, Missouri, wrote to Austin: "I promised your Ma, when you came home in Novr. to attend to preaching the funeral of your father Col. Austin. . . . I want particularly to know what Liberties Ministers of our order (the Episcopalian) can enjoy in Texas."¹¹ Moses Austin was formally a Catholic as were all good subjects of the king of

⁶Sparks, *American Biography*, XXIII, 170.

⁷Fowler, *History of Durham*, 311, 210.

⁸Father Charles L. Tourenhout to Father J. Elliot Ross, July 29, 1919, cites the records of the Catholic church at St. Genevieve, Book C, p. 201.

⁹ Moses Austin, Declaration to Governor, December 23, 1820, Nacogdoches Archives.

¹⁰Austin to Emily Perry, May 16, 1830, Austin Papers.

¹¹Harbison to Austin, December 11, 1821, *Ibid.*

Spain. This ecclesiastical requirement, to which Moses Austin conformed when he became a citizen of the Spanish province of Louisiana, was no less a condition to citizenship in Mexico, and those Texas colonists who complied with the conditions became members of the established church, in duty bound to receive its instructions and conform to its ritual. Stephen F., as the son of Moses Austin, was probably recognized by the Spanish and Mexican authorities as a Catholic, for by a special decree he had been made a citizen of Mexico by the national congress on May 22, 1823.¹² Sam Houston became a member of the established church upon his entrance into Texas.¹³ The oath which the officers took upon their induction into office under the Mexican constitution implied virtual adherence to, if not actual membership in, the established church. This degree of toleration which was granted to emigrants from the United States into the Province of Louisiana prepared the minds and hearts of the Texas colonists for a *formal* acceptance of the ecclesiastical requirements of the established church of Mexico. Of course there were some devout Catholics among the early settlers, but Alaman was not far wrong when he said, "there is not one among them, in Texas, who is a Catholic." Even if it be true, as said the Rev. William Smith, M.D., a colonist and a participart in the battles of Gonzales and San Jacinto, that "Not more than one-fourth of the citizens had ever been required to take it [the oath]", the other three-fourths accepted land and enjoyed citizenship under a constitution which prescribed allegiance to the established church.

¹²Executive decree, March 9, 1824, *Ibid.*

¹³*The Quarterly*, II, 215. See Appendix B.

II

LETTERS OF INQUIRY ABOUT RELIGION

The official communication of Don Antonio Martinez, Governor of Texas in 1820, in reply to the petition of Moses Austin to be allowed to colonize three hundred families in the Province of Texas¹⁴ stipulated among other things, as a principal requisite, that they should be Roman Catholics or agree to become such before entering Spanish territory.¹⁵ After the death of Moses Austin, Stephen F. Austin succeeded to the privileges of his father and began to colonize under the conditions as to religion specified above. Returning to Louisiana in the fall of 1821, Austin gave wide publicity to his enterprise,—with the conditions of settlement. Economic conditions in the United States were not so favorable as they had been. Many had lost their fortunes in the financial panic and were desirous of starting anew where lands were cheap and other conditions inviting. The news of Austin's colonization enterprise fell upon itching ears, and letters inquiring about the terms of settlement began to arrive as early as November, 1821. Some contained special inquiries with respect to religion.

J. M. Arthur, writing from Kentucky, said, “. . . I can get any Catholic recommendation that may be necessary. . . .”¹⁶ J. T. Dunbar of Baltimore, wrote:

No feature of any government could be more abhorrent to men born in the land of liberty,—and matured in the arms of universal toleration, than religious restraint. The idea of an established church of any particular creed would forever

¹⁴Petition of Moses Austin, December 26, 1820, Austin Papers.

¹⁵Gammel, *Laws of Texas*, I, 26.

¹⁶Arthur to Austin, December 4, 1821, *Texas History Teacher's Bulletin*, vol 6, p. 21.

banish from our minds the design of leaving our native soil. The consideration of toleration in Religion, and the assurance that this will form one of the prominent and auspicious features of the constitution will remove a thousand obstacles from the execution of our designs.¹⁷

David Draper, of Missouri, wanted to know, “. . . if Liberty of Conscience [is] allowed of?”¹⁸ Roswell Mills of Rushville, Ohio, asked, “Will not *Monarchical Government* and Non-toleration be a great check to emigration of Americans?”¹⁹ Under date of April 26, 1822, two days before Austin reached the City of Mexico on his first visit, his mother wrote him from Herculaneum, Missouri: “I wish my dear Son to be particular on the Subject of religious toleration. Some Says every permanent Settler must become a roman Catholiks; I cannot think or believe that so arbitrary a Sistem will be adopted if it Should be it will put a Stop to Emigration.”²⁰

Samuel Ayers, of Lexington, Kentucky, submitted the following direct questions: “. . . What is the present policy of your country, and what the future prospects? Will it soon become a republic, so desirable generally to the people of the United States? Will the liberty of conscience, and of speech, be granted to the settlers, and the right of worshipping their God according to the dictates of their own conscience?”²¹ Robert C. Bruffy wrote, “I would be much obliged when you write please say all that can be said with Regard to the Government liberality Toleration Terms of Settlement etc.”²²

Charles Douglas first wrote from Murfreesborough, Tennessee, hoping that freedom of conscience would be secured notwithstanding the constitution: “. . . I was sorry,”

¹⁷Dunbar et al. to Austin, December 13, 1821, *Ibid.* 6, 24.

¹⁸Draper to Austin, December 25, 1821, *Ibid.*, 6, 25.

¹⁹Mills to Austin, March 28, 1822, Austin Papers.

²⁰Mary Austin to Austin, April 26, 1822, Lamar Papers, No. 45.

²¹Ayers to Austin, June 6, 1822, *Texas History Teacher's Bulletin*, 6, 47.

²²Bruffy to Austin, October 16, 1822, Austin Papers.

says he, "to see that the roman catholic is the established religion and none other tolerated. This will have a bad effect on the minds of many good but weak people in the U. S. and (I am afraid) will verry much discourage emigration to your country. But a poor is better than no constitution and I only hope that the good sense of your congress will so amend that clause as to at least allow other sects freedom of conscience even if they make the catholic the established religion."²³

Anthony R. Clarke wrote from Atoyac, Eastern Texas, stating, "I read the out lines for the Federal Constitution, the Americans can find no falt with any part of it but the 4th Article [establishing catholicism as the state religion and forbidding the practice of any other.]"²⁴ Dr. John Sibley of "Nackitosh", Louisiana, had no objection to the Mexican constitution of 1824, with the exception of the article concerning religion. He wrote as follows: " . . . I copied the Mexican Constitution to send to Washington, but at the same time found by the papers it was there. I have no objections to it Except the article of Religion, & in Taxas, I think it will in a short time be silent (or tacit) as the inhabitants will be mostly Americans the happiness of the People depends more on the administration than the form of government, you will govern yourselves."²⁵ John Hawkins of Missouri also offered comments upon the Mexican constitution, " . . . It is a good one so far as I Can Judge of It Except that of Religion is an objection to a great Number of people for my own part I Care nothing about it know I Can be as good a Christian there as I can here. It is only a name anyhow."²⁶

Charles Douglas wrote again, but this time from Alabama.

²³Douglas to Austin, February 26, 1824, *Ibid.*

²⁴Clarke to Austin, May 22, 1824, *Ibid.*

²⁵Sibley to Austin, July 8, 1824, *Ibid.*

²⁶Hawkins to Austin, September 21, 1824, *Texas History Teacher's Bulletin*, Vol. 6, p. 54.

Although writing of other things he made much of religion, as follows:

I wish to know what the feelings of the Govt. are at this time upon the subject of religion. Will it wink at liberty of conscience and permit good and worthy inhabitants to peaceably assemble and worship their God in the way most agreeable to their feelings without evincing any disposition to make proselytes or to interfere with the prevailing religion of the country. This is a subject of vast importance to the people of these United States and has a most powerful effect in preventing respectable families from removing from this to your country. To those who think liberally an exclusive religion presents no formidable difficulties but you are well apprised of the wonderful influence of education upon a subject involving the present and future happiness of Mankind, particularly in a country like this where religious liberty exists in all its purity. The operation of your system [will be unendurable] to our Females whose influence we must submit to in everything relating to social and domestic happiness. We will not say they renounce the religion of our Fathers or be deprived of the pleasures derived from its doctrines and ceremonies for all other earthly enjoyments. If deprived of these every other object would cease to please and all around would appear dark and dreary. An elysium under such circumstances would be more intolerable than Siberian deserts. You may depend upon it that your exclusive system has a most discouraging effect upon immigration particularly among the more respectable classes of the community. If that first and most obnoxious article could be blotted from your constitution, my word for it, families of respectability and influence would flock to your country from every part of the United States.²⁷

R. R. Royal, of Tuscumbia, Alabama, said, “. . . The most Interesting subjects to the people here appear to be that of Slavery and Religion the latter being a constitutional matter I have no expectation of as early a change.”²⁸

John Smith, from near Russelville, Kentucky, asked, for him-

²⁷Douglas to Austin, February 15, 1825, *Ibid.*, 56-57.

²⁸Royal to Austin, August 23, 1825, Austin Papers.

self and others, the following questions about religious toleration:

I am instructed to inquire particularly into the following points, to-wit:

1st. Will there be allowed to the citizens, or Subjects of Texas, a free commercial intercourse with the Citizens or Subjects of other nations?

2nd. Will Religious toleration be allowed the Emigrants from the United States, so far as to be exempted from the payment of tithes to the established Church, if they should desire it. And to think and act for themselves in matters of conscience? Provided they do not interfere with the Catholic Religion, and with fidelity support the laws of the land, as citizens ought to do? and thereby to enjoy as much Religious liberty as the Protestants have in France, and some other Catholic Countries? or as the Catholics have in the United States? or should these privileges in there full extent be refused, we ask for the Privilege of exercising the rights of private judgment in our own houses and neighborhoods? Provided, nevertheless, that our difference in opinion with the Catholics, be a silent one?²⁹

Robert Rankin of Washington County, Alabama, wrote, " . . . I discover from the speech of the President at the opening of the Panama Congress that Religious intolerance may no longer be an objection to moving to Texas."³⁰ Gideon Blackburn, President of Center College, Danville, Kentucky, asked, " . . . Is there liberty of conscience and the free exercise of religion?"³¹ Thomas Carter, of Eatonton, Georgia, asked for a sketch of the constitution and wanted to know, " . . . with regard to religion whether a man will be allowed to worship agreeable to the dictates of his own conscience or not."³² Jos. D. Grafton, of St. Genevieve, Missouri, asked, " . . . Is it necessary, in your colony, to profess the

²⁹Smith to Austin, December 25, 1825, *Ibid.*

³⁰Rankin to Austin, December 14, 1826, *Ibid.*

³¹Blackburn to Austin, January 19, 1830, *Ibid.*

³²Carter to Austin, April 7, 1830, *Ibid.*

Catholic faith?"³³ Mary Paxton, of Lincoln County, Missouri, wanted to know if, "persons coming in whether they are confined to enry particular mode of worship or not."³⁴ J. W. Parker, of Conway County, Arkansas, was determined if possible to become a resident of Texas. He wrote as follows:

I am the direct representative of fifteen or twenty familys that is depending on my Judgment of the country those familys I am well acquainted with and am verry certain that they would do honor to any country. . . . There is some of them professors of religion (Baptist) they want the liberty of concience and of worshipping accordingly I have no other scheme in view in exploring the country than to try to find a country that will settle me & my friends satisfactorily Neither am interested in making fals representations to you in making the present request as I am determined on becoming a resident if I can do so on any principles that I can live by.³⁵

There was a difference in the tone of the letters written to Austin before and after the adoption of the constitution of 1824, and, as will be observed further on, there was a difference in the tone of Austin's statements with respect to religious toleration. The letters were from the Southern States and indicate a widespread interest in the question of religious liberty in Texas.

³³Grafton to Austin, May 5, 1830, *Ibid.*

³⁴Paxton to Austin, October 3, 1831, *Ibid.*

³⁵Parker to Austin, June 29, 1832, *Ibid.*

III

HOW ANGLO-AMERICANS CONFORMED TO THE ESTABLISHED CHURCH

Early in the spring of 1822 Austin learned that he must go to the City of Mexico in order to secure from the new government a confirmation of the grant made to his father. After repeated delays this confirmation was granted on April 14, 1823; forthwith the empresario set out for his colony. After an absence of more than one year he arrived, in the early part of August, 1823. The settlement was nearly broken up, and immigration had ceased. On the 6th of that month he addressed a letter to the settlers in which he expressed himself on this wise :

I wish the settlers to remember that the Roman Catholic is the Religion of this nation. I have taken measures to have Father Miness [Francisco Maynes], formerly of Natchitoches, appointed our Curate; he is a good man and acquainted with the Americans. We must all be particular on this subject and respect the Catholic religion with all that attention due to its sacredness and to the laws of the land.³⁶

There is among Austin's papers an unsigned letter, in Austin's handwriting, treating of this subject. It is dated a few months after his return from the City of Mexico and is in part as follows :

San Filipe de Austin,
Oct. 20th, 1823.

Dear Sir,

. . . The Government is yet unsettled tho. there is now no doubt of its being a federal republic on the plan of the United States in every particular except toleration, the Roman Catholic is the established religion to the absolute exclusion of all others & will so continue for a few years, but the natural operation of a Republic will soon change that system—private

³⁶Austin to Fellow Citizens, August 6, 1823, *Ibid.*

worship will never be enquired into, but no public preaching or exorting will on any account be permitted, and I should feel myself compeled to silence any preacher or exorter who would attempt it, within my jurisdiction.

You may think me rather tyrannical relative to those who come without proper recommendations, but I have been much imposed upon, no recommendation from justices of the Peace will be noticed unless I personally know them, and all bad or idle and worthless men who come here will have abundant cause to curse the hour they crossed the limits—the welfare of this Colony requires the most rigid police, and my orders from the Govt. on this subject are imperative and must be obeyed.³⁷

A few days after the above letter was drafted, Austin issued a circular letter defining the terms upon which settlers would be admitted into his colony. I shall quote but a part of it.

. . . No one will be received as a Settler, or even be permitted to remain in the country longer than is absolutely necessary to prepare for a removal, who does not produce the most unequivocal and satisfactory evidence of unblemished character, good Morals, Sobriety, and industrious habits, and he must also have sufficient property to begin with either as a farmer or a mechanic besides paying for his land. No frontiersman who has no other occupation than that of a hunter will be received. No drunkard, nor Gambler, nor profane swearer, nor idler, nor any man against whom there is even probable grounds of suspicion that he is a bad man, or ever has been considered a bad man or disorderly man will be received.

Those who are rejected on the grounds of bad character will be immediately ordered out of the Country, and if the order is not obeyed they will be sent off under guard and their property seized and sold to pay the expenses, and should forcible resistance be made by them, the guard will be ordered to fire on and kill them. . . .

The Roman Catholic is the established religion of the Mexican nation and the law will not allow of any other in this Colony.³⁸

The next year (1824) Austin issued an address to the colonists which, while it made no specific reference to religion, does,

³⁷Austin to, October 20, 1823, *Ibid.*

³⁸Austin to Public, October 30, 1823, *Ibid.*

in general terms, touch on both civil and religious liberty. Since the constitution of 1824 continued the Roman Catholic as the established church of the republic, Austin revealed the wisdom of the statesman and the tact of a diplomat in using such language as would give no offense to the Mexicans and yet would inspire the Anglo-American colonists with his own exuberant expectations. He wrote:

Fellow citizens,—With the most heartfelt and sincere congratulations I now have the pleasure of announcing to you officially the form of government which the Mexican Congress have adopted and which you are now called on to swear to, and this I do with the more satisfaction as I am convinced that there is not a breast amongst you that will not palpitate with exultation and delight at the prospects of Freedom, Happiness, and prosperity which the *Federal Republican System of Government* presents to your view.

Words cannot express to you the satisfaction I feel from the reflection that those whose fortunes I shall be instrumental in promoting in this Country can now enjoy them without the alloy, which the fear of a despotic Government would have thrown into their future hopes. The great Mexican Nation is free, rational liberty, with all its concomitant blessings has opened to the view of the world, a Nation which Despotism, had hitherto enveloped in intellectual night. The Federal Republican System, that last and glorious hope of persecuted freedom . . . now spreads its fostering arms over the vast dominions of Mexico.³⁹

The significant expressions in the above are “rational liberty” and “federal republican system.” On October 30, 1823, Austin had written: “The Roman Catholic is the established religion to the absolute exclusion of all others and will so continue for a few years, but the natural operation of a republic will change that system.” To the Anglo-Americans, “a federal system” signified local self-government to the community and civil and religious liberty to the individual.

³⁹Austin to Fellow Citizens, May 1, 1824, *Ibid.*

From this time on there was a relaxation in the enforcement of the requirements for entrance into the colony, until in his instructions to his agent at Nacogdoches, November 13, 1830, Austin said:

I wish to do my duty strictly. The object of the government I understand to be, to keep out bad and useless men, and to admit all who are honest, industrious, and moral, and I wish you to keep that rule in view in giving the certificates. . . . I do not require that all should be rejected who bring no recommendations with them, for I know that many good men emigrate without providing themselves with recommendations, because they are not apprised of the necessity of doing so.⁴⁰

Mrs. Holley says:

. . . Without such certificate, as also that of the Empresario witnessing its genuineness, the commissioner is bound to withhold title. In point of fact, however, to procure an order of survey, an applicant is required merely to obtain, from the Alcalde of the country, the certificate above mentioned. He goes to the Alcalde, and that officer, upon the testimony of two bystanders, gives him the certificate required, upon the payment of a dollar and a half. Upon the presentation of this paper to the commissioner, an order of survey is granted, and the title is issued to the land surveyed.⁴¹

While Austin looked well to the character of the prospective settlers he laid little stress upon their dominational relations. The result of such a policy upon the population of Texas could have been easily forecast. Mrs. Holley says:

Texas was not, like New England, settled by Puritans flying from persecution. It was, however, settled by men who knew the value of freedom of conscience as well as of civil liberty. They accepted lands from the Mexican government on condition of becoming nominal Catholics, as the members of the

⁴⁰Austin to Menard, November 13, 1830, *Ibid.*

⁴¹Holley, *Texas*, 225

British government pledge themselves to become good Episcopalians, and though not *Romans*, they were so far *Catholic* as not to contend for points of faith, and had sense enough not to quarrel about forms and technics, when they knew that more liberal views were dawning in Mexico in religion as well as government—that they were only in advance of, and had to remain quiet and wait the progress of opinion there.⁴²

It is interesting to read what the Presbyterian Scotchman, David B. Edward, had to say of the moral and religious status of the colonists under such a regime, for he lived among them. He wrote: “They are at the same time establishing for themselves a moral character; which may at this time bid defiance (*and that too with confidence*) to any state or province, within the boundaries of either republic, to produce a less number of state crimes, to the same number of inhabitants; reckoning from the time the first American settled in Texas, up to the present day.”⁴³ He also added that from the point of view of the Gospel the morality of the “Texasians” must be pronounced “Bad—bad! superlatively bad!!”⁴⁴ William Dewees wrote in 1831, from the Colorado River, . . . “The people of this country seem to have forgotten that there is such a commandment as ‘Remember the Sabbath day and keep it holy.’ This day is generally spent in visiting, driving stock, and breaking mustangs. There is no such thing as attending church, since no religion except the Roman Catholic is tolerated, and we have no priests among us. Indeed, I have not heard a sermon since I left Kentucky, except at a camp-meeting in Arkansas.”⁴⁵ Mrs. Holley declares: “Never has any Cis-Atlantic State been peopled by a more honest, industrious, intelligent, and respectable emigration than Texas, and especially Austin’s colony. . . . The empresario, Gen. Austin, has never admitted into his colony any man known to be of

⁴²*Ibid.*, 176.

⁴³Edward, *History of Texas*, 178. He wrote in 1836.

⁴⁴*Ibid.*, 296.

⁴⁵Dewees, *Letters from Texas*, 137.

disreputable standing.”⁴⁶ John J. Linn, one of the early settlers, had this to say: “In regard to religious toleration under the Mexican government I deem a few words not inappropriate. Not one in ten of the colonists introduced into Texas were Catholics; and to my certain knowledge no efforts were made to secure forcible subscription to the tenets of that church. Every man was free to follow the bent of his own inclinations in this respect.”⁴⁷

Rev. William Smith, M.D., who was a participant in the battle of Gonzales, said of the citizenship of Texas in 1836, “Not more than one-fourth of the citizens had ever been required to take it [the oath].”⁴⁸ Yoakum’s testimony is still more explicit: “It is not unsafe,” says he, “to affirm that, in the face of this law [requiring the observance of the established religion] nineteen-twentieths of the colonists of Texas neither observed nor believed in the religion prescribed by the Mexican constitution; and it may be further said that they believed that the constitution had no right to prescribe any rule or faith on the subject. Men never become religious by contract or compulsion. Yet such was the law.”⁴⁹ Austin himself, in a letter to William H. Wharton, under date of November 18, 1826, considered the condition imposed upon the colonists of becoming “roman Catholics” as simply a “formal and unessential requisition.”⁵⁰

Alaman, in his *Inciativa* of February, 1830, credits Teran with practically all the information that had been obtained “by the Mexican authorities, with respect to the conditions in the province of Texas.” Teran’s report covers the time from 1820 to 1830. By way of conclusion Alaman says: “Hence we find that besides this territory having been occupied by colonists who ought never to have been admitted into it, there

⁴⁶Holley, *Texas*, 130.

⁴⁷Linn, *Fifty Years in Texas*, 283.

⁴⁸*Texas Methodist Historical Quarterly*, I, 82.

⁴⁹Yoakum, *History of Texas*, I, 233.

⁵⁰Garrison, *Diplomatic Correspondence of the Republic of Texas*, I, 134.

is not one among them, in Texas, who is a Catholic; and this is a circumstance which has been attended to in all the contracts which have been formed, as one of the leading articles.’⁵¹

From the time of the adoption of the constitution of 1824 the requirements for admission were so liberally interpreted by the empresarios as to admit “all who are honest, industrious and moral”, with or without certificates, “for,” says Austin, “I know that many good men emigrate without providing themselves with recommendations, because they are not appraised of the necessity of doing so” (although wide publicity had been given to the conditions of settlement in the colony). While it is true that some came to Texas to escape civil or criminal prosecution and others for the sake of adventure, the majority came to found a new home where lands were cheap and the prospects inviting. As a matter of fact, the settlement of Texas by Anglo-Americans grew out of a hunger for land, and the Texas colonists were willing not only to brave the dangers of the wilderness, but also, if need be, either to endure the ire of the established church or to bow formally to its requirements. None of them were forced to come but voluntarily accepted citizenship with all the rights, privileges, and obligations thereof, including allegiance to the established church to the exclusion of all others. While perhaps three-fourths of the colonists never took the oath of allegiance, so far as the laws were concerned one could not be a full-fledged citizen without being a member of the established church. The leaders among them believed that neither Ferdinand and Isabella nor their viceroys and successors in Mexico had received a valid title to Texas from the Pope, for he had no title to convey. The colonists had been trained in the school of experience in the United States to believe that “the earth

⁵¹*Diecionario Universal De Historia Y De Geografia*. Apendice Numero 1; *House Executive Document* 25 Congress, 2 Sess., N o. 351, vol. XII, p. 315.

is the Lord's and the fullness thereof'', that it is to be enjoyed by those who rescue it from the savage and subdue it, and that citizenship under a civil government is not dependent upon citizenship in the kingdom of grace. They loved religious liberty as well as civil liberty and were not unwilling to fight for both.

IV

NATURALIZATION OF FOREIGNERS

Some years before Austin commenced to colonize, Anglo-Americans had come into the Province of Texas, and their spiritual welfare was a matter of concern to the Bishop of Monterey, for in a letter to the Salcedo, the governor of Texas, the Bishop wrote: "with reference to the foreigners who wish to settle in Trinidad within the jurisdiction of that province [Texas], I believe that their baptisms and marriages can be legalized, which matter I have intrusted to Rev. Father Francisco Maynes, curate of that village [Bexar] sending to him corresponding instructions for the conversion of sectarians, especially Quakers who practice errors the same as their brothers in London. It may be that among the thirteen foreigners there may be a married Calvinist. His matrimony should be declared null. By this mail I am sending out this instruction, and I communicate it to you for execution."⁵² ⁵³

In order to understand better the workings of the colonization laws under which Texas was settled by Anglo-Americans we here introduce a specific instance of how one, James Forsythe, became a citizen of Mexico in 1821, according to the law for naturalization of foreigners. Forsythe wrote the following letter to Antonio Martinez, Governor of the Province of Texas:

I, James Forsythe, formerly a citizen of Natchitoches, Louis-

⁵²Bishop of Nueve Leon to Governor of Texas (Salcedo) September 5, 1810. Bexar Archives.

⁵³Father Maynes afterwards became chaplain to the presidio at Bexar, but he was forced to flee in 1812 to Louisiana on account of a revolution, and was at Natchitoches when Austin went through on his way to Texas. After repeated efforts he was allowed to return to Bexar and by 1822 had been made chaplain to the presidio. (Maynes to commandant-general, November 3, 1819, Bexar Archives; Martinez to same, November 12, 1821. See Con. 10, pol., 3-1-1821-7-20-1822, No. 104, Bexar Archives; Trespalacios to same, March 27, 1822, *Ibid.*

iana, humbly supplicate your Lordship permission to reside in the country as a faithful subject with my wife with whom I was married agreeable to the American constitution and that it is my wish to be remarried with her agreeable to the catholic faith and imbrace the religion agreeable to the Constitution of Spain and humbly pray your Lordship Mercy & Grace.⁵⁴

Forsythe's letter was translated into Spanish for the Governor by Baron de Bastrop, and by the governor referred to Father Refugio de la Garza for the opinion of the church authorities as to the admisability of Mr. Forsythe and his wife to full citizenship, which implied membership in the established church. Father Garza replied as follows:

Our mother, the Roman Apostolic Catholic Church, will receive as a pious member any one who will leave off his errors and manifest his intention of living according to the doctrines and baptism of the Church and instructs himself in the evangelical principles which are contained in the New Testament; nothing more is necessary in order to be a member and participate in the merits of Christ.⁵⁵

Forsythe's letter, with the endorsement of the priest, was then sent by the governor of Texas to the commandant-general, Arredondo, for further consideration. Arredondo laid the matter before the provincial deputation so as to secure the opinion of the civil authorities, and their opinion is contained in the following letter to the governor:

The most excellent Deputation of the Province under date of the second of the current month advises me of the following: "It is ordered that the answer sent to the Governor of Texas be that the foreigner, 'James Forsay' being married to a Spanish woman, and they being willing to abjure their errors and embrace the doctrine of the Apostolic Roman Catholic Church; always on the condition that he rectifies his wrong, it seems to this Deputation that residence be permitted him in that place [Bexar]. This is communicated in answer to your inquiry of

⁵⁴Forsythe to Governor, January 11, 1821, *Ibid.*

⁵⁵Garza to Governor, January 13, 1821, *Ibid.*

23rd of last month.” The above is transmitted to your Grace for your direction and guidance in the matters concerned.⁵⁶

In view of this regulation way of making good citizens of Mexico out of foreigners before the days of colonization, one can the more fully appreciate the astonishment with which the ayuntamientos of Bexar and Nacogdoches addressed the governor of Texas when they were awakened from their long sleep by the oncoming of the colonists under the contract which Austin had made with the authorities. “Many foreigners,” wrote the ayuntamiento of Bexar, “from the United States are taking root and forming arbitrary settlements, from the Sabine to the Colorado, without subjecting themselves to the laws prescribed by the very excellent Deputation of the Province. This ayuntamiento begs to point out the need for restrictions in regard to the immigration of families into this country and whatever else is necessary in order to avoid the consequences which they might cause against the quiet, good order and peace of all the province.”⁵⁷

While the petition from the ayuntamiento of Bexar seems to have sprung from his own initiative, the alarm sounded by the ayuntamiento of Nacogdoches was occasioned by a letter from Father de la Garza, formerly parish priest at Bexar but at that time in Mexico City as a member of the National Congress. Father Garza wanted to know if the Anglo-Americans were “coming into our land.”⁵⁸ To this inquiry the ayuntamiento replied:

The Anglo-Americans continue to congregate and to establish themselves within the boundaries of our province without subjecting themselves to the government, and each takes the portion of land he desires as if it were an inheritance, and without declaring their religion or whether they are of the favored class, nor do they comply with the order established regulating the location [of colonists]. And although this body

⁵⁶Arredondo to Martinez, March 6, 1821, *Ibid.*

⁵⁷Ayuntamiento of Bexar to Martinez, March 28, 1822, *Ibid.*

⁵⁸Garza to Ayuntamiento, March 27, 1822, *Ibid.*

has made due representation of all this to the immediate authorities it has all been in vain. But let us disillusion ourselves, this America, and particularly the province of Texas, is the precious stone, the golden apple, that is wanted by all foreigners, and if it is not secured (or protected) we shall lose it . . . it is unthinkable that we can afterwards defend it or snatch it from the hands of the ambitious who unscrupulously and felonously have appropriated it.⁵⁹

“True it is,” said Austin, in writing of himself, “that emigrants did come in previous to the passing of the law of the 18th of August, 1824, or that of the state law of 1825, who stopped on the Ayesb Bayou, round Nacogdoches, and on Trinity. . . . They stopped where they were owing to his long detention in Mexico and the consequent discouraging reports about his settlement; and that, therefore, they were innocent of any intention to intrude illegally into the country.”⁶⁰

⁵⁹Ayuntamiento to Garza, May 5, 1822, *Ibid.*

⁶⁰Gammel, *Laws of Texas*, I, 17.

V

THE RELIGIOUS REQUIREMENT FOR COLONIZATION, AND HOW IT WAS ENFORCED

Austin, having left his colony in the care of Josiah H. Bell, was helping the Mexican authorities to enact a general colonization law for the whole of Mexico. "I can without boasting," says Austin, "say that my Constant Exertions and importunity with the Members both directly and indirectly through my friends produced this law [the law of 1823]) for if it had been delayed a few weeks longer the new revolutionary events of January and February would have prevented its passage at all during that year."⁶¹ The first article of this law provided that, "the government of the Mexican Nation will protect the liberty, property and civil rights of all foreigners who profess the Roman Apostolic religion, the established religion of the empire."⁶² Iturbide decreed that "Austin is authorized to proceed in conformity with said law" to settle three hundred families "who must accredit that they are Roman apostolic catholics, and of steady habits . . ."⁶³ After the downfall of Iturbide, Austin secured the confirmation of his contract by the federal congress and set out for home, leaving congress at work on a constitution for the federation. The constitution of 1824 having been adopted, another general colonization law was enacted which, while it made no specific mention of religion, did "offer to foreigners who come to establish themselves within its territory, security for their persons and property, provided they subject themselves to the laws of the country."⁶⁴ Article three of this national colonization law provided that, "the legislatures of all the states will, as soon as

⁶¹Austin to citizens, June 5, 1824, Austin Papers.

⁶²Gammel, *Laws of Texas*, 1, 28.

⁶³*Ibid.*, I, 31.

⁶⁴*Ibid.*, I, 38.

possible form colonization laws or regulations for their respective states, conforming themselves in all things to the constitutional act, general constitution and the regulations established in this law.’⁶⁵

Austin’s first colony was so far completed under the operation of the national colonization laws of January 4, 1823, and August 18, 1824, that he petitioned the supreme government, through the state authorities, for permission to locate two or three hundred more families, specifying that they should be “industrious and of good morals” but saying nothing of their being catholics.⁶⁶ His reasons for this omission were expressed with remarkable clearness in the rough draft of a letter to Seguin:

There are two obstacles which hinder immigration to this province and the whole nation: One is the doubt which exists concerning slavery and the other religion. Many catholics would come from Louisiana if they could bring and hold their slaves here. But as the larger part of their capital is in slaves they cannot emigrate without bringing them, and from the other States where there are not many catholics they will not come because there is not liberty of conscience. All would be content to pay for maintenance of the Catholic church if they could obtain the right of following the cult which they please. [Last sentence erased.]’⁶⁷

Austin was so eager that his petition was repeated twice over before any action was taken by the state authorities. A month after the state law of March 24, 1825, went into effect, Governor Gonzales wrote to Austin stipulating that “the families which are to compose this colony besides being industrious as offered in the petition [by Austin], must also be catholics and of good moral habits, which qualifications must be proved by the documents, required in article five of the colonization law of the 24th of March [1825].”⁶⁸ It is to be ob-

⁶⁵*Ibid.*, I, 97.

⁶⁶Austin to Supreme Government, November 6, 1824, Austin Papers.

⁶⁷Austin to Seguin, January 1, 1824, *Ibid.*

⁶⁸Gammel, *Laws of Texas*, I, 48.

served that article five did not make use of the word catholic; "christian" was the term, and "christianity" was the word used in defining the duties of the commissioner.

We have seen that Austin was largely instrumental in securing the enactment of the national colonization law of 1823. In like manner, through Bastrop and his friends, he exerted his influence in the formation of the state colonization law of March 24, 1825. Baron de Bastrop, who had befriended Moses Austin upon his arrival in Bexar, was no less a friend to his son, Stephen. Bastrop had been commissioned to represent the government at San Felipe, in the issuance of titles to the lands, but in a short time he was elected to the state congress and left Austin as his deputy to issue titles. In a letter from the seat of government, dated five days before the law was passed, Bastrop informed Austin of the hatred that the Mexicans had for the colonists and mentioned what difficulty he had in securing the passage of anything friendly to the Texans. He wrote of Arispe as being friendly to Austin's plans, and also of Viesca, Campos and Gutierres the three vocales from Paras who had helped him to secure the passage of the colonization law by the state congress. He expressed himself as being willing to be guided by Austin in regard to what legislation was needed.⁶⁹ No doubt through Bastrop's influence, Austin was enabled to secure a copy of the proposed law dated, among Austin's papers, more than a month before it was enacted.⁷⁰

The law was so formulated as to provide for two classes of persons: those who had "already arrived", and "new settlers" Article three read: "Any foreigner, already arrived in the state of Coahuila and Texas, who shall resolve to establish himself, and become domicilated therein, shall make a declaration to that effect before the ayuntamiento of the place he shall select as his residence, by which, in that case, he shall be sworn to obey the Federal and State Constitutions, and to ob-

⁶⁹Bastrop to Austin, March 19, 1825. Austin Papers.

⁷⁰Draft of Law, February 9, 1825, *Ibid.* (Miscel.)

serve the religion prescribed in the former, etc.” On the other hand, article five specified that, “foreigners of any nation whatever, and natives of this republic, can project the formation of new townships . . . but the new settlers, who present themselves to be admitted shall prove, by a certificate from the authorities of the place from which they came, their christianity and good moral character.”⁷¹ To the Mexicans, to be a Christian was synonymous with being a member of the established church, hence to them the requirement for each of the two classes was the same; not so with the Anglo-Americans. To them the word “christian” was susceptible of so broad an interpretation as to signify not heathen. Whether this difference in the requirements for the two classes of persons was so arranged by Austin and his friends as to satisfy the Mexicans and at the same time prepare the way for the many new settlers who wanted to be allowed to come upon a mere declaration that they were not heathen may never be known, but one thing is certain: the practice of issuing certificates to the new settlers shows that they interpreted the law very liberally, for the “place from which they [the new colonists] came” did not have to be farther removed from the office of the commissioner than the home of the alcalde, a distance of a few hundred yards. Besides, Austin was both empresario and deputy commissioner for Bastrop while the latter was a member of the state congress, working in harmony with Austin for the success of his colony.⁷² For the inspection of the officials and the public Austin had a series of “regulations to be observed by persons who wish to settle in the colony which the Gov’t. have authorized Stephen F. Austin to establish in Texas, by contract dated April 27, 1825, being the second colony of Austin.”⁷³ Those regulations were in harmony with the law, but Austin acted upon the principle that the Mexican did not mind “sacrificing national dignity and national interest too,

⁷¹ Gammel, *Laws of Texas*, I, 40.

⁷² Bastrop to public, January 20, 1824, Austin Papers.

⁷³ Regulations, April 27, 1825, *Ibid.* (Miscel.)

if it can be done in a still way", and he professed "to have always kept in view the power which appearances have over them [the Mexicans]." ⁷⁴

As might have been expected sooner or later, the irregularities were noticed by the Mexican officials, for one year after the enactment of the state colonization law the commissioner of DeWitt's colony asked the vice-governor if he could admit as colonists those not possessing certificates required by law. He also asked if, in the absence of the prescribed documents, they should be admitted upon a certificate issued by the empresario vouching for their being christians; "for," said he, "though they may be such they may not be subject to the Roman Catholic Church." ⁷⁵

The governor, Arispe, replied to the political chief instructing him to abide by article five of the colonization law of March 24, 1825, and articles one and two [Art. 4] of the instructions of the government dated April 26 [27], 1825, in deciding upon the admission of foreigners not presenting certificates of christianity and good character. ⁷⁶ Article five, as quoted above, stipulated that foreigners must have certificates of "christianity" from the "*authorities of the place from which they came*", and the "instructions of the government" were contained in the contract made with the empresario.

Finally, the matter was taken up by the state congress and the following instructions were issued to the commissioners who represented the government in the distribution of lands to the new colonists:

Art. 1. The commissioner shall be obligated pursuant to the contract made by the empresario with the government, also to the colonization law of the 24th of March [1825], to examine in the most scrupulous manner the certificates, which colonists from foreign countries are required to bring from the authorities of the place from which they come, thereby

⁷⁴*The Quarterly*, XIII, 273.

⁷⁵Commissioner (Saucedo) to vice-governor, April 2, 1826, Draft No. 88, in Libro Borador 1-8-1826-8-5, 1826, Bexar Archives.

⁷⁶Governor to political chief, April 21, 1826, *Ibid*.

proving themselves to be of the christian religion and to possess a good moral character, without which requisites they shall not be admitted in the colony.

Art. 2. In order to guard against false certificates, the commissioner shall admit none until after the empresario, to whom they shall previously be transmitted for the purpose, shall give information in writing relative to the legitimacy of same.

Art. 3. He shall administer to each of the new colonists from foreign countries, the oath in form to obey the Constitution of this Republic, that of the State, and the general and special laws of his adopted country.

Art. 8. [Form of Oath] You solmenly swear, before God, to obey the political Constitution of the State of Coahuila and Texas, sanctioned by Congress on the 11th of March, 1827 (and cause the same to be obeyed, for officers). So help you God; should you not, may it be demanded of you in judgment, and moreover you shall be answerable to the State.'"⁷⁷

From 1821 to the adoption of the constitution of 1824 there was some effort to conform to the laws by presenting credible legal certificates of catholicity and also by swearing to support the federal and state constitutions, which required the acceptance of the faith of the established church to the exclusion of any other. Upon the adoption of that constitution, Austin wrote to his trusted friend, Joshiah H. Bell, to assemble the colonists and have them conform to the following regime:

"You swear to observe and obey the Constitutional Act of federation of the Mexican Nation? To which they will answer yes we swear and then let them give three cheers, fire a salute of small arms, or any other demonstration of joy and rejoicing that may be deemed proper by the people.'"⁷⁸ Accordingly, Bell informed Austin that on May 1, 1824, twenty-four men, whose names he gave, complied with the order of the empresario.⁷⁹ And Austin wrote to the Provisional deputation: "I inform your Excellency that on the 1st instant, I called a

⁷⁷Gammel, *Laws of Texas*, I, 180.

⁷⁸Austin to Bell, April 20, 1824, Austin Papers.

⁷⁹Bell to Austin, May 1, 1824, *Ibid.*

meeting of the inhabitants of this District, to take their Oath to the Constitutive Act, agreeably to the orders of your Excellency. Everything was done consistent with the situation of this new town, to solemnize that act, so highly important and interesting which was welcomed by the people with the greatest expressions of adhesion to our actual Government.”⁸⁰

The ceremony included the hoisting and saluting of the national colors, which consisted of three vertical bars, green, white and red. The white denoted the purity of the religion of the established church, the green, independence, and the red, the union of the Spanish element with the Mexican nation.⁸¹ With the exception of this celebration and the accompanying oath, followed by a similar one the next year, we do not find anything to show that the certificates in regard to religion were considered by the empresarios and the colonists as being more than an “unessential requisition”, all laws to the contrary notwithstanding. Of course, those who took the oath were in honor bound to obey the constitution of the state and of the nation, each of which required that the religion of the state and nation should be “perpetually the Roman Catholic Apostolic”; and it would appear that those who did not take the oath but were within the state of Texas as colonists were unlawfully within the jurisdiction of the Mexican authorities. Without seeking to locate or distribute the blame for the conditions as they developed, we deem it sufficient to quote the testimony of three officials. Teran wrote to Governor Viesca: “It seems that in the town of Austin the decrees and orders of the government do not circulate, when they are contrary to the interests of said colony: but rather some orders are kept from the general public.”⁸² However, it is to be noted that F. W. Johnson wrote Musquiz protesting against Teran’s statement and insisting that “the colonists respect in a high degree the present administration, as protectors and defenders of the fed-

⁸⁰Austin to Provincial Deputation, May 25, 1824, *Ibid.*

⁸¹Bancroft, *History of Mexico*, XIII, 4.

⁸²Teran to Viesca, February 16, 1831, Bexar Archives.

eral system''.⁸³ In 1834, Ugartachea wrote to the commandant-general that he had been informed by many individuals from Nacogdoches of the lawless practices which the authorities of that place were accustomed to follow. "They only obey," said he, "the laws which suit their fancy, laws which in substance are adopted from the United States, as may suit their convenience, and displease the few Mexicans that are settled there."⁸⁴

Finally, finding that they could not regulate the admission of colonists from the United States, the federal congress, on April 6, 1830, decreed that no more emigrants should come from the United States, except they held permits from the Mexican consuls resident within those states. Emigrants came, however, with or without passports from the agents of the Mexican government. Consequently, we find Ramon Musquiz writing to the alcalde of Nacogdoches in April of 1831, asking to be informed "minutely of the causes which have occasioned such a shameful violation" of the colonization laws resulting in the fact that "among the seventy-two strangers admitted by the town council as citizens of that town, are found twenty-seven of different religions."⁸⁵

⁸³Johnson to Musquiz, April 30, 1831, *Ibid.*

⁸⁴Ugartachea to commandant-general, December 29, 1834, *Ibid.*

⁸⁵Ramon Musquiz to Alcalde, April 27, 1831, Nacogdoches Archives.

VI

SOME REASONS FOR THE ABSENCE OF "SPIRITUAL PASTORS"

A law of the federal congress of January 4, 1823, which became in the following particular the law of Coahuila and Texas, provided in article 16 that "the government shall take care, in accord with the respective ecclesiastical authority, that these new towns are provided with a sufficient number of spiritual pastors, and in like manner it will propose to Congress a plan for their decent support."⁸⁶

The constitution of Coahuila and Texas provided that, "The State shall regulate and pay all the expenses which may be necessary for the preservation of religious worship, in conformity with the regulation of the Concordats, which the Nation shall celebrate with the Holy See, and according to the laws it shall dictate relative to the exercise of patronage, in the whole Federation."⁸⁷ The colonization law of Coahuila and Texas of 1825, provided that, "The executive, in connection with respective ordinary ecclesiastics, shall take care that the new towns are provided with a competent number of pastors; and, with the concurrence of the same authority, he shall propose to Congress the salary to be paid them by the new settlers."⁸⁸ Austin's contract of June 4, 1825, for the settlement of five hundred families, provided that he should "solicit in due time the necessary number of priests for the administration of spiritual affairs."⁸⁹ On August 25, of the same year, it was made the duty of the Governor, in consultation with his council, to manage the ecclesiastical officers of the state.⁹⁰

⁸⁶Gammel, *Laws of Texas*, I, 29.

⁸⁷*Ibid.*, I, 424, Art. 10.

⁸⁸*Ibid.*, I, 132.

⁸⁹*Ibid.*, I, 48, Art. 9.

⁹⁰*Ibid.*, I, 26, Art. 10.

But few of the colonists had arrived when Governor Martinez wrote to the commandant-general advising him that it was absolutely necessary to have some form of religious instruction for the colonists and that, since a large temple could not be built, a small chapel should be erected. He also advised that there should be one or more priests to give the new colonists instruction.⁹¹

Upon Austin's return from the City of Mexico, in August 1823, he informed the people that he expected to secure the services of Father Mines [Maynes], formerly of Natchitoches but at that time ministering at Bexar, to become the curate of his colony.⁹² To make sure of securing Father Maynes, Austin transmitted the following petition to the Governor, Garcia:

The neighbors of the Rio Colorado and Bravo say that since they have been here they have had no spiritual pastor. Their children have not been baptised, there have been no marriage ceremonies and many have died without the ministrations of a priest. If possible they would like to have Father Maynes, chaplain of the company of Bexar and a priest well known by many of them and who speaks the English and French. He will set them a good moral example which should exist amongst the colonists and instruct the youth in the dogmas of the Roman Catholic religion.⁹³

The Governor approved the petition and stated to the commandant-general that he thought Father Maynes well suited to minister to the colonists.⁹⁴ And here the matter seems to have rested for eight months until Austin wrote again, but this time to Ramon Musquiz, as follows:

As there are many in this colony who wish to be married and several children to be baptised, I request that your honor send Father Refugio de la Garza, for this purpose, in order to avoid many evils which would arise from the delay of such

⁹¹Martinez to commandant (Lopez), December 1, 1821, Contextacion de la politico, March 1821, to August, 1822. Bexar Archives.

⁹²Austin to citizens, August 6, 1823, Austin Papers.

⁹³Austin to governor, August 10, 1823, Bexar Archives.

⁹⁴Governor (ad interim) to commandant-general (ad interim), September 16, 1823, Blotter 7-22-1823-3-21-1825. *Ibid.*

things. And if the Father is not able to come, would you give me some authority to make a sort of provisional marriage, until the Father is able to come, because without this grave evils can happen.⁹⁵

In three weeks Saucedo, the political chief, wrote to Austin, "The curate, Don Refugio de la Garza, priest in San Antonio, has told me that in the beginning of October, he will go to that town to marry the inhabitants who are disposed, and to baptise the children who are capable of receiving this sacrament."⁹⁶ Shortly after receiving this letter from Saucedo, Austin received a letter from Father Maynes informing him that the sacred mitre of the bishopric had conferred upon him the authority to visit the settlers on the Colorado and Brazos rivers with a view to ministering to their spiritual necessities, and this he would be glad to do provided some escort would be provided from Bexar or from the colonists.⁹⁷ But neither of these priests went to minister to the colonists, so Saucedo wrote to the Bishop at Monterey, enclosing a petition which he had received from the inhabitants of the new colony on the Colorado and Brazos rivers. He told of how they longed for the services of a priest to administer the Holy Sacraments; and that they would prefer that Father Francisco Maynes should be sent, since from their former acquaintance they thought well of him, and furthermore he was able to speak French and English. Saucedo suggested that in case Father Maynes could not be spared a monk from the college of Nuestra Lanna de Guadalupe be sent. He also requested a reply in order that he might be able to inform the Colonel.⁹⁸

Two days after this Saucedo informed Austin that he had transmitted the petition to Dr. Lobo, the bishop.⁹⁹

⁹⁵Austin to Musquiz, June 20, 1824, Nacogdoches Archives.

⁹⁶Saucedo to Austin, July 10, 1824, Austin Papers.

⁹⁷Maynes to Austin, July 21, 1824, *Ibid.*

⁹⁸Saucedo (political chief) to Bishop Lobo, September 19, 1824, Blotter 1-5-1824-10-3-1824, Bexar Archives.

⁹⁹Saucedo to Austin, September 21, 1824, Blotter 1-5-1824-10-3-1824, *Ibid.*

While this correspondence was going on through Saucedo, Austin received a letter from Father Maynes informing him that his first petition to the commandant-general was now null and void, for the reason that another had been appointed, and, said he, "It is necessary that another petition be made, but addressed to the most excellent assembly, so that it may be directed to the very illustrious and venerable Chapter, Governor of the Sacred Mitre of Monterey, *en sede vacante*, to whom it pertains to give the privileges of administration."¹⁰⁰ For more than a year the colonists had been calling for Father Maynes, but the Father had not come. The following from a letter shows that the reason for his not going did not rest with him: "I am going to Monterey next month; where I shall see the ecclesiastical superiors, if they allow me to go to that new village. I shall speak to them of the ornaments and sacred vessels which are needed. I am waiting the Roman Catholic Apostolic catechism; let it be in English."¹⁰¹ But the second petition had already been sent through Saucedo and after about six weeks Saucedo received the following letter from Bishop Lobo:

I have the satisfaction of letting you know that I have conferred with the supreme executive authorities and accordingly they will give 400 pesos for each priest in the missions of Nacogdoches, Rio Colorado and Brazos. And today I have written to the College of Priests at Zacatecas to send the priests to those missions as was decided by the supreme government. I am very sorry not to be able to send Father Maynes, for he has a position, being chaplain to the troops and you want a missionary priest."¹⁰²

The following month Father Juan Nepomuceno Peña informed the ayuntamiento of San Fernando de Bexar that he had been appointed to the office of vicario foraneo within their department, which included the territory of the colonists. He

¹⁰⁰Maynes to Austin, September 24, 1824, Austin Papers.

¹⁰¹Maynes to Austin, September 28, 1824, *Ibid.*

¹⁰²Lobo to Saucedo, November 5, 1824, Bexar Archives.

professed to be ready to cooperate with them in securing the happiness and prosperity of the people of the district and said: "I will omit no sacrifice painful though it may be to realize so sacred an object."¹⁰³ ¹⁰⁴ Soon thereafter Father Peña wrote to Austin informing him of his appointment as vicario foraneo and requesting certain information. To this letter Austin replied in the following very interesting letter:

The official letter which you kindly sent me dated January 14 of the present year has filled me with rejoicing and removed a burden that weighed upon me because of the uncertainty in which I found myself as to the management of the ecclesiastical conferences and the petitions of the new colonists. I have communicated its contents to the people, as you advise, and they now understand.

All the families who have emigrated from other countries to take up their residence in the colonies under my care, are Catholics. Their Christian conduct so far as our newly established settlement permits, is in keeping with that observed by every good Catholic who is deprived of the spiritual ministrations which only the Ministers of the Most High can provide. For this reason I beseech you, for my own sake as well as for all the citizens, that you kindly send a curate to minister to our spiritual needs, and if it be possible to send one who knows something of the English language it would be a great comfort.

Some children have been born in the colony, but as none

¹⁰³Peña to ayuntamiento, December 1, 1824, *Ibid.*

¹⁰⁴The duties of a vicar to foreigners in the established church of Mexico were far from those of a foreign missionary of the present time. He received his authority from the bishop to license priests, to receive confessions, and to preach, to try such civil cases as might come before him, rendering final judgment; but, in criminal cases, ecclesiastical beneficences and matrimonial cases, his authority was limited to the formulation of an opinion and the transmission of the cause to the bishop. He could exempt candidates for matrimony from certain regulations provided by the council of Trent; give permission to work on feast days, etc., and call upon the secular authorities to carry out his decisions. In addition to this, August 9, 1826, there was added that in case of disagreement between the civil authorities the vicario foraneo had the jurisdiction in any given case, according to the laws bearing upon the matter. (Vicario to Capitular, August 9, 1826. See page 173, par. 16, *Codigo*. See also page 152, *Bexar Archives*.)

have been seriously ill, they have not been baptized, hoping that, happily for us, a Priest might appear here to minister so holy a sacrament, for only in case of necessity would the rite be administered in his absence.

Five marriages have taken place. The manner of performing the marriage ceremony (I hope that out of your kindness and consideration of the circumstances you may approve it) has been, after securing the information that the Priests require, in the presence of relatives of both parties and of impartial witnesses and by means of a document signed by the contracting parties and their relatives they obligate themselves to submit to the penances or the fines that the Holy Mother Church may impose when through a Priest this sacrament is ratified and perfected. The taking of this step has been entirely necessary in order to avoid scandals and giving greater offense to God. You will kindly advise me as to how to proceed in the future until we secure a Priest.

The interments have been made here according to the custom among Christians where there is no Priest nor any sacred place set apart for this purpose. All who have died in the village and surrounding country have been put in one place which we call a cemetery. But it has not yet been blessed, so we are assembling them in this place until there may be a means of having it consecrated.

As to the census which you ask, it is not possible to send it as early as you wish, because of the arrival of new families, and of the great distance between the colonies and the homes of the people, but as soon as it can be made, I shall have the honor of sending it as you request.

At the present time there are two of the colonists whose wives have deserted them and run off with other men to a foreign country. These men ask, as they wish to have homes and become farmers and will necessarily be absent all day in the fields, that they be permitted to marry again according to the custom of the true religion, which is the Catholic. As the former marriages were celebrated by the civil authorities according to the custom of the United States of the North, they are privileged to remarry as soon as the divorce is granted. The necessity of having a companion who can take care of the house and look after his interests as well as the law by which they were married the first time, entitle them to a remarriage. But as it is a matter which I can not and should not decide, you alone can give consent or refusal, so I am consulting you

on this point so that you may advise me how to act in this case and under similar circumstances in the future.¹⁰⁵

But Father Peña soon displeased Saucedo and was discharged by the bishop for exceeding his authority,¹⁰⁶ and in February 1825, Dr. Lobo took the initiative and petitioned the state congress again with reference to sending "priests to administer pastoral and spiritual guidance in Nacogdoches and surrounding places." We learn from the minutes of the state congress that, after some discussion, it was decided to pass the petition to the commissioner of justice and ecclesiastical affairs, with whom was associated Signor Bastrop, "for he is well known amongst the inhabitants." They were instructed to write to the bishop, "to let him know how much his petition is appreciated and that careful attention will be given to his petition and thanking him for his interest in those colonies, in the propagation of our religion."¹⁰⁷

Some information had certainly reached San Felipe assuring the people that their petition had been granted, for in June 1825, James Austin wrote to his sister, "the *Priest* will be on in a few days to organize a *church* and attend to our spiritual affairs."¹⁰⁸ But we have found no evidence that the long expected priest arrived in that month or indeed for many a month thereafter. On the other hand, news had evidently reached the bishop that the new colonists were not just what they ought to be, from the point of view of the established church, so, in the spring of 1826, Austin received a letter from J. Francis Buchetti, a sacristan and teacher of religion. The letter was inspired by Dr. Lobo, the bishop of the diocese which included Texas. It appears that Buchetti had written to Dr. Lobo of his desire to accompany the priest who should go to San Felipe. After consultation with the Chapter com-

¹⁰⁵Austin to Peña, February 1, 1825, From Austin's Blotter in file of August 26, 1824, Austin Papers.

¹⁰⁶Official Letters, May 6, 1825, to July 30, 1825, Bexar Archives.

¹⁰⁷Minutes of Congress, February 19, 1825, *Ibid.*

¹⁰⁸James Austin to Mrs. Emily Perry, June 3, 1825, Austin Papers.

posed of the clergy attached to the cathedral at Monterey, the bishop communicated the results of their deliberations to Buchetti, and he, in turn, transmitted them to Austin. According to these instructions, the heretics and protestants who had introduced themselves into Austin's new colonies were to be prevented from disseminating their heretical views, even if it took the strong arm of the state to accomplish that end. No marriage was to be celebrated nor land title confirmed, nor could anyone exercise the rights of citizenship unless he had first been baptized by a priest of the established church. Furthermore, all books not approved by the ecclesiastical authorities were to be collected and burned, the colonists being allowed to read only those books that had been canonically approved by the church.^{109 110}

One is safe in saying that no "North American frontier republican" would meekly submit to such ecclesiastical domination as was indicated in Buchetti's letter; in fact, Austin placed the letter on file and waited for eighteen months until duty called him to Saltillo. While there he met Buchetti and had three long conversations with him concerning the subject matter of this letter, particularly his going to San Felipe. This we learn from a letter which Buchetti wrote to Samuel M. Williams, in which he expressed himself as follows:

I had three large conversations with him [Austin] on the subject of my former letters to him advising him that I had renounced my project of going to the brazos as a minister, and & he upon the whole, was very satisfied with me. . . . Since I have left Saltillo, I was told by good authority that the Provisor has named a priest to go to your parts. And the

¹⁰⁹Buchetti to Austin, April 29, 1826, *Ibid.* See Appendix C.

¹¹⁰In 1834, David Ayers, a Methodist layman, after a hazardous voyage, landed near Corpus Christi bay with a box of Bibles and religious literature from the Bible societies and Sunday schools of New York. He settled at San Patricio, where he distributed the Bibles and tracts. Under the inspiration of Father Malloy the Bibles and tracts were gathered up, and, by order of the alcalde, the tracts were burned in the public square. (*Texas Methodist Historical Quarterly*, I, 40.)

Colonel has told me that he would go and see him on the subject.¹¹¹

While Bishop Lobo did not send Father Maynes to become the parish priest at San Felipe or Nacogdoches, he did appoint him to the office of *vicario foraneo* for the whole of Texas, as successor to Peña. This was done so that there should be "a less burdensome journey for the people and a quicker and easier attention to their spiritual needs." The document certifying the appointment of Father Maynes was received and read to the public at Bexar, La Bahia, and San Felipe, at the latter place by Austin, November 15, 1826.¹¹² We have found no evidence that Father Maynes ever visited the empresarial town of Austin or the other colonial settlements.

About this time, July 1829, Spain endeavored to reconquer Mexico and was countenanced in the effort by the Pope and the Spanish element in Mexico that had been born in Spain. This gave rise to bitter hatreds resulting in a decree by the state congress according to which no native of the Spanish dominions, so long as Spain did not acknowledge the independence of Mexico, should be permitted to exercise any office of trust in the state; likewise, the natives of Spain who were regular or secular priests could not exercise their offices, and the executive was authorized to see that they withdrew from their stations pending such recognition.¹¹³ In the furtherance of this law the state congress issued another decree, according to which the ecclesiastical authorities were required to furnish to the governor a list of the priests whom they purposed appointing to benefices or parishes; the governor was required to transmit this list to the council who were to decide if any of those to be appointed were dangerous to the tranquility of the state. Those were to be considered dangerous who were natives of Spain, those favorable to a monarchical form of gov-

¹¹¹Buchetti to Williams, November 8, 1827, *Ibid.*

¹¹²Maynes to public, June 9, 1826. Nacogdoches Archives.

¹¹³Gammel, *Laws of Texas*, I, 172.

ernment, and those who were fanatical.¹¹⁴ Of so great importance was this matter considered that the federal congress issued a decree of like import the following year.¹¹⁵ Accordingly, we find Governor Viesca consenting that Friar Miguel Muro and Friar Antonio de Leon be permitted to serve parishes within the state wherever the bishop might send them.¹¹⁶ Upon the receipt of this permission, Bishop Lobo notified the political chief of their appointment, stating, "I have resolved to send Fray Antonio Diaz, of the college of Guadeloupe, as first priest and Fray Miguel Muro as second priest to the colonies of Nacogdoches and the new towns of Austin. You will inform the chief of Nacogdoches and the empresario of Austin."¹¹⁷ The following month the governor wrote to the bishop, there being no discord between the civil and ecclesiastical authorities, "I will send Diaz to the colony of Nacogdoches and Muro to Austin's colony to administer to their spiritual wants and thus will do what both authorities require."¹¹⁸

We have seen how anxious Austin and the colonists were to have Father Maynes, a secular priest, for their curate, but the bishop advised them that they needed a regular [monkish] priest. The bishop was acting in accord with the decree of *Las Cortes generales y extraordinarias* concerning the *reducciones* and *doctrinas* of the North American provinces. This decree provided that, since the missionary priests [monks] had been in charge of the missions for ten years, they should be turned over to the secular priests, and the monks should go to places where religion was not practiced; in other words, should become missionaries, acting under the jurisdiction of the bishops. Diaz did go to Nacogdoches, and Muro wanted to go

¹¹⁴Decree No. 41, January 17, 1828, Bexar Archives.

¹¹⁵President and congress to public, May 22, 1829, *Ibid.*

¹¹⁶Viesca to bishop, November 19, 1829, *Ibid.*

¹¹⁷Bishop Lobo to political chief, December 4, 1829, *Ibid.*

¹¹⁸Governor to bishop, January 3, 1830, *Ibid.*; governor to alcalde of Nacogdoches, January 6, 1830, Nacogdoches Archives.

to San Felipe, as we shall see from the following letter to Austin:

My Dear Sir and Friend:

Although I have nothing to refer to notwithstanding that I wrote to you, or in your absence to the alcalde of that villa [San Felipe] last month, asking you to help me with a cart and an escort to transport all necessities for the spiritual ministration of that vicinity, and as I have had no reply, perhaps because the letter was lost I am obliged to write to you again for the said purpose if you and that ayuntamiento should accede to this request.

On the other hand I would advise you that the ayuntamiento of that village has not communicated with me. This I desire very much. The character of my office and this second intimation of my benevolence should be enough to assure me of a prompt reply. I reiterate my good will toward you and ask you to command your most humble friend and chaplain who respectfully kisses your hand.

Miguel Muro.^{119 120}

But Austin did not want Father Muro to come across the Colorado. His estimate of the friars was formed in 1823 and is revealed in extracts from three letters which he wrote to his brother, James, while on his return from the City of Mexico, in that year. The first was from Querétaro and is as follows:

"The revolution is complete and the Emperor is to start in a few days for Italy. All is quiet, but I will not vouch its being

¹¹⁹Muro to Austin, April 13, 1830, Austin Papers.

¹²⁰From the Bexar Archives we learn that Father Muro was a man of piety and devoted to his work. We first find him at the mission of Refugio, where he ministered not only to the Mexicans, but also had great influence with the Carancuahuses Indians (November 4, 1822); he endeavored to prevent the coast Indians from taking vengeance against the colonists and mediated in behalf of the Indians when the colonists sought vengeance (October 2, 1823). His ministrations at Refugio were with great privations and in the midst of constant dangers from the Indians (March 22, 1824; April 14, 1822). On two occasions (August 3, 1822, and July 25, 1827) when there was a prospect of his being sent elsewhere his parishoners protested against his removal. In 1830, he served as chaplain to the troops at Lavaca, and in 1833, to the presidio at Goliad (July 7, 1832 and January 31, 1833), from which place he was recalled to his college of Zacatecas.

permanent the fryars and clergy are at work to produce a new revolution under the pretext of saving the religion."¹²¹

The second letter was from Monterey, and Austin was writing of the "confederated system" which had just been established in Mexico:

. . . In the City of Mexico and everywhere else where there are Fryars this system will be opposed, those miserable drones are the enemies of liberty, of human happiness, and of the human race—their convents instead of being consecrated to the sacred and immaculate religion they profess, are dens of corruption, of intrigue, of infamy and vice—there never was a people so dreadfully *priest ridden* and enslaved by superstition & fanaticism as the great part of this nation. The Clergy literally suck the blood of the unfortunate people—will the great God of Justice and of truth, will the lights of the age, permit such horrible abuses to exist much longer?—No—Mexico has recover[ed] her civil liberty—She will soon assume her rights in full, and bursting the chains of superstition declare that *man has a right to think for himself*.¹²²

In about three weeks he addressed his brother again from the same place. The major portion of the letter is in Spanish, but he closed with the following in English, doubtless lest his letter should be read by the Mexicans:

. . . to be candid the majority of the people of the whole nation as far as I have seen them want nothing but tails to be more brutes than the Apes The Clergy have enslaved them to the last degree of oppression—fanaticism reigns with a power that equally astonishes and grieves a man of common sense—but keep this to yourself, it wont do to tell them so—Thank God there are no fryars near the Colorado and if they come there to disturb me I shall hang them to a certainty, unless an army protect them. . . .¹²³

Why did Father Muro wait for an invitation from the ayuntamiento of San Filipe, or a cart from Austin? It is to be

¹²¹Austin to James Brown Austin, April 23, 1823, Austin Papers.

¹²²*Ibid.*, May 20, 1823, *Ibid.*

¹²³*Ibid.*, June 13, 1823, *Ibid.*

remembered that according to the constitution the state was to "regulate and defray the expenses which may be necessary for the preservation of worship," but when it came to the "preservation of worship" in the new colonies the state colonization law provided that the governor in concurrence with the ordinary ecclesiastics "shall propose to congress the salary to be paid their priests by the new settlers." In the case of the new settlers Congress was "to regulate" but not "defray" the stipends of their priests. The tithe law was not in force among the new colonists as it was in other parts of the state.¹²⁴ Furthermore, "owing to my exertions", says Austin, "when at the seat of government, in 1827, the local government of this municipality [San Felipe] was placed exclusively in the hands of the people."¹²⁵ The ayuntamiento was organized February 12, 1828. The decree defining the powers and duties of this body specified that it "shall call upon the curate for a note of those born, married and dead . . . " and also, "see that the curates exhort their parishoners" to send their children to school; but it was not required to make any provision for the religious instruction of the colonists.¹²⁶

There was no law requiring either Austin or the ayuntamiento of San Felipe to furnish Father Muro with an "escort and a cart to transport all necessities for the spiritual ministrations in that vicinity", nor was there any tithe money for the support of the Father after he had arrived. We have found no evidence that the governor in concurrence with the ordinary ecclesiastics ever proposed "to congress the salary to be paid their priests by the new settlers", although such was his duty according to the colonization law of 1825.

Furthermore, when the state congress learned that the king of Spain was preparing an expedition for the re-conquest of Mexico and that this expedition was about ready to set out

¹²⁴Gammel, *Laws of Texas*, I, 46, Art. 45.

¹²⁵*Ibid.*, I, 25.

¹²⁶Decree No. 37, *The Quarterly*, XXI, 299-302.

from Havana, it authorized the governor in concurrence with the government of the mitre to negotiate "a loan of the amount in coin pertaining to the funds for maintenance and repairs and belonging to the parish churches in the state, and that belonging to the confraternities and other charitable establishments, without detriment to religious worship in the former, or to the fulfillment of objects of the latter." The governor was ordered to place the means thus secured at the disposal of the general government.¹²⁷ The collection of those funds impoverished the churches and prevented the accomplishment of much work that otherwise would have been done. With the churches in the state thus impoverished, it became necessary for the state congress to decree that, "the executive with the concurrence of the ecclesiastical authorities of the State shall proceed to request, as an aid of the bishops of the Republic, the secular or regular ecclesiastics required for curates in the new towns of Texas."¹²⁸ Not only was the state poor and the church in great lack of funds, but the priests were often on the verge of starvation. The following letter of the governor to the commandant-general is typical of many appeals that were made in their behalf:

The lack of sufficient salary has left the Reverend ministers that have in their care the missions in that province in a sad and miserable state. Their fidelity and hardships that we see in them are the offspring of the holy rule which they follow and their virtues make them worthy of greater respect and an easier lot. And that you may be able to form some idea of the straightened condition in which they are, I am sending the accompanying letter, which the Rev. Father, J. Miguel Muro, sent me from the mission of Nuestra Sra del Refugio, and I would that you knew the character of this devout priest who is incapable of asking any aid unless he had reached the limit of his need.

Out of sympathy I could not but let this good minister have a load of corn from my home supply, and also gave him an

¹²⁷*Ibid.*, I, 214.

¹²⁸*Ibid.*, I, 223.

order on the commandant of La Bahia for eight pounds of powder from that store. This will not only protect him from the Indians but enable him to get venison, to save him from dying of hunger.

In a like condition are Fathers Antonio Diaz who administers the missions of San José, San Juan, and la Espada and T. Antonio Auser (?) of Espiritu Sancto mission at La Bahia. On which account I could not but interest myself on account of these worthy priests. I would most earnestly solicit that you do for them what is in your power to see that their stipend is paid them, and in the meantime, that they may have more advances made on their account. For, if that is not done, these religious Fathers very shortly, and from absolute necessity, will find themselves in the painful necessity of abandoning their missions, without my being able to avoid this result or to relieve them. But I doubt not but that you having interested yourself for the good of the province, as you have given proof, will not fail to use your good offices in this important matter.¹²⁹

Father Diaz de Leon went to Nacogdoches where he served with much acceptance, there being a large Spanish element in that place, but Father Muro does not appear to have crossed the Colorado. Thus, because of a poor state and an impoverished church, in so far as Coahuila and Texas was concerned, a poor priesthood and unappreciative colonists, the established church up to that time had failed to extend its fostering care over the empresorial territory of the new colonists.

¹²⁹Governor to commandant-general. April 14, 1822, File copy in Con. de la Pol. March 1, 1821, July 20, 1822, No. 179, Div. 2, Bexar Archives.

VII

SOME RESULTS OF THE ABSENCE OF "SPIRITUAL PASTORS"

It is to be remembered that in 1824, Austin wrote to Ramon Musquiz asking that he would send Father Garza for the purpose of baptizing the children and performing marriage ceremonies, and, in case the Father could not come, he asked for authority to perform provisional marriages, "because without this grave evils can happen". We have found no evidence that Father Garza was able to respond to the request, nor did any other priest minister as curate in the colonies until more than ten years after the first colony was founded, although Father Alpuche made an occasional visit. Under those circumstances we find Austin performing provisional marriages by civil contract, obligating the contracting parties, under bond, to receive the ministrations of a priest when he should come. Notwithstanding the provisional marriages, from the point of view of the established church certain evils did arise, for, after four years, the political chief, Ramon Musquiz, wrote to the alcalde of Nacogdoches:

I am informed that some of the citizens of your municipality, having been married by civil contract, do not endeavor to complete their marriages, by means of the sacrament; and that many of the children who for lack of a priest did not at birth receive the water of baptism, still lack this sacrament, whether because of their parent's negligence or for some other reason. Do all you can, in one way and another, to persuade them to receive the sacrament and thus live as true christians.¹³⁰

Governor Henry Smith has left us a very graphic description

¹³⁰Political chief to alcalde, January 7, 1828, Nacogdoches Archives.

of the way lovers were married where there was no law, priest, or preacher. It is as follows:

It may be well to remark here that all the colonists were presumed to be Roman Catholics, or bound to become such, as that was one of the necessary prerequisites to become a citizen—and no marriage could be consummated by law without the presence and permission of a priest and none as yet [1831] had thought proper to reside amongst us, and as necessity is the mother of invention, the system of provisional marriages by bonding was introduced, requiring the judicial officers, who were ex-officio Notary Publics, to take the acknowledgement of the parties to a bond conditioned in a sufficient penalty to be married by a Roman Catholic Priest so soon as an opportunity might offer. This, however exceptionable it may appear, was certainly the most sensible and natural mode which could have been adopted under the existing circumstances, but lacking the sanction of law, it lacked everything calculated to constitute marriage in fact. Many couples, however, not finding the marriage state to possess all the charms which they had figured in their fond imaginations have taken advantage of this slip-not plan sought the bond, and by mutual consent committed it to the flames—returned to the world as young as ever and as free as the air.¹³¹

Below is a specimen of the contracts which Austin was accustomed to issue so that the bride and bridegroom might have some kind of public sanction for their marriage estate:

Marriage Contract

Be it known by these presents that we, John Crownover and Nancy Castleman, of lawful age, inhabitants of Austin's colony, in the Province of Texas, wishing to unite ourselves in the bonds of Matrimony, each of our Parents having given their consent to our union, and there being no Catholic Priest in the Colony to perform the Cerimony—therefore I the said John Crownover do agree to take the said Nancy Castleman for my legal and lawful wife and as such to cherish and support and protect her, forsaking all others and keeping myself true

¹³¹*The Quarterly*, XIV, 30.

and faithful to her alone, and I the said Nancy Castleman do agree to take the said John Crownover for my legal and lawful husband and as such to love honor and obey him, forsaking all others and keeping my [self] true and faithful to him alone—And we do each of us bind and obligate ourselves to the other under the penalty of Dollars to have our Marriage solemnized by the Priest of this Colony or some other Priest authorized to do so, as soon as an opportunity offers—All which we do promise in the name of God and in the presence of Stephen F Austin judge and Political Chief of this Colony and the other witnesses hereto signed.

Witness our hands the 29th day of April—1824.
Witnesses Present:

[On the reverse side]

Be it known that we Sylvanus Castleman and [no name given] Castleman parents of the within named Nancy Castleman do hereby give our consent to the marriage of our said daughter with the within named John Crownover—April 29, 1824.

Attest

Province of Texas }
Austin's Colony. }

Be it known that the within named John Crownover and Nancy Castleman personally appeared before me Stephen F. Austin Judge and Political Chief of this Colony and in the presence of the witnesses thereto signed did execute and sign the within Contract of Marriage, and they seperately and mutually promised and obligating themselves to perform the same in all its parts—And it appearing that the said contracting parties are of lawful age—and that their Parents consent to their union, and that no impediment exists to obstruct the same—and there being no Catholic Priest in the Colony to perform the ceremony—Therefore I do by these presents declare that a contract of Marriage is legally entered into between said John Crownover and the said Nancy Castleman and that the said marriage is and shall be considered legal and lawfull to all intents and purposes, until an opportunity offers for its

final consummation by a Priest authorized to celebrate marriages.

In witness whereof I have signed this in my official capacity this 29th day of April, 1824 in the fourth year of the Independence and the third year of the liberty of the Mexican Nation.¹³²

By an act of Congress of the Republic of Texas, dated June 5, 1837, all such marriages were required to be solemnized by a "regular ordained Minister of the Gospel" or judge of some civil court, and the children of those who had married by bond "agreeably to the customs of the country" were legitimized.¹³³

¹³²Marriage contract, April 29, 1824, Austin Papers.

¹³³Gammel, *Laws of Texas*, I, 1293.

VIII

FATHER MULDOON AND OTHER "SPIRITUAL PASTORS"¹³⁴

When, as we have seen, the colonists could not secure the services of either of the secular priests, Fathers Maynes or Garza, and were unwilling to accept the services of the regular priest, Father Muro, they went about the matter in an entirely different manner from that laid down in the laws governing the obtaining of a pastor. Two months after Father Muro wrote his second letter, Austin wrote to the political chief, Ramon Musquiz, informing him that, "the steam saw mill had been finished and a subscription had been circulated for the erection of a temporary church building and home for the priest," and he expressed the hope that he would soon be able to announce the completion of both.¹³⁵

In February 1831, Austin was in Leona Vicario [Saltillo] where he had a conference with Father Muldoon with reference to his going to San Felipe as curate. Austin wrote to Teran, the commandant-general, concerning the matter, sending the letter by Father Muldoon upon the latter's return to Matamoros. In reply, Teran wrote to Austin as follows:

In reply to establishment of Father Muldoon, I am aware of

¹³⁴In 1823, James Power, an Irishman, came to Texas. Having associated with himself James Hewitson, he secured empresorial rights, June 11, 1828. At the same time similar rights were granted to James McGloin and John McMullen, also Irishmen. Through their efforts the "Irish colonies" of Refugio and San Patricio were founded. April 21, 1830, by decree No. 139, permission was granted to Rev. Father Henry Doyle, "a catholic clergyman, and native of Ireland, to establish a chapel in any part of the Irish Colonies he shall think proper," and a curate's dwelling at the mission of Refugio. By decree No. 165, issued February 1831, "letters of citizenship" were "granted to Michael Muldoon, priest and native of Ireland" (*Gulf Coast Magazine* 2, No. 2, 5-31). Shea says that Father Muldoon commenced to officiate in the colony of San Patricio in 1829, but withdrew because the colony did not grow.

¹³⁵Austin to Musquiz, June 14, 1830, Bexar Archives.

the moral advantages which will result to your colony, from the placing of a parish priest who knows the language and customs of the colonists; but I fear there will be no result, because he will lack in abundant means to live in the way in which he is accustomed to and, much more, because he will find in that society great differences in regard to the ideas which he has gathered in Mexico and in other places of his visitations.¹³⁶

In some way the news of Father Muldoon's coming reached San Felipe, and the ayuntamiento, upon the motion of Francis W. Johnson, president of the same, appointed a committee to wait on the Father "and offer to him the high considerations of the body, and to provide such conveniences for his comfort as the circumstances and situation of the place will admit."¹³⁷

On March 21 Johnson wrote to Austin saying: ". . . . A word more on the subject of Father Muldoon and I have done. From the character of that gentleman he is anxiously wished and looked for. Messrs [Luke] Lessassier, [S. M.] Williams and [R. M.] Williamson are a committee to await on him on his arrival in this place."¹³⁸ On that very same day Teran wrote to Austin, from Matamoros, "Father Muldoon is still here in spite of the ardor with which he desires to reap spiritual fruits in Austin."¹³⁹

Before the close of the month Father Muldoon had set out for his parish, and Teran wrote to Austin as follows:

The 1st of last month, Father Moldu set out for his parish with the escort and equipment which I gave him; on as many occasions as I spoke to him about his establishment I tried to persuade him, and I believe that he is persuaded, that none of the means known for the maintenance of the parish priests in the parishes of the Republic was practicable in the colonies of Texas; and that his principal resources would be offerings

¹³⁶Teran to Austin, March (no day given), 1831, Austin Papers.

¹³⁷Minutes of ayuntamiento, March 9, 1831, *The Quarterly*, XXIII, 302.

¹³⁸Johnson to Austin, March 21, 1831, Austin Papers.

¹³⁹Teran to Austin, March 31, 1831, *Ibid.*

which would be presented in kind and the products of his lands. The twelve leagues which have been granted him, and which are not assigned, he believes it will be convenient to have them in different places such as Galveston, Nacogdoches and Austin, and on this subject I advised him not to decide until he could acquire information in the country.¹⁴⁰

Father Muldoon is supposed to have reached San Felipe some time in April 1831, about ten years after the colony was founded. After he had been duly received, Austin, who had come back from Leona Vicario, accompanied him from place to place in his ministrations. Here are two characteristic letters of invitation. Thomas Barnett wrote to Austin:

I have recently understood that yourself and Padre Muldoon will shortly pay a visit to the Fort Settlement, where the neighborhood will assemble for the purpose of Marriages and Christning. Owing to the extreme indisposition of myself and the helpless situation of my family it will be inconvenient for me to attend. I have therefore to request you, and through you the Rev'd. Father Muldoon to call at my house on your way down, to the end that the marriage contract betwixt myself and wife may be consummated and my children christened.¹⁴¹

A. C. Buckner wrote:

Agreeable to your request I have informed the people of your coming with the Priest to christen and marry them. I am informed there will be numbers who will collect at Mrs. Williams for that purpose for they are now making preparatory against your arrival.¹⁴²

¹⁴⁰Teran to Austin, April 3, 1831, *Ibid.*

¹⁴¹Barnett to Austin, June 15, 1831, *Ibid.*

¹⁴²Buckner to Austin, July 2, 1831, *Ibid.*

The following is an illustration of the Certificates of Baptism issued by Father Muldoon.

Maria Isabel Bryan
se cristianó segun el
sagrado Rito Ca-
tolico Apostolico
Romano, —Baxo
Condiciionsiendo sus
Padrinos Samuel
M. Williams y Es-
posa el dia 5 de
Marzo del ano 1832.

(Rubrica)

EGO INFRASCRIPITUS PAS-
TOR PAROCHIALIS COLONIAE DE
AUSTIN; *NECNON* OMNIUM AD-
VENARUM VICARIUS GENERALIS
PAPALI ET EPISCOPALI AU-
THORITATE IN REGIONIBUS
TEXARUM RESPECTU DISPENSA-
TIONES PRAEMUNITUS:
OMNIBUS QUIBUS INTEREST
CERTIORO. Mariam Elizabetham
Bryan (Sponsoribus ejus S. M. Wil-
liams ejusque uxore) sub conditione—
Baptisatam fuisse secundum Ritum
Sanctae Romanae Catholicae Eccles-
iae hacce quinta die mensis Martii—
Anno vero Salutis nostrae 1832

Michael Muldoon

(Rubric)¹⁴³

After a few months spent in pastoral visitation Father Muldoon addressed a letter to Austin complaining that the ayuntamiento had made no provision for his support and that, as a consequence, he was without a servant or income and, to use his own language, "it seems that I have come to my parish to beg—to receive instead of bestowing favors."¹⁴⁴

Sometime in 1832, while Governor Henry Smith was comisario of the precinct of Victoria, in which was located Brazoria, Father Muldoon reached that portion of his parish. Smith describes at considerable length the administration of the sacraments of baptism and marriage at a barbecue which had been

¹⁴³The following notation is taken from the family Bible of Mrs. Ruben Gazden White, née Rachel Peebles, of Hempstead, Texas:

"Christened Mary Ann Elizabeth Calvit (Mrs. Dr. Richard R. Peebles) and Sarah Jane Wharton Calvit (Mrs. Herndon) by Father Muldoon at the christiandcy of the family in Sept. 1831, in Austin's colony in conformity to an act of the Congress of U. M. for colonizing the State of Coahuila."

¹⁴⁴Muldoon to Austin, November 28, 1831, Austin Papers.

arranged to facilitate the ministrations of the Father. Smith was requested to take down the names of the candidates for the sacraments. Upon his first effort he returned with a list of twelve, and the Father requested him to go again. Of his second effort he said: "I returned to the company with my explanations, still there seemed to be great unwillingness, with much exertion and argument as to the absolute necessity; but with very many the pill could not be so gilded as to be tamely swallowed, and I only succeeded in procuring a list of about forty, out of a company of about two hundred."¹⁴⁵

There was "a traveler" in San Felipe when Father Muldoon reached there on one of his tours of visitation throughout the colony "to perform baptismal and marriage ceremonies for all who might wish to receive them." His statement is:

Having been invited where he was to receive applications and administer, at a particular house in the village, I attended with two or three friends, to see what would be done. Several settlers from the United States, who I knew had no inclination in favor of Roman Catholicism, and though they had received a Protestant education, presented themselves for baptism. These, as I had reason to believe, acted merely on a wish to recommend themselves to the favor of the government. Several afterwards came with their wives and were married again, lest the legality of the Protestant ceremony should not be acknowledged, and stand as a bar between their descendants and their estates.

The priest stated that he had married about five and twenty, in one evening, in some place in the country, where many colonists had assembled on timely notice being given of his visit. He was a jolly looking old man, with very little of that sedate, venerable, or even intelligent aspect, which we associate with an aged minister in our country.¹⁴⁶

Father Muldoon was of a versatile turn of mind, capable of adapting himself to circumstances as they arose. When W. B. Travis, Patrick Jack, Samuel T. Allen, and fourteen others

¹⁴⁵*The Quarterly*, XIV, 33-37. See Appendix D.

¹⁴⁶*A visit to Texas, Journal of a Traveler* (1836), 197.

were arrested by Bradburn and confined in Anahuac, Captain John Austin started with a force down the Brazos from Brazoria, on his way to liberate the prisoners. Father Muldoon accompanied the force, and, when they reached the fort at the mouth of the Brazos, he went alone into the fort to hold a parley with Colonel Ugartachea, interceding with him to allow the schooner to pass, but without avail. He also endeared himself to many by this offer which he made to become a hostage in the hands of Bradburn:

Gentlemen of the Expeditionary

Army of Brazoria etc.:—

Father Muldoon, Pastor of Austin's Colony, and Vicar General of Anahuac, proposes on this Emergency to remain as a Hostage in the power of the Enemies of his Parish, six months, or as long as it may be necessary, for the Peace and order of his People, and to liberate the prisoners now detained in Anahuac.

Michael Muldoon,

Brazoria, June 21, 1832.¹⁴⁷

With many of the Texans, however, Father Muldoon was never popular, and his character was such as to render him obnoxious to not a few. Noah Smithwick says Father Muldoon "had an unlimited capacity for drink". Smithwick also tells of a fight in a grocery, in which the Father was worsted.¹⁴⁸ Mrs. Caroline von Hinueber says, "The people of San Felipe made him drunk and sent him back home."¹⁴⁹ This accounts for the fact that, after having been in Austin's colony for a little over one year, we find him in Monterey, where he issued a circular in Spanish, defending the colonists and seeking to correct certain rumors concerning his departure from Texas. Translated, it reads:

Austin's Colony

There are various rumors concerning the departure of the curate from his parochial charge and from the jurisdiction of

¹⁴⁷Muldoon to Exp'ry Army, June 21, 1832, Lamar Papers.

¹⁴⁸Smithwick, *The Evolution of a State*, 66-67.

¹⁴⁹*The Quarterly*, II, 228.

Texas. Some ask me if it is true that those colonists persecute the clergy? Others, if I have been a prisoner in Brazoria?

Considering it my duty to correct public opinion, with respect to my parishioners, I avail myself of the printing establishment at our metropolis, to refute a calumny so entirely without foundation, and which is so entirely contrary to the hospitable character of my parishioners, who, in spite of myself, vied with each other in entertaining me, and who are entitled to all my gratitude. I left the colony to congratulate my Lord Bishop, the actual ecclesiastical Prince, who is so worthily seated on the Throne of Monterey; who, being already aware of the public morality, the reciprocal justice, the domestic and religious virtues of the colonists, has opened anew the celestial treasures, scattering with liberal hands the prerogatives and favors of the Holy Seat, empowering me to administer the holy sacrament of confirmation, a proof by no means equivocal of the affection of the Holy Father towards his beloved children.

But if there should be any aberration in the political government of that colony the sensible portion of them are capable of correcting it; nor does it belong to a Father, occupied in the important branch of his ministry, to note such little defects, much less to relate them; because certainly he cannot be called an affectionate or kind parent, who would raise accusations against his own children. And similar trifling disputes, sufficiently frequent in families better governed, I can assure you, with every confidence, do not involve the slightest contempt for our holy religion; but, on the contrary, that virtuous people should serve as a guide to us, which in all directions, pushes back the savages, the most bitter and inflexible enemies of Christianity—that people which never will permit a scandalous infraction of Christian morality . . .

Miguel Muldoon.

Monterey, 4th September, 1832.¹⁵⁰

On January 7, 1833, Father Muldoon applied to the governor for a stipend of six hundred dollars so that he might continue to minister to the spiritual wants of his parishioners. The governor referred the matter to the legislature. It, in turn, directed the governor to write to the bishop at Monterey, requesting him to set apart six hundred dollars to that work;

¹⁵⁰San Louis Advocate (extract), October 20, 1840, Austin Papers.

provided that, according to the law of January 17, 1828, the governor, in consultation with the *concejo* (executive council) should decide that the proposed occupant of the living was neither a Spaniard by birth, nor in sympathy with a monarchical or centralized government, nor a fanatic. After more than one year, on March 14, 1834, the bishop replied that, owing to a change in the tithing law, there was not enough money in the treasury to enable him to comply with this request.¹⁵¹

In the last of March, 1833, Father Muldoon reached the City of Mexico, where he represented himself to General Mexia as being a special commissioner from Austin and the colonists to secure the repeal of the act of April 6, 1830, which forbade emigration from the United States of the North. In a letter to Austin Mexia says, "I do not believe indeed that you have commissioned him for anything."¹⁵² In June, 1833, Austin was on his way to the City of Mexico but was detained in Matamoros and while there wrote a letter to Oliver Jones, in which he wished to be remembered to Father Muldoon, indicating a degree of friendship.¹⁵³ Having reached the City and finally secured from Vice President Farias a promise of the repeal of the law of April 6, 1830, Austin set out on his return to Texas. However, he was arrested, imprisoned February 13, 1834, and, for three months, kept in close confinement. During that time Father Muldoon was a true friend to Austin, ministering to his wants so far as he was permitted and exerting himself for his release. "You have no doubt", said Father Muldoon to Oliver Jones, "known of Austin's imprisonment in one of the dungeons of the Inquisitions since the beginning of February until last week, when he was put in communication, although I have been to see him several times during the extreme rigor of his prison, but to obtain this boon, to make use of Priestcraft was of absolute necessity, the Vice President

¹⁵¹Three letters, January 7, 23, 1833 and March 14, 1834, *Ibid.*

¹⁵²Mexia to Austin, March 27, 1833, *Ibid.*

¹⁵³Austin to Oliver Jones, June 15, 1833, Lamar Papers.

would have suffered him to rot there without once offering him the remotest hope of his enlargement. He will soon enjoy the plenitude of liberty.”¹⁵⁴ Austin confirmed this by notations in his “Prison Journal”: “Today, [April 29, 1834] Padre Muldoon came to visit me by permission of President Santana.”¹⁵⁵ During the imprisonment and detention of Austin in Mexico, Father Muldoon acted as intermediary between him and his people in Texas.¹⁵⁶ The last record we have of Father Muldoon is his correspondence with Austin concerning the sale of eleven leagues of land located in Texas.¹⁵⁷ The Roman Catholic historian Shea says of Father Muldoon: “The Rev. Mr. Muldoon remained some time in Texas, but did not officiate or edify.” It can scarcely be said that Father Muldoon was a fair sample of an exemplary priesthood, but he was the only representative with whom the colonists became fairly well acquainted. When we consider the impression which he made on the Anglo-American people it is not surprising that they desired to have some voice in the selection of their “spiritual pastors”.

Shea tells of Father José Antonio Diaz de Leon, a Franciscan of the college of Zacatecas who was “known for his virtues and merits”. In 1822 he was chaplain of the Alamo. From 1823 to 1824 he was stationed at the mission of San José and acted as provisional president of missions about San Antonio, but from 1832 to 1834 Nacogdoches was the center of his parish. He appears to have been a man of deep piety, thoroughly consecrated to the service of the Master. In 1834, while on an extended trip to officiate at a wedding, he died. Some claimed that he was assassinated. This claim was based upon a letter which he wrote to his nephew, lamenting the threatening circumstances by which he was surrounded and

¹⁵⁴Muldoon to Oliver Jones, June 10, 1834, Austin Papers.

¹⁵⁵“Prison Journal,” entries of February 23 and 24, and March 2, 1834, in *The Quarterly*, II, 209.

¹⁵⁶Perry to Muldoon, May 13, 1834, Austin Papers.

¹⁵⁷Muldoon to Austin, May 5, 1834, and on, *Ibid.*

asking God to forgive his enemies as he had forgiven them.¹⁵⁸ However, from the inquest proceedings it is clear that he was not murdered but committed suicide while in a state of mental derangement, which was, doubtless, brought on by the troublesome experiences through which he was then passing.¹⁵⁹ He was the last of the Franciscan missionaries who labored in Texas.¹⁶⁰ In the troublesome times of 1835, Father J. M. Alpuche, because of his relations to Zavala, was forced to flee from Mexico to New Orleans. While there he conceived the idea of going over to Texas, and received a letter of introduction from General Mexia to Austin.¹⁶¹ Upon reaching Quintana he wrote to Austin, who was at San Felipe, desiring an interview, since he was the bearer of information to him and to Zavala from friends in Mexico City.¹⁶² Mrs. Dilue Harris told of Alpuche's appearing in San Felipe, in August (?) 1835. She said:

"Padre Alpuche disappeared. He had been traveling in Texas and Louisiana several years. He was loved by Protestants as well as Catholics. The young people looked for his arrival with the greatest pleasure. He would marry all those who had signed a certificate before the Mexican Alcalde to remarry when the priest came. He would baptise the children and bury the dead visit the sick and pray for the dying. He had not been in San Felipe for three years. When he appeared there he was riding a mule. He said that he had been in Europe and had landed at New Orleans and gone from there to Nacogdoches. He heard in New Orleans of the trouble in Texas. He had not taken any part in political affairs, but pretended to be a friend of the Texans. He stayed a week in San Felipe, stopping at the boarding house. He could speak English and heard all the Texans had to say. He came in the night. One morning, he saddled his mule and went to the river

¹⁵⁸Shea, *History of the Catholic Church*, III, 714-15.

¹⁵⁹Inquest proceedings, May 1, 1835, Nacogdoches Archives.

¹⁶⁰Parisot and Smith, *History of the Catholic Church of San Antonio*, 55.

¹⁶¹Mexia to Austin, October 8, 1835, Austin Papers.

¹⁶²Alpuche to Austin, October 13, 1835, *Ibid.*; Padillo to General Council, November 25, 1835, D. File 14, No. 1406.

to water the mule, and that was the last time he was seen. . . . This month [September ?] we heard again from the priest, Padre Alpuche. He was in San Antonio, and had been in fact a spy sent from Mexico through New Orleans and Nacogdoches to San Felipe.”¹⁶³

The last priest with whom the colonists had to deal was Padre Antonio Valdez. This Father had been chaplain of the Alamo in 1811, and again in 1815; in 1827 he was priest at Nachogdoches. From this place he went to Goliad and was succeeded by José Galindo. He was there when Fannin arrived. Fannin said of him: “I have caused the Old Priest and thirteen soldiers, including one Lieutenant, to be arrested. I will forward them all soon. All I shall say is secure well all prisoners and suffer none to go on parole.” Fannin did not speak in very high terms of the Father but said, “his influence is almost un-bounded. I will send the Padre to officiate as your chaplain, during the Convention.”¹⁶⁴ The priest arrived at Washington just before the Texans evacuated the place. He is described as an “old man, miserable mope, squalid looking creature.” And when the refugees were making their way toward Louisiana the old priest and the Mexican officer, alone and unguarded, were making their way on foot, toward Nacogdoches.^{165 166}

William Kennedy graphically described the attitude of the Texas colonists toward the established church, as follows:

The Americans, although they did not oppose the Catholic religion, despised the superstitious observances and detested the intolerant bigotry of its Mexican professors. Persons who had been married in the United States, were obliged to pay \$16. to a Padre for repeating the ceremony, and to submit to Catholic baptism of each child, infant or adult. They neither

¹⁶³*The Quarterly*, IV, 127, 156.

¹⁶⁴Foote, *Texas and the Texans*, II, 213.

¹⁶⁵*Gray's Diary*, 125.

¹⁶⁶On April 25, 1839, Padre Valdez was nominated, apparently by way of burlesque, for the chaplaincy of the Texas house, in opposition to Rev. W. Y. Allen, who was elected. *The Quarterly*, II, 81.

invited priests nor provided them with sacred ornaments, vessels nor places of worship, nor sought to acquire the Spanish language, nor founded schools for the purpose of having it taught to their children, with the dogmas of the national faith.¹⁶⁷

It is due to truth to say that the type of religion prevailing in Mexico had never been of a very high order, and when the Spanish priests were expelled and the resources of the established church confiscated to the defense of the country, matters went from bad to worse. Dewees wrote from San Antonio, in 1826: “. . . all classes, men women and children engage in gambling. Of a Sabbath morning, every person attends church. In this they are very particular, the service closes at ten o’clock. Immediately afterwards, priests and people repair to gambling rooms, where they spend their time in playing and betting large sums of money till night closes in. They then go to a party or fandango, according to their rank and station in society.”¹⁶⁸ Several of the priests who labored in Texas, serving the Mexican population were not of a very high order, and surely one cannot regard the Irish priest, Father Muldoon, as a very exemplary character. When the wretched state of things was made known to Pope Gregory XVI the Rev. John Mary Odin was sent to Texas, in 1840, with full power to set things right. He deposed the only two priests in the whole of Texas, Fathers J. A. Valdez and Refugio de la Garza, and appointed Rev. Calvo as parish priest in San Antonio.¹⁶⁹

¹⁶⁷Kennedy, *History of Texas*, I, 364.

¹⁶⁸Deweese, *Letters from Texas*, 57.

¹⁶⁹Parisot and Smith, *History of the Catholic Church of San Antonio*, 59.

IX

AUSTIN'S VIEWS OF RELIGION, THE ESTABLISHED CHURCH AND THE MEXICAN PEOPLE

Austin was by far the most influential man among the colonists. His views on religion and politics would naturally be shared by many of those who looked up to him as children to a father. His estimate of, and changing attitude toward, the established church of Mexico may be safely taken as an index of the prevailing tendencies of the colonists. For that reason his education, his personal views of religion, his estimate of the Mexican character and how to deal with it, as well as some of the things that he wrote about the established church are herewith presented.

In May, 1804, Stephen Fuller Austin, then twelve years of age, was sent from St. Genevieve, Missouri, to Colchester Academy, Connecticut, where he remained three years under the instruction of Daniel Phelps. His father wrote to the Principal concerning his son on this wise: "A Correct mode of thinking both Religious and Political is of consequence and ought to be early implanted in the mind of man. I do not wish my son a Bigot in Either, but correct Moral principles is of the first consequence such I trust you will impress on his mind."¹⁷⁰ He next attended Transylvania University, Lexington, Kentucky, where he remained two and one-half sessions.¹⁷¹ Thus Austin was educated under Episcopal and Presbyterian influences, but we have no evidence that he made a profession of faith in either of these churches. There is ample

¹⁷⁰Moses Austin to Daniel Phelps, June 10, 1804. Original in possession of Mrs. Emmet L. Perry.

¹⁷¹Certificate of University, April 4, 1810. Original in possession of Mrs. Emmet L. Perry.

evidence to show that the wishes of the father were realized in his son.

He was a member of the Masonic Lodge of St. Louis, No. 3, before coming to Texas. In 1828 Austin, with several others, organized a lodge at San Felipe de Austin, of which Austin was elected Master. In the following letter to his cousin, Mrs. Holley, he has given such expression to his views on religion as to leave one in no doubt as to his position at that time, and we find no evidence that he ever afterwards changed his views:

I long for retirement and quiet, and I much fear that in spite of myself, I shall be borne along on the current of events into a stormy and troubled sea. Such is life!—*a speck between two eternities*, as has been aptly said. A speck—and yet how much of troubles and perplexities! But it is our all. The *past* is but a picture, a shadow of various hues. The *future*—we know not what. Theological and mythological contradictions and inconsistencies make it everything, anything, nothing. The mind is *lost* that seeks for a clear and absolute demonstration of doctrinal or sectarian aphorisms, unless it rests with confidence upon the throne of *one, only just and omnipotent God*:—the God of eternity past,—*the speck*—and the eternity to come,—uncreated, and undeformed by mythological fancies, or theological investments:—the self existing, consistent, and bountiful Father of Worlds, of time and of Eternity. From such a throne the jargon and chaos of religious strife may be calmly viewed and understood. Yet it is sickening to see the wickedness that is practiced under the most sacred of names, and beneath the garb of religion.¹⁷²

But Austin thought some form of religious belief indispensable to the well being of men, even if it be not the christian religion. In the rough draft of a letter to Edward Livingston, in his own handwriting, he thus expressed himself:

Man is supposed by many to be the perfect creature of habit. If so, we have a guarantee for the good conduct of the same person *after* he has made a fortune—the guarantee of

¹⁷²Austin to Holley, January 4, 1832, Austin Papers, Series, July 19, 1831 to February 19, 1832.

habit—to this also may be added that which naturally preceeds from the love of virtue and a belief in religion, this latter I think is *absolutely indispensable* for the well being, and sound organization of all societies. [Before the word “religion”, Austin wrote “the christian” and erased the same; he, then, interlined the word “christian” and erased the interlining.]¹⁷³

In a letter to General Gaines, dated July 27, 1836, Austin said, “I feel a more lively interest for the welfare of Texas than can be expressed—one that is greatly superior to all pecuniary or personal views of any kind. The prosperity of Texas has been the object of my labors, the idol of my existence. It has assumed the character of a religion for the guidance of my thoughts and actions for fifteen years.”

When Austin had been released from prison in Mexico, in 1835, he returned to Texas via New Orleans, and while waiting for a boat, he unbosomed himself to Mrs. Holley in a long letter, as to his plans and purposes. We quote to show how he estimated Mexican character.

. . . the more the American population of Texas is increased the more readily will the Mexican government give it up. Also, the more the people of Texas seem to oppose a separation for Mexico, less tenacious will they be to hold it. This seems paradoxical, but it will cease to appear so, when you consider that strange compound the Mexican character. If Texas insisted on separating, and it should be given up in consequence, it would appear as though they had yielded to force or fear, and their national pride would be aroused. They are a strange people and must be studied to be managed. They have high ideals of National dignity, should it be openly attacked; but will sacrifice national dignity and national interest too, if it can be done in a *still* way, or so as not to arrest public attention. “Dios castiga el escandolo mas que el crimen” (God punishes the exposure more than the crime) is their motto. The maxim influences their morals and their politics. I learned it when I was there, in 1822, and I now believe that if I had not always kept it in view, and known the power which appearances have on them, even when they know they are de-

¹⁷³Austin to Livingston, June 24, 1832, Austin Papers.

ceived, I should never have succeeded to the extent I have done, in Americanizing Texas. . . .¹⁷⁴,

Austin's views of the established church are to be found in the three letters to his brother, James B. Austin, already quoted, in a letter to friends in Mexico City,, and in his "Prison Journal". When on his return from Mexico City in 1823, he tarried at Monterey for some days and while there wrote to a Mexican whose family had welcomed him "with much friendship" upon his arrival in the City of Mexico. After the usual salutations, he said:

. . . The traveler in this country finds at every step some melancholic reminder of its former slavery; fertile fields lie fallow, towns surrounded by every natural advantage are reduced to the most abject misery and they present in this progressive 19th century the horrible aspect of the ages of barbarism and fanaticism of antiquity. The execrable and intolerant hand of the *holy aristocracy* which has chained even the thoughts of man is apparent in horrible but unmistakable signs everywhere. Magnificent churches and convents, adorned with all the splendor and luxury of the most prodigal wealth, are surrounded by miserable parishioners whose tattered rags are hardly enough to cover their nakedness. Friars, cannons, priests, etc., literally swollen by the profusion of their food and the idleness of their corrupted lives, are supported in their sacriligious abuses by the blindness and ignorance of a fanatic people. Contemplating this repugnant spectacle, the philanthropist is moved to exclaim "Is this Christianity?" "Were the pure doctrines of the humble Jesus promulgated to enslave and impoverish man, and degrade him till his mind should be appended to the golden chariot of ecclesiastic aristocracy?"

Friends, in general, Christianity in this country exists only in name and perverted forms, and its true substance will always be wanting until the undeniable axiom "that man has a right to think" is recognized. This maxim is so clear, and so firmly established by the fundamental principles of justice, and of natural and divine law, that to deny it causes me inexplicable horror. But in spite of this, and notwithstanding that it

¹⁷⁴*The Quarterly*, XIII, 273.

has been recognized and acknowledged by the civilized world, its opposite forms the fundamental basis of the Mexican government! What can we expect of a government founded upon the principles proscribed and denounced as barbarious by all the governments of Europe and America, except Mexico? The answer to this question presents a scene too sad and dreadful to contemplate. . . .

This city [Monterey] is progressive in education, and the people are beginning to recognize their rights, but there is a large mixture of fanatism, that execrable hydra born of the devil and who is the companion and agent of ecclesiastical aristocracy, horifies the onlooker at every step. And the worst is that it is so firmly lodged that to root it out and destroy it is a difficult undertaking; difficult, because it is supported by the clergy, particularly the canons; dangerous, because the unfortunate people cannot distinguish this monster from the true religion. As long as the clergy exercises its influence, fanaticism will exist, and as long as this exists the people will be slaves, and the nation miserable and despised by the whole civilized world so that to destroy the ecclesiastical power from the very roots is to save the country from ruin.¹⁷⁵

Austin's views of the established church are also to be found in his "Prison Journal". Part of this Journal was written during his incarceration and is to be interpreted accordingly. The reason for his arrest is to be found in a letter written soon afterwards to his brother-in-law, James F. Perry, under date of January 14, 1834. It is as follows:

All I can be accused of is that I have labored most dilligently and indefatigably to get Texas made a state separate from Coahuila, and that is no crime nor no dishonor—it is quite the reverse. . . . I hope there will be no excitement about my arrest, it will do me harm and no good to Texas, that is unless I should be unjustly dealt by, in that case there will be cause for excitement. . . . A little time will put all right. There will be toleration of religion—Texas will be a state and all will go right.¹⁷⁶

¹⁷⁵Austin to Friends, May 28, 1823, Austin Papers.

¹⁷⁶*The Quarterly*, XIII, 265.

While at Querétaro, on his last trip to the City of Mexico, Austin collected some seeds from a cypress tree that had been planted by Father Morfit, formerly a missionary to Nacogdoches. Concerning him Austin narrates, with dry humor, this tradition, which was then current in Texas:

This monk is very famous, for he is a second Moses. At Nacogdoches all the springs went dry, he went out with images of the saints & necessary apparatus to perform miracles. He struck a blow with a rod of iron on a rock, which stands on the bank of the creek La Nana, in Nacogdoches, & immediately a stream of water gushed out, sufficient to supply the inhabitants with water to drink. This miracle was canonized in Rome, and a print or engraving of the fact was made in order to perpetuate it. This same padre, when he left Nacogdoches for Bexar, lost a baggage mule, which a tiger killed; and in the morning as soon as the padre knew it, he made the Tiger come and kneel at his feet, and then he was harnessed & loaded with the baggage of the dead mule, which he carried to Bexar; & then having received a pardon for having killed the mule, was sent back to the desert. All this is true, because several old women told it to me in Nacogdoches & Bexar, and we ought not to suppose that Rome would order an engraving to be made of a miracle of the water, only to deceive credulous people.

On tasting some sweetmeats made by some nuns, Austin soliloquized in this wise: "Ah woman, what inadequate shadows are these sweet-meats made by thy hands, compared to the tranquil pleasure which ye ought to dispense, by occupying that rank in society & the world, which the God of nature gave ye, & which the barbarous & avaricious cunning of Rome has deprived ye."

After reading a history of Philip II of Spain, Austin wrote: "He was a blind, obedient and faithful servant of Rome—that mother of executioners, assassins, robbers & tyrants who have desolated the civilized world, filling it with mourning, terror, and ruin, & degrading mankind far below the level of brutes." In another place he breaks out into an exclamation which shows his estimate of the effect of Romanism on the Mexican

Nation: "Rome! Rome! until the Mexican people shake off thy superstitions & wicked sects, they can neither be a republican nor a moral people."¹⁷⁷

One is safe in saying that Austin had only contempt for that form of religion with which he came into contact in Mexico; and it is not too much to suppose that the majority of the colonists shared his views.

¹⁷⁷The "Prison Journal" of Stephen F. Austin, *The Quarterly*, II, 183-210.

X

BEGINNINGS OF PROTESTANT WORK IN TEXAS

In the spring of 1829, Mr. Thomas J. Pilgrim, a Baptist, reached San Felipe, from New York State. He soon engaged in teaching and assisted Austin as Spanish translator. Seeing the religious destitution, he organized a Sunday school. So popular was the enterprise that people attended from a distance of ten or more miles. In addition to class work, he delivered moral lectures, but this excited the Mexicans to such a degree that Austin deemed it prudent to discontinue the school.¹⁷⁸ Mrs. Mary Helm also established a Sunday school, about the same time, in the settlement to the south of San Felipe.¹⁷⁹ Rev. J. W. D. Creath is authority for the statement that "in the same year [1829] a similar school was opened at Matagorda and the year following another on 'Old Caney' under the auspices of the members of the Baptist Church".¹⁸⁰ The first Methodist Sunday school was conducted at the home of Mrs. Lucy Kerr, Union Hill, Washington County, by Alexander Thomson, in 1830.¹⁸¹

When Sumner Bacon professed conversion, in Arkansas, he forthwith asked to be sent as a missionary to Texas. The Cumberland Presbytery decided not to ordain him. Nothing daunted he applied to Benjamin Chase, agent of the American Bible Society for the state of Mississippi and the West, for some Bibles. With these, he reached Texas in 1829, and spent his time distributing the Bible and teaching school to supply his necessities. In 1833, Benjamin Chase came to his assistance, and together they spent some months along the "King's Highway," and in Austin's and DeWitt's colonies, endeavoring to

¹⁷⁸Baker, *Texas Scrap Book*, 69.

¹⁷⁹Helm, *Scraps from Texas History*, 47.

¹⁸⁰Yoakum, *History of Texas*, II, 537.

¹⁸¹*Texas Almanac*, 1858, 93.

supply the destitution. Chase preached and Bacon labored as colporter. In this work Chase lost his health, and Bacon suffered all manner of hardships during the six years of his labors. Before the coming of Father Muldoon, seeing the religious destitutions of the colonists, Bacon addressed a letter to Austin making certain recommendations. He said the colonists had a theory of religion without the practice. Habit and custom had taught them to discard the Roman Catholic doctrine, "nor could they be reconciled to it. Nor are they allowed to practice their own theory publicly." He suggested that some one be appointed to exercise ecclesiastical authority who had been recommended by the colonists. He insisted that it would not make any difference to the colonists of what denomination he was just so he was a Protestant. He even went so far as to offer himself for the position.¹⁸²

The following spring Father Muldoon arrived in Austin's colony, and Sumner Bacon, who was teaching school on Caney Creek, offered Austin additional advice. Here is Bacon's letter just as Bacon wrote it:

Caney Creek, July 30th 1831.

Hon. S. F. Austin, Esq.

Dear Sir:—

No doubt you have heard many saysoes concerning me or my publik addresses or exhortations etc and from those tails perhaps may have thought it was injuring the cause of your settling the affairs of the Colony with the government Which has been the fartherest from me I have been very careful not to abuse any privilege that has been held out by government or its Agents. My practice has been to go no whar where I have not been invited and when and whare I have gone, And sung prayed Read a chapter in the Bible or testament and Exhote the people to love God and each other: deal justly love mercy and walk humbly before God and the wourld: And to make their peace with God and try to show them by precept and example how to obtain that peace: And this far I thought we

¹⁸²Bacon to Austin, September 18, 1830, Austin Papers. (See Appendix E).

(or I) were priveleged: found on the first address of the Rev. Muldoon:—

No man perhaps feels a greater anxiety for your welfare and that of the coloneye than I do: And instead of prejudicing the minds of the people against the Priest I am persuaded I have been the means in the hand of God of quieting many and reconciling their feelings.

The whims superstition ignorance of a community cannot be helped. But to satisfy them on the best and easiest terms is the question and to do the most or greatest good to the wourld of Mankind: This has occupied my mind for some months past. Religious policy is as necessary (and requires more) [tact] as [than] state or National. The fear of being compelled to become Romans or recanting some of their Religious tenets or habits on the part of the colonists: and jealousy on the part of the government that they are not Romans—The plan that is most impressed on my mind on the subject is to cite some one who has preached or Exhorted in the colony (as I understand I am not the only one) before the priest as I presume from his third address his has all power on this subject: And let the accused produce testimony of what he has inculcated and if it be adjudged to be Reilgion declare it so to be, and put the sir name Roman to it and let him (or them) go on. My Bible teaches but one Religion and I presume a Romans is the same it matters not what name men give it, so it is pure and undefiled, whether Roman Methodist Baptist Presbyterian or Catholic: and a liberal minded man can wave on these points for the sake of doing good: A course of this nature would certainly prove to the colonist that the government did (or do) not wish to oppress or compell them in to any unreasonable or [un] just measure: And prove to the government that even the preachers are of the Religion of the government as weel as hearer and instead of it proving an ingry to the setling the affairs of the colony it will make in its favor and it is a track that will ear long lead to the liberty of concience which I have no doubt is the ernest of your soul: I can seen no impropriety or injury in the course: I have reasoned with my self for and against it and if it can be adopted: it will surely answer the desirable end and the means of doing a great good.

I mention this subject to you for the fact believing it to be my duty to do so as there is much talk and clammer, and this

appears to come to the middle ground as both are tenacious and superstitious—Should such a course meet your approbation after viewing it and be adopted, my prayer will be answered. And if not may it remain with you, and as coming from the purest intentions. I feel it my duty to reprove vice and immorality where and when I see it and to enforce the love of their opposite.

I have three weeks confinement to my school and then I shall go to San Felipe where I hope I shall have the pleasure of conversing with you on various subjects.

And rest assured I shall do all I can for the good of the Colony in cultivating peace and friendship with all. And abuse no privilege but use them.

And may the Blessing of Heaven rest upon you and yours and guide you in all wisdom.

And so I Remain yours with respect and humble servt
Sumner Bacon.¹⁸³

The following letter written by Asa Hoxey from Coles' settlement [Independence, Washington county] to a friend in the United States is introduced to show a typical community of colonists just before the storm burst:

The greatest objection that I have to my neighborhood is that we are too thickly settled within four miles of me there are more than one thousand inhabitants chiefly new emigrants and within the same distance we have four small stores two Backsmith Shops and two Schools we have a dancing frolick every week and Preaching almost every Sunday this last I do not much patronise in fact I never saw a more pleasant Settlement I have not heard a quarrel or seen a fight since I have been here.¹⁸⁴

Before Austin's colony was founded, there was a settlement of Anglo-Americans at and near Jonesboro, in what is now known as Red River county. As early as 1816 William Stevenson [Not Henry Stephenson] commenced to preach in this settlement at the house of a Mr. Wright and organized a church in 1817. In 1818 a campmeeting was held.¹⁸⁵ John Rabb says:

¹⁸³Bacon to Austin, July 30, 1831, *Ibid.*

¹⁸⁴Hoxey to Hanrick, May 24, 1834. Hanrick Papers.

¹⁸⁵Fuller, *History of Texas Baptists*, 70.

“Father Stevenson [Henry Stephenson] had preached on the west side of Red River as early as 1818, in company with Rev. William Stevenson, who had charge of the Arkansas mission.”¹⁸⁶ Dewees tells of attending a campmeeting about six miles below Jonesboro, just below the mouth of Clear Creek, in 1820. Near by was a large spring at which some rowdies had congregated; and becoming intoxicated they disturbed public worship. “The ministers sent down a remonstrance which so enraged the drinkers that they procured an ax and came up to the camp ground with the determination of cutting down the stand. The ministers made their escape therefrom;” but after a time they, the rowdies, became reconciled and the meeting continued until it was quite interesting.¹⁸⁷

Joseph L. Bays was one of the thirty heads of families who accompanied Moses Austin from Missouri in 1820. They reached the Texas line on the last day of June and awaited, on the Louisiana side, the return of Moses Austin from San Antonio. In their camp were two other preachers: Martin Parmer, a Methodist, and Billy Cook, a Universalist. While they waited, all the ministers preached. One of the results was the conversion of the Universalist to the Baptist faith. In 1820, or shortly after, Bays held a three days' meeting at the home of a Mr. Hinds, eighteen or twenty miles from San Augustine and left a monthly appointment. So soon as this became known to the authorities a detachment was sent from the garrison to arrest him, but the Red-Landers routed the soldiers. In 1823, while Austin was in Mexico City, Bays held services at San Filipe. He was arrested by order of the Governor and was being transported to San Antonio by soldiers to be tried for heresy. Near San Marcos spring, Bays was sent with three soldiers to get water in two large buckets lashed over his shoulders. One soldier was left with the muskets. Bays clubbed all three into the spring and, taking all the muskets, ran down the stream, after a time reached the Brazos

¹⁸⁶*The Texas Methodist Historical Quarterly*, I, 81.

¹⁸⁷Dewees, *Letters from Texas*, 16.

river, and from there went to the Sabine.¹⁸⁸ However J. H. Kuykendall says, "I well remember to have heard an old man . . . named Bays, or Baize, preach at the house of a neighbor [Moses Shipman] of my father early in the year 1824. I never knew to which of the sects he belonged."¹⁸⁹ And Daniel Shipman says, "that sermon was preached in the year 1825. It was preached in my father's house. We thought we were quite secret about it, but I suppose there was some one taking notes, at that early date."¹⁹⁰ Rev. J. B. Link says that Bays went as far as San Antonio, where he preached until the authorities, inspired by the priests, ordered him away. Returning to San Augustine, he preached from house to house until he was arrested and, to avoid being cast into prison and thus bringing trouble upon his friends, agreed to leave Texas.¹⁹¹ The reader may draw his own conclusions. Bays died in 1854 and lies buried in Matagorda county. There is some evidence to show that Freeman Smawley preached the first Baptist sermon in Texas, at the home of William Newman, in what is now part of Lamar county, in the year 1822.¹⁹²

From the following letter of Austin to Rev. William Stevenson, it appears that Stevenson had written to Austin with a view to preaching in his colony. In reply, Austin wrote:

The government of the nation has finally settled down into the Federal Republican system, & the outlines of the constitution are copied from that of the United States, with the single exception of an exclusive religion in favor of the Roman Catholic, which is the law of the land, and as such must be obeyed. And if a Methodist, or any other preacher, except a Catholic, was to go through this country preaching I should be compelled to *imprison* him. All the children in the country must be baptised in the Roman Church, and all marriages must

¹⁸⁸Thesis for degree, by Walter Louis Tubbs, Southwestern Baptist Theological Seminary, 1916.

¹⁸⁹*The Quarterly*, VII, 52.

¹⁹⁰Daniel Shipman, *Frontier Life*, 33.

¹⁹¹*Texas Historical and Biographical Magazine*, I, 23.

¹⁹²Carrol, *A History of Texas Baptists*, 26.

be celebrated in that church. This is the law of the nation, and all who move here must obey it.''¹⁹³

About this time Henry Stephenson made an appointment for preaching at the house of a Mr. Stafford, near San Augustine. The alcalde interdicted the meeting, and it was not held. But Stephenson was not to be outgeneraled, so, after two days, he did preach at the house of a Mr. Thomas.¹⁹⁴ Whereupon the alcalde issued the following decree:

District of Sabine,
Province of Texas.

To the Good People
of the
afore mentioned District:—

by an express article of the Mexican Constitution, the Roman Catholic Apostolic Religion is the Established Religion of the government and Prohibits the use of all others.

this is to forwarn all persons from assembling in the Sc District in Violation of this article of the Constitution, under penalty of punishment, at the Discretion of the Court and Banishment, as Given under my hand, this 15th day of May 1824 Jas Gaines, Alcalde.

Instead of fleeing to the United States, Stehenson went on to the Brazos and reached at the home of Mr. Thomas Gates, seven miles below the town of Washington.¹⁹⁵ From there he proceed to San Felipe and, in June 1824, preached to four families who had assembled at the home of John Rabb, three miles below town.¹⁹⁶ In 1828, Stephenson made another trip to Texas, and again in 1834, under direction of his presiding elder, he spent half of the year preaching in Texas, extending his labors as far as the Brazos. In 1835, the Mississippi Conference assigned him Texas as a missionary field.¹⁹⁷ On his

¹⁹³Austin to Stevenson, May 30, 1824. (Extract in Jackson [Tenn.] Gazette, October 2, 1824, from Arkansas Gazette).

¹⁹⁴Thrall, *History of Methodism in Texas*, 18.

¹⁹⁵Deems, *Annals of Southern Methodism*, 289.

¹⁹⁶*Texas Methodist Historical Quarterly*, I, 81.

first trip he remained long enough to create some excitement, for the following December Austin wrote this letter to his sister:

. . . The Methodists have raised the cry against me, this is what I wished for if they are kept out, or will remain quiet if here for a Short time we shall succeed in getting a free toleration of all Religions, but a few fanatics and imprudent preachers at this time would ruin us—we must show the Govt that we are ready to submit to their laws and willing to do so, after that we can with some certainty of success hope to have our privileges extended.¹⁹⁸

Austin's real views on the question of admitting protestant preachers are to be found in the eighth paragraph of a communication which he drafted to be sent to the state congress, five days after the above letter to his sister. This paragraph was erased, and Austin wrote on the margin, "deemed a dangerous subject & therefore not sent." This is the paragraph:

A number of preachers of the Christian Religion in the English language have applied to me for liberty to preach and establish their mode of worship in this Colony. I have informed them, in conformity with the 4 article of the Acta Constituta and in compliance with the verbal instructions of the Political chief of the Province that it was contrary to law and if they come here to preach publically they would be liable to be punished. If the Constitution and laws of the nation or those of the state could permit any relaxation on this point it would greatly promote the prosperity of this part of the country and as I conceive could not do any injury as the object of those preachers who wish to come in is solely to promote good morals without wishing to attempt making converts from the Catholic Religion—Any indulgence that could be extended to these settlers on this subject will be most thankfully recd. and gratefully remembered, as they are now totally destitute of any spiritual aid whatever and must so continue for a long time as they are all unacquainted with the Spanish language, and cannot therefore receive that instruction from

¹⁹⁷Deems, *Annals of Southern Methodism*, 289.

¹⁹⁸Austin to Mrs. Emily Perry, December 17, 1824, Austin Papers.

the cura who we have been expecting which is a subject of such great importance requires—I therefore submit the subject for the consideration of the Honorable State Legislature in the full hope that, that honorable and enlightened Body will be pleased to extend to these inhabitants all the indulgence relative to public worship and preaching in the English language, which they may deem consistent with the laws or with the general interests of the nation. And under the full belief, that the permitting a few enlightened well educated Judicious and reasonable preachers of the Gospel of the christian religion in the English language could be attended with the most happy results to the settlers individually and would greatly promote the Genl. prosperity good order morality and improvement of this part of the State.¹⁹⁹

Although Austin did not send the above to the state legislature, he was nevertheless, exerting his influence with his friends in the state and national congresses to secure such a toleration in religious matters as to obtain the right of public assembly for all who might be religiously inclined. At this time Erasmo Seguin was a member of the national congress and Baron de Bastrop, of the state congress. Seguin wrote to Bastrop saying:

Tell Austin that with regard to the requirement that all emigrants be christians, I find no reason to convince me to the contrary; since, under the previous administration, religious toleration was permitted in the province, I do not believe that this can be prohibited. One thing to which I cannot agree is to allow them the right of public worship, for, according to the constituent act in force, there must be no other public worship than the Roman Catholic.²⁰⁰

Bastrop, supposedly, waited a favorable opportunity to “tell” Austin as Seguin had directed; but Bastrop also wrote the following letter, which, while it is not so explicit, does show that he was interested in trying to secure the full measure of toleration wished for by Austin:

If the province of Nuevo Leon is included as a part of our

¹⁹⁹Austin to State Congress, (not sent) December 22, 1824, *Ibid.*

²⁰⁰Seguin to Bastrop, March 24, 1824, *Ibid.*

province it will be very difficult to obtain anything with regard to religious toleration. There will be several ecclesiastical deputies in Congress [state congress], there is one already from Coahuila. The people of Monterey are too much accustomed yet to the ecclesiastical yoke. I do not know what can be secured.²⁰¹

Apparently most of the disturbances on account of preaching in so far as the Mexican authorities were concerned, arose in the vicinity of Nacogdoches, where there was a garrison of soldiers of the Mexican army and some Anglo-Americans who were devout members of the established church. So early as the year 1803 there was constructed a parochial church in the town of Nacogdoches, and its cost was borne by the settlers from the United States, as may be deduced from the bill of the workmen contracting to construct said church. Due to the abandonment occurring in the year 1813, when the inhabitants of that town returned to the United States on account of the persecutions by the royalist troops, the building fell into a bad state of repair and was occupied by the Mexican garrison.²⁰² In 1827, there was a revival of interest in church affairs on the part of the adherents of the established church in Nacogdoches.²⁰³ For three years they tried to secure the use of the old church, but failing in this, in the spring of 1831, under the inspiration of Father Antonio Diaz, a board of piety was organized with Colonel Piedras as President, Peter Ellis Bean as Vice President, the alcalde, the priest and three others. Falling into the American way of voluntary efforts, the board issued a circular in Spanish and English, saying:

“A happy event of the most imperious, exquisite and irresistible circumstances, is the necessity of two Establishments of piety useful and necessary. . . . A church intended to celebrate and worship the Gospel agreeable to the Roman Catholic Religion which is professed by the Mexican Nation and a Pri-

²⁰¹Bastrop to Austin, May 10, 1824, with Seguin to Bastrop, March 20, 1824, *Ibid.*

²⁰²Musquiz to lieutenant governor, January 30, 1831, Bexar Archives.

²⁰³Chirino to political chief, October 30, 1827, *Ibid.*

mary School for the education of the youth of this Circuit." They appealed for voluntary subscriptions of "money, produce, personal labor, or any other article which may be converted into value." They warranted "the funds in their possession before God and Man with their estate, honor and life of the members who compose it."²⁰⁴

With this revival of interest in the established church came also a revival of interest in what the protestant preachers were doing. In 1828, Josiah Harrison wrote to William Biddle of Patroon Creek, stating that he had been informed that he, Biddle, had held a meeting and preached, "in favor of the Anabaptist sect of Christianity, at Mr. Smith's Tenehaw." Harrison finally reported Biddle to Colonel Piedras, charging him with having created a "disturbance among the people."²⁰⁵ Piedras evidently reported the matter to Musquiz, the political chief, for Musquiz informed the commandant-general, Elosua, that he "had letters from the military commander at Nacogdoches relative to the arbitrary introduction and establishment of some foreigners in the district of Taneja where they are preaching the anabaptist religion." "In consequence of this news," says he, "I will dictate my orders to prevent the evil that may result from the introduction of sects within the territory of this department."²⁰⁶

Early in 1829, Austin wrote to Joshia H. Bell about the Methodist excitement as follows:

The prospect of a change in the national constitution so as to strike out the restriction on Religious toleration is so great and brightening so rapidly, that I have no longer any doubts that it must and will take place, and under this belief I am of opinion that no evils will arise from family or neighborhood worship, or from the delivery of moral lectures, provided it is not done in a way to make a noise about public preaching, so as not to start excited Methodist preachers, for I do say that in some instances they are too fanatic, too violent and too noisy.—

²⁰⁴Circular, March 10, 1831, *Ibid.*

²⁰⁵Harrison to Biddle, February 16, 1828, Nacogdoches Archives.

²⁰⁶Musquiz to Elousa, May 21, 1828, Bexar Archives.

Moral instruction delivered in that pure, chaste and dignified language and manner with which such instruction ought to be imparted to rational beings, will certainly not be objected to, by the government, on the contrary it will be highly approved of. I give this as my opinion. [In a postscript he adds] The subject of preaching must be managed with prudence, for I do assure you that it will not do to have the Methodist excitement raised in this country. All this is for your eye, and your confidential friends, and not for the public indiscriminately.²⁰⁷

The mild tone of this letter, wherein Austin says, "I give this as my opinion," in comparison with his statement published in 1823, "I should feel myself compelled to silence any preacher or exorter," was due to two causes. On February 12, 1828, Austin had turned over the management of the colony to the ayuntamiento and was now "citizen Austin". Besides, he feared to arouse the suspicions and antagonisms of the priesthood until civil and political conditions would make their raging harmless. Nor did he wish to appear to be opposed to the Methodists, for he was not; it was only that he feared the effect of the excitement upon the priesthood of the established church.

In 1832, Daniel Parker, a Primitive Baptist minister, visited Texas. According to his construction of the Mexican laws, no protestant was permitted to organize a church in Texas, but there was no law forbidding the immigration of a church already organized. Consequently, having returned to Illinois and organized a church there, he and the whole church came to Texas, in 1833.²⁰⁸ The following year, March 29, 1834, a Primitive Baptist church was organized on the Colorado some miles below the present town of Bastrop. Six members from the United States were constituted a church by Rev. Abner Smith and Rev. Isaac Crouch.²⁰⁹

In the spring of 1832, Rev. N. J. Alford, a Methodist, and Sumner Bacon, a colporter, announced a two days' meeting in

²⁰⁷Austin to Bell, February 24, 1829, Austin Papers.

²⁰⁸*The Quarterly*, II, 91.

²⁰⁹Newman, *History of Primitive Baptists in Texas*, 37-38.

Shelby county, near Milam. Alcalde James Gaines and others opposed the meeting. Just before the hour for services a Mr. Johnson said he would horsewhip any preacher who dared to enter the pulpit. "Well", said Alford, "I am as able to take a whipping as any man on this ground", and walked into the pulpit. Johnson sized up the situation and slunk away. Some one reported the meeting to Piedras, the Mexican commander at Nacogdoches. Piedras asked, "Are they stealing horses?" "No." "Are they killing anybody?" "No." "Are they doing anything bad?" "No." "Then let them alone."²¹⁰

As early as May, 1833, a camp meeting was conducted by James P. Stevenson, at Milam, not far from Nacogdoches.²¹¹ On September 3, 1834, a camp meeting was held on Caney Creek, near where Kinney station on the Santa Fé Railroad is now located. The following year, another camp meeting was held at the same place. Each time five ministers were present. Ministers and people justified themselves in holding those meetings on the ground that the government of Mexico had violated the constitution of 1824, and that therefore the people were absolved from their oaths to support the constitution which forbade the exercise of any other religious worship than that of the established church. Horatio Chriesman, the alcalde, and Dr. James B. Miller, the political chief of the department of Texas, encouraged the meetings and helped to support the ministers.²¹² In December, 1835, Z. N. Morrell came into Texas, going as far as Litte River to the home of G. Childers. While there he preached a sermon. On reaching Nacogdoches, on his return to the States, he preached on Sunday, January 10, 1836. Morrell preached on the streets to a promiscuous assembly of Americans, Mexicans, and Indians, with no one to molest or make him afraid.²¹³

²¹⁰Thrall, *History of Methodism in Texas*, 18.

²¹¹Yoakum, *History of Texas*, II, 538.

²¹²*Texas Methodist Historical Quarterly*, I, 79-89.

²¹³Morrell, *Flowers and Fruits*, 44.

We herewith present the names of the protestant preachers who came to Texas during the colonial period, together with the names of the states from which they came, so far as known, and the places of their labors in Texas. The list of the Methodists is approved by the Rev. E. L. Shettles and of the Baptists, by Rev. J. M. Carroll.

Methodists: (From 1818 on, William Stevenson, Henry Stephenson, Washington and Green Orr, and John M. Carr labored on the south side of Red River, in what was then supposed to be Arkansas and which was under the jurisdiction of the Missouri conference.) Henry Stephenson, from Missouri, 1824, "King's Highway" and Austin's colony, in connection, 1834; James English, 1825, Shelby County; Needham J. Alford, 1832, near Nacogdoches; James P. Stevenson, Missouri, 1833, Red Lands; J. W. Kinney, Kentucky, 1833, Austin's and DeWitt's colonies; William C. Crawford, Georgia, 1835, Red Lands; W. P. Smith, M.D., Tennessee, 1835 (Methodist Protestant); A. M. Babbitt and William Medford.

Baptists: Joseph Bays, Missouri, 1820, Austin's colony and "King's Highway"; Freeman Smalley, Ohio, 1824, south of Red River; William Biddle, 1828, Red Lands; Thomas Hanks, 1829, Tennessee, Austin's colony; George Woodruff, 1833, Austin's colony; Skelton Allphine, 1831; Isaac Reed, Tennessee, 1834, Red Lands; N. T. Byars, South Carolina to Georgia, 1835, Austin's colony; R. Marsh, M. D., Alabama, 1835, Red Lands, Washington; Z. N. Morrell, Tennessee, 1835, Red Lands. Primitives: Daniel Parker, Illinois, 1833, Austin's colony, Red Lands; Abner Smith, Alabama, 1834, Mina; Isaac Crouch, 1834, Mina.

Presbyterians: Benjamin Chase, Mississippi, 1833, Austin's colony and "King's Highway"; P. H. Fullenwider, Mississippi, 1833, Austin colony (teacher and preacher); Henry R. Wilson, Choctaw Nation, 1833, on Red River; Sumner Bacon, Massachusetts to Arkansas (Bible agent and teacher, 1829) minister, January, 1836; Milton Estill, 1833, Red River; Robert Tate, 1835, Tennessee.

Methodists, twelve; Baptists, thirteen; Presbyterians, three; and Cumberland Presbyterians, three; total, thirty-one.

Some of these ministers took part in the revolution. Daniel Parker, a Primitive Baptist, was a delegate from Nacogdoches to the consultation. He was also a member of the council which was appointed to cooperate with Governor Henry Smith. W. C. Crawford, a Methodist, was a signer of the Declaration of Independence. Rev. W. P. Smith, M.D., a Methodist Protestant, delivered a patriotic address to the militia at Gonzales and accompanied them against the Mexicans. Andrew McGowan, a Cumberland Presbyterian, went through the military campaign as a soldier, fighting in the front ranks at San Jacinto. Peter Hunter Fullenwider, a Presbyterian, was detailed by Houston to care for the families of the soldiers assembled at Fort Houston, near Palestine. His duties included the supplying of provisions, protecting the women and children from the Indians, and, if need be, leading them across the Sabine.²¹⁴

²¹⁴During the colonial period, as well as shortly after, there were some wolves in sheeps clothing which stole the livery of the Protestant saints for the purpose of serving the devil. Linn gives a very graphic description of an incident which occurred at San Filipe, wherein a bogus preacher was prevented from marrying a "lass from the Cole settlement (Independence)". James Bowie was the chief actor in the drama, with Joe Powell and Horatio Chriesman as assistants. (Linn, *Fifty Years in Texas*, 302).

XI

THE CRISIS

The causes which led to the Texas Revolution grounded themselves in the differences of race, traditions, education, political ideas, and religion of the Anglo-Americans and Mexicans. The Anglo-Texan considered himself to be a superior type of humanity to the Mexican. Nor was he any too careful about concealing this conscious superiority. He had imbibed the tradition that liberty in affairs of state is voluntary submission to laws enacted according to the will of the majority of the governed and enforced by their elected magistrates. With him, the education of the whole people was necessary to the enjoyment of that culture and the perpetuity of those institutions which made his civilization a vital force in the advancement of his own nation and a blessing to other peoples. His religion consisted in the free and voluntary acts of the individual in his immediate personal relation to his God.

The Mexican people were but one degree removed from the primitive condition in which Cortez found them. The Spanish element among them seemed to be more concerned about exploiting the people than in elevating them to the enjoyment of a higher civilization. Their civilization consisted of a strange mixture of heathen tradition, mnemonics, and superstition, engrafted on to democratic principles in civil government, Spanish culture in letters, and Roman Catholic doctrine in religion. To invite Anglo-American settlers to become one with them was to try to put new wine into old wine skins. The laws, the names of the courts, and the officers were Spanish, but the spirit in which they were interpreted by the Texans, and in a measure obeyed, was decidedly Anglo-American.

Austin's decided opposition to the political activities of the established church is clearly shown in the "Project of a Con-

stitution for the Republic of Mexico'', which Austin formulated upon his first visit to the City of Mexico, in 1823. He would have had the established church limited in its powers, benefices, emoluments, decrees, bulls, etc., and with authority vested in congress to destroy religious orders and exclude ecclesiastics from all participation in civil affairs.²¹⁵ Some of his views prevailed; for instance, the minister of justice and ecclesiastical relations issued a proclamation to the political chiefs, in 1833, seeking to prevent the priests from inciting the people against the government. They were forbidden, under penalty, to touch upon political matters while in the pulpit, either by approval or disapproval of any platform of the civil authorities.²¹⁶

The governor and the state congress of Coahuila and Texas were in sympathy with the republican views of the Texas colonists and opposed to the centralist or church party. In 1833, Benjamin Lundy went to Monclova to secure colonial rights. The governor informed him that "the professors of the various sects in religion will be henceforth admitted as settlers, without any restriction in regard to their faith"; he also stated that the governor "expects the Legislature of Coahuila and Texas, and also the Legislatures of several other of the Mexican states, will enact laws the coming winter providing for equal toleration to protestants and other settlers". Lundy further states: "The Legislature, today [January 4, 1834], passed an act for admitting T. Chambers to practice law in this state (Coahuila) without his having complied with certain formalities of baptism etc., which had heretofore been prerequisites."²¹⁷

The tenth article of the state law of March 26, 1834, stated that no person should be molested on account of his religious or political opinions, provided he did not disturb the public

²¹⁵Austin, Project of a Constitution, March 29, 1823, Austin Papers.

²¹⁶Secretary of Justice etc. (for President), October 31, 1833, Bexar Archives.

²¹⁷*The Life and Travels of Benjamin Lundy*, 66, 74, 84.

order.²¹⁸ Another decree provided that "the founding of edifices built by charitable donations (obars pias) under any denomination whatever is hereby absolutely prohibited; no person shall dispose of more than one tenth or of one fifth of his property, in benefit of his soul; the intervention of ecclesiastical authority in affairs purely civil is prohibited; also, the testament visit in the state by the bishops of the diocese."²¹⁹ Another law provided that no one should comply with the decretals of the clergy or ecclesiastical orders without permission from the governor and the knowledge of the congress.²²⁰ And these were followed by a law, mentioned by Kennedy, enacted May 21, 1834, by which protection was offered to the person and property of every settler, whatever might be his religion.²²¹ In these laws the state congress clearly exceeded its constitutional powers, and their enactment served the purpose of exciting the centralists, or the church party, against the colonists, two of whose representatives were in the legislature. Santa Anna surrendered himself to the centralist party, the state congress was dissolved by force, and the established church stood ready to bless the bitter cup which was pressed to the lips of the colonists at the Alamo, Goliad, and San Jacinto.²²²

While the state and federal congresses were busy making laws which had the colonists in view, the Anglo-Americans drafted a constitution for an independent state, to be submitted to the federal congress for its approval; this draft prepared by the convention of 1833 says nothing about religion. The consultation, however, which convened in November 1835, declared that the Texans "have taken up arms in defense of their rights and liberties, which are threatened by the encroachments of military despots and in defense of the

²¹⁸Gammel, *Laws of Texas*, I, 358.

²¹⁹*Ibid.*, I, 350.

²²⁰*Ibid.*, I, 363.

²²¹Kennedy, *Texas*, II, 60, note.

²²²Wilson, *Mexico and its Religion*, 116; Abbot, *Mexico and the United States*, 87.

republican principles of the Federal Constitution of Mexico, of eighteen and twenty four". J. W. Parker of Viesca proposed the insertion of the word "republican" before principles. This was the only amendment offered to the report of the committee on the draft of a declaration, and it was adopted. Thus the people of Texas, through their representatives, bound themselves to uphold the *republican* principles, while fighting under the Mexican constitution of 1824.²²³

The words "republican principles", says Kennedy, "were introduced for the purpose of signifying their dissent from certain provisions of the Mexican constitution deemed by them anti-republican. The principal of these was the article for the support of the Catholic religion, to the exclusion of all other forms of belief."²²⁴

The Consultation veiled its allusion to the established church under the expression "republican principles", so as not to give offence to the Mexican co-patriots, but when the dispatches from the City of Mexico to General Cos were intercepted giving a transcript of the decree of October 3rd, 1835, Austin advised the council to prepare to lay aside the veil, assuring them that the army would do its duty to the country in any contingency. That decree ordered all authority "to be concentrated in one or a few persons in the City of Mexico, sustained by military and ecclesiastical power." Austin argued that the enforcement of that decree by the centralist party, a portion of whom had "manifested violent religious and other prejudices against the colonists," would "destroy the people of Texas".²²⁵ "At the present time," said Austin, "the people know that the government is changed . . . that they are threatened with annihilation. In short, the whole picture is now clearly before their view and

²²³*Journal of the Consultation*, 21, 46; *Proceedings of the General Council*, 141, 255-56, 298, 303.

²²⁴Kennedy, *Texas*, II, 130.

²²⁵*Telegraph and Texas Register*, December 12, 1835.

they see the dangers that are hanging over them.’’²²⁶ In view of the changed attitude of the Mexican government, he advised calling a convention of the representatives of the people. So we see that the question of religion was not raised by the Texas colonists themselves. They would have preferred to have remained quiet, for under the constitution of 1824 the priests had interfered with them but little. The issue was forced upon them by the attempted restoration of the old order of things (as under the Spanish), with its civil and religious despotism.

The committee of the council on military affairs, consisting of Wyatt Hanks, J. D. Clement, and R. R. Royal made mention of “the shackles which tyrants and religious bigots, Santa Anna, the priests, the enemies of constitutional liberty, have attempted to bind us with.” At another time they reported:

From every indication, Texas will have to battle single handed against the combined forces of the central party, with Santa Anna for their leader, throughout Mexico. The central party embraces most of the talents, wealth and population, of the Mexican confederacy. The power and influence of the Priest will also be extended against us. Church and State are thus combined for the overthrow and demolition of free institutions; and the friends and advocates of Constitutional liberty, in the interior, are so few and weak that they dare not resist the encroachments and usurpations of power, which have been made by this tremendous engine of despotism—the union of Church and State!—Texas alone has dared to resist these usurpations; to vindicate her rights, and to repulse the hireling soldiery of the ruffian tyrant, who have polluted our soil with their foot-steps; aiming their blows at the life and liberty of every citizen.²²⁷

We learn from the *Louisiana Advertiser* that on July 14, 1835, there was a meeting in New Orleans of sympathizers with Texas. General Felix H. Huston was called to the chair and

²²⁶*Ibid.*

²²⁷*Proceedings of the General Council*, 123, 169; *The Quarterly*, XIII, 281; XV, 182.

described in a manner exceedingly touching the wrongs and sufferings of the people of Texas and exhibited "the necessity of immediate action on the part of friends of civil and religious freedom in their behalf." The *Commercial Bulletin* of like date has an editorial, on the departure of the New Orleans Grays for Texas, which says: "civil and religious liberty will prevail over the restraining edicts of military and priestly tyranny and raise an intelligent people above the besotted ignorance and superstition that the combined efforts of a despotic state and church would fasten on them."²²⁸

Houston, in his departmental orders from Nacogdoches, October 8, 1835, said: "Our only ambition is the attainment of rational Liberty—the freedom of religious opinions and just laws. To acquire these blessings we solemnly pledge our persons, our property, and our lives."²²⁹ "I wish to see Texas free.", says Austin in a letter to Houston, "from the trammels of religious intollerance, and other anti-republican restrictions; and independent at once; and as an individual, have always been ready to risk my all to obtain it; but I could not feel justifiable in precipitating and involving others until I was fully satisfied that they would be sustained."²³⁰ Austin and Archer jointly wrote to Colonel T. D. Owings of the United States infantry:

New Orleans, January 18, 1836.

. . . . Our cause is that of Liberty, Religious toleration and Freedom of Conscience against Usurpation, Despotism, and the Unnatural and Unholy Monopolies of the Church of Rome. We wish to extend the blessings of Civil Liberty over one of the finest portions of this Continent, and offer a home upon its fertile soil, to the pious and Industrious of all Religious Denominations. In doing this, we invade no right appertaining to Mexico, we violate no duty, on the contrary, *Right* and *Justice* and *Duty* loudly call upon us to resist Oppression and defend ourselves—they call upon the Noble, the liberal, the

²²⁸*The Quarterly*, IV, 145-6.

²²⁹ Foote, *Texas and the Texans*, II, 135.

²³⁰ Austin to Houston, January 7, 1836, *Ibid.*, II, 196.

pious and the free to fly to our aid, and assist in planting the Standards of Independence and Freedom in Texas.

S. F. Austin.

B. T. Archer.²³¹

In March 1836, Austin delivered an address, in the Second Presbyterian Church of Louisville, Kentucky, in which he said: "Our object is freedom—civil and religious freedom." In the same address, while speaking of the possibility of success, he said: "Besides these resources [credit and men] 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." Although this address was delivered in a church, it cannot rightly be considered a case of special pleading, for it was printed in pamphlet form and widely circulated. On a circular appealing for volunteers from the United States, in the cause of Texas, there appears a vignette representing Hercules killing the Hydra. Underneath are the words, "Liberty triumphing over Tyranny and Priestcraft."²³² Sam P. Carson, Secretary of State, wrote to General Dunlap: "Although the defeat of Santa Anna has been most propitious etc. . . . the Priests will doubtless, organize and send all the troops they can raise, and their power is now much the greatest in Mexico."²³³

Moses Austin acquired this fair land of Texas; his son implanted it with colonists who had the love of civil and religious liberty in their hearts. For fifteen years this love continued to grow until it budded in the calyxed expression of the consultation, "republican principles". During the period of the council this bud swelled until it flowered in the declaration of independence, to bring forth fruit at San Jacinto.

The Anglo-Texans believed that the Mexicans had violated their oaths of allegiance to the constitution of 1824, and the

²³¹Austin and Archer to Owings, January 18, 1836, Garrison, *Diplomatic Correspondence of the Republic of Texas*, I, 60.

²³²*Ibid.*, 69.

²³³Carson to Dunlap, May 31, 1836, *Ibid.*, 96.

Spanish-Americans believed that the colonists had failed to keep their oaths of allegiance to the established church. Each had really dragged anchor and drifted from their moorings, in so far as either had ever really anchored,—the Mexicans from the republican constitution, and the Texans from the established church. And when the ecclesiastical hierarchy and the Spanish autocracy united in the person of Santa Anna to reestablish their authority and thus deprive the colonists of that measure of civil and religious liberty which they had enjoyed for more than ten years, the Texans declared their independence. In formulating their fourteen reasons for a declaration of independence, prominence was given to religion; mention was made of “the tyranny of the priesthood,” of “the support of a national religion,” and of an “army and priesthood the eternal enemies of civil liberty.” This declaration, together with the foregoing evidence, shows that the war of the Texas Revolution was for religious no less than for civil liberty. The colonists learned that the price of liberty, whether civil or religious, must be paid in the life blood of its votaries.

By the battle of San Jacinto Texas became free from Mexican domination and established an independent republic. In anticipation of this, the same body of men that prepared the Declaration of Independence also prepared a constitution, the third section of which reads: “No preference shall be given, by law, to any religious denomination or mode of worship over another, but every person shall be permitted to worship God. according to the dictates of his conscience.” This is a statement of the traditional position of the Anglo-Americans.

Upon the assembling of the first congress of the Republic of Texas, in October 1836, the efforts upon the part of some to secure the services of chaplains were opposed on the ground that it would be giving preference to some special form of religion to the exclusion of all others, contrary to the bill of rights. Not until December 22 was provision made for the pay of chaplains, by a joint resolution of both houses of con-

gress, although, now and then, prayers were offered by ministers who might be present.²³⁴

The Mexican constitution of 1824 provided that bishops and archbishops were not eligible to the congress of the Republic. The constitution of Coahuila and Texas provided that ecclesiastics in active service were not eligible to the legislature nor to any ayuntamiento. May it not be that the Mexicans of 1824 and the Texans of 1836, having had similar experiences, had similar reasons for seeking, by constitutional enactment, to exclude ministers or religion for certain civic rights? For the Texas constitutions of 1836, 1845, and 1866 all contained this provision: "Ministers of the gospel being, by their profession, dedicated to God and the care of souls, ought not to be diverted from the great duties of their functions: therefore, no minister of the gospel, or priest of any denomination whatever, shall be eligible to the office of the executive of the Republic, nor to a seat in either branch of the congress of the same."²³⁵ In the constitutional convention of 1845, quite a lengthy debate occurred, in an effort to strike out this discrimination against ministers, but without avail.²³⁶ Not until the convention of 1868 was any change made, when the following was adopted in lieu thereof: "No minister of the gospel or priest of any denomination whatever, who accepts a seat in the Legislature, shall after such acceptance be allowed to claim exemption from military service, road duty, or serving on juries, by reason of his profession." While it is true that a clause somewhat similar to the above appears

²³⁴*Telegraph and Texas Register*, October 5, 1836.

²³⁵Rev. William C. Crawford, a Methodist minister, was a member of the constitutional convention of 1836. Thrall says: "It was fortunate that Mr. Crawford was in it. The course of the Romish priesthood in Mexico was strongly condemned in Texas, and a prejudice excited against all ministers of religion. A section was introduced disfranchising all preachers, and forever prohibiting them from occupying any office of profit or trust in the republic. Mr. Crawford succeeded in getting this so modified as only to exclude preachers from seats in congress and holding executive offices." (Thrall, *History of Methodism in Texas*, 27.)

²³⁶*Debates of the Convention of 1845*, 162-200.

in several state constitutions of corresponding dates, notably in the constitution of Louisiana, it is to the extent of this clause in the Texas constitution that attention is called.

XIII

THE RELIGIOUS FORCES ORGANIZING

Yoakum tells how, in 1837, Charles Compte de Farnesé from Europe visited the Texan government and offered his services to treat with the court of Rome so as to have the Roman catholic faith adopted as the established religion of the Republic. His argument was that it would be for the highest interests of the country and would also be the means of securing immediate peace with Mexico.²³⁷

In 1839, M. Timon, Catholic bishop of Buffalo, New York, came to Texas. In his report upon the state of the Catholic church in Mexico and Texas he lamented the oppression of the church by the civil authorities of Mexico and said, "one cannot but applaud the independence of Texas." After visiting San Antonio, Goliad, etc., he came to Houston. There, said he, "Every one to whom I addressed myself seemed to be afraid of the priests and were ashamed to say they were catholics. We found ourselves, then, in a very sad position, and we had no other resource but the protection of Providence to which we confided ourselves. She did not fail us." After a time, however, he was invited to preach in the hall of congress "to a great concourse of people, among whom were four protestant ministers". "They did not" said Timon, "make the least criticism of the truths which I preached, neither at the capitol, nor even in the assemblies of their co-religionists." He told of how Ex-President Houston expressed to him "the most beautiful sentiments of affection for our holy religion", and how that Vice President Burnet "detained me to dine with him." He further said, "I see evidently that there is in the heart of a

²³⁷Yoakum, *History of Texas*, II, 224.

great number a tendency quite pronounced for catholicism and that one could do much good in this country.''²³⁸

Following the receipt of Timon's letter by the Sacred Congregation for the Propagation of the Faith, a letter (July 18, 1840) was addressed to the President of the Republic of Texas in which Cardinal Fransonius prayed, in behalf of the sacred congregation, that he would receive their thanks for the numerous courtesies shown towards "Christ's worthy ministers". The cardinal also commended Bishop Timon as "Perfect Apostolic Pastor of that Catholic church" in Texas and asked for the protection of him and all priests associated with him, and also asked that the President would "cause whatever property may belong to the church to be handed over to him, as the lawful pastor.'²³⁹ Following the receipt of this letter on December 24, 1840, acting President Burnet replied, in part, as follows:

. . . . Although your Eminence and the illustrious congregation of the propagation of the Faith are too intelligent to require the advisement, I feel it due to the frankness which should characterize this intercourse, to remark, that a large portion of the population of this republic have been nurtured in the Protestant faith. But it affords me unfeigned pleasure, at the same time, to observe to you, not only that our public institutions are founded upon the freest principles of religious toleration, but that the spirit and the practice of our enlightened people are in full accordance with this fundamental law of our political system.

That there is property of diverous descriptions within our territory, which rightly belongs to the church of which you are so eminent a member, there is no doubt; and I am confident, that whenever it may be properly identified, it will be cheerfully restored to the sacred uses from which it has been diverted by the inevitable events, incidental to a war of revolution. . . .²⁴⁰

Bishop Timon does not appear to have returned to Texas,

²³⁸Domenech, *Journal d'un Missionnaire au Texas et Mexique*, Appendix, I.

²³⁹Aikin, *Texas by Arthur Aikin*, 77, note.

²⁴⁰*Ibid.*, 78.

for "the spiritual direction of the catholics in Texas" was confided, by the "Holy See" to the brotherhood of Saint Lazare; accordingly, M. Odin, "bishop of Claudipolis and vice apostolic of Texas", came to Texas via Linville, in 1840. After visiting San Antonio and the surrounding towns, he made his report to the procuror general, which is, in part, as follows: "A few days after our arrival at San Antonio, there took place a ceremony which filled us with comfort in proving to us how much the faith is still alive among the Mexicans. A sick man in danger of death wanted to receive extreme unction. We deemed it proper to take it to him publicly and with pomp. At the sound of the bell the people flocked to the holy place in order that they might accompany Our Lord through the streets. Soon the tears ran down the eyes of the old men who since fourteen years had not been witnesses of this homage rendered to our religion."

The bishop traveled extensively in Texas, was his own cook, slept in the open, and was accompanied by two armed men for protection. He stated that in seven months he "heard nine hundred and eleven confessions administered two hundred and forty-one baptisms" and "celebrated four hundred and seventy-eight communions." After remaining in San Antonio for three months, Bishop Odin went on to Austin where, with the assistance of M. de Saligny, the French ambassador, he "sought from the congressmen a decision which confirmed to the Roman Catholic cult all churches built in olden times by the Spanish."²⁴¹ By this act of congress granting and declaring certain churches and missions to be "the property of the present chief pastor of the Roman Catholic Church in the Republic of Texas and his successors in office, in trust forever for the use and benefit" of said church, the amount of land was limited to not more than fifteen acres surrounding such buildings.²⁴²

²⁴¹Domenech, *Journal d'un Missionnaire au Texas et au Mexique*, Appendix 3.

²⁴²Gammel, *Laws of Texas*, II, 492.

Subsequently, action was brought by bishop Odin to secure a certain piece of property in Victoria that had been set apart for church purposes under the state colonization law. The case was transferred to the supreme court which rendered a decision in favor of the defendant, based upon the following: In Spanish America the right of church property was vested in the king of Spain; and, after the revolution, the government of Mexico became the possessor of all church property, including the churches and missions of Texas. Consequently, Texas, by her successful revolution, became possessed of the same, the Roman catholic church enjoying the use of such property under the several governments. By this decision, the church was confirmed in its possession of church buildings and missions forever, but the act of congress did not extend to outlands and lots not used for church purposes.²⁴³

In a second letter addressed to M. Etienne, procuror general of the brotherhood of Saint Lazare, dated February 7, 1842, Bishop Odin describes a church festival in which he participated in the City of San Antonio:

The 12th of December, the feast of Notre Dame de Guadalupe, patron saint of Mexico and all the Spanish colonies, the inhabitants of San Antonio who in more prosperous times were accustomed to celebrate this feast with rejoicings, wished to renew their former zeal for the worship of Mary by seeing their church restored. An old man with some few of his friends wished to bear the chief expenses of this fete; they bought 150 pounds of powder, borrowed all the pieces of cloth that they could procure while the women vied with them in supplying all their most costly personal ornaments for decorating the temple. The image of our Lady of Notre-Dame was covered with all the jewelry collars and rings of the city which had been placed on a litter elegantly ornamented. At three o'clock in the evening the cannon and bells began to be heard; it was the hour of the first vespers. Immediately, a great procession began its march. Young girls clothed in white bearing torches or bouquets of flowers surrounded the banner of

²⁴³Blair vs Odin, *Texas Reports*, III, 288.

the queen of virgins; then came the statue of Marie elevated on the litter carried by four young persons and following after them came the men and women of the city. Sixty militia escorted the procession with their arms, discharging them almost continually. At eight o'clock in the evening, all the city was illuminated. Enormous bonfires illuminated the two great plazas, between which rose the church of San Antonio. Then we came out again, from the sanctuary, at the sound of the bells and cannon with the cross and the banner and the image of our Lady of Gaudaloupe, and we made the circuit of the plazas counting the beads and singing the songs in honor of the Mother of God. It was ten o'clock when we returned to the church. The order was perfect and I vow to you that I have seen few processions more edifying. Besides the inhabitants of the city we had all the Mexicans who reside the length of the river with a considerable number of Americans come from Austin and other remote places.²⁴⁴

The following protestant churches were organized in Texas prior to the achievement of independence:—William Stevenson organized a Methodist church at Jonesborough (Davenport) in 1817, supposing that he was preaching in Arkansas; Daniel Parker organized a Primitive Baptist church in Illinois, and the whole church emigrated to Texas in 1833; another church of like faith was organized near Mena, on the Colorado, in the same year. Milton Estill organized a Cumberland Presbyterian church in what is now Red River county, in 1833; Henry Stephenson organized a Methodist church a few miles east of San Augustine, in 1834; in the same section, Sumner Bacon organized a Cumberland Presbyterian church near San Augustine, in 1836.

After the battle of San Jacinto, the first church to be organized in Texas was the Baptist church of Washington, organized by Z. N. Morrell in 1837. In the early part of that year, an imposter came to town and preached as a Baptist minister. He represented himself as being pecuniarily embarrassed. Con-

²⁴⁴Domenech, *Journal d'un Missionnaire au Texas et au Mexique*, Appendix 4.

sequently, some kindly disposed persons circulated a subscription list and secured the amount asked for. Shortly after, the supposed minister was seen spending this money in the grogery and at the race track and setting the pace for the sporting men of the town.²⁴⁵ Partly as a result of this, the following ministers of the gospel met, by previous agreement, in Houston on May 8, 1837: Rev. W. W. Hall, M.D., Licentiate of Presbyterian Church, from Kentucky, resident in Houston; Rev. W. P. Smith, M.D., Methodist Protestant, from Tennessee, Washington; Rev. L. L. Allen, Methodist Episcopal, from New York, Washington; Rev. H. Mathews, M. D., Methodist Episcopal, from Louisiana, Houston; Rev. R. Marsh, M. D., Baptist, from Alabama, Houston; Rev. Z. Morrell, Baptist, from Tennessee, Milam.

After being duly organized, they proceeded to adopt the following:—

Preamble:—Whereas there is no regularly organized Church judicatory in Texas, and no christian denomination has hitherto exercised, over our territory, any ecclesiastical authority, and, whereas, by our proximity to the United States of the North, we are extremely liable to the impositions of some, professing themselves to be christians, when they are not; and of others who represent themselves as regular ministers of the gospel in good standing, in their respective societies, when such is not the case; and, whereas, under such circumstances, and, by such persons, not only the christian profession, but the office of the holy ministry is extremely liable to be brought into great disrepute, and the name of Christ be evil spoken of:—

Resolved, 1st That for the purpose of averting so great a curse, we are compelled, in self defence, to organize ourselves into a body which shall be denominated ‘the Ecclesiastical Committee of Viligance for Texas’.

They resolved further to recognize no individual as a christian, though he professed to be one, who was not of regular standing in that branch of the church to which he professed to belong. They requested all ministers of the gospel to present

²⁴⁵Morrell, *Flowers and Fruits*, 74.

suitable testimonials to some member of the committee. They resolved to obviate as much as possible the evils arising from the magnifying of sectarian peculiarities and to preach the truth as it is in Jesus to a dying world.²⁴⁶ Wide publicity was given in the United States to the organization of this committee, and it seems to have had a wholesome effect, for we have no evidence that the committee held more than one meeting, although it appointed a continuation committee.

The several church judicatories soon took the place of this committee. The Texas Presbytery of the Cumberland Presbyterian church was organized at the home of Sumner Bacon near San Augustine, November 27, 1837. The Texas Conference of the Methodist Episcopal church was organized at Rutersville, Fayette County, December 25, 1839. The Brazos Presbytery of the Presbyterian church was organized in Union Academy ("Chrisman's School House"), Washington County, April 3, 1840. Union Association of the Missionary Baptist church was organized at Travis, Washington county, October 8, 1840. On the first day of January, 1849, in pursuance of a call by Bishop Freeman, a separate diocese of the Protestant Episcopal church for Texas was organized at Matagorda, where on February 24, 1839, the first Protestant Episcopal church in Texas had been organized. Since those days other denominations have arisen, but those mentioned above are the long time representatives of the presbyterian, congregational, and episcopal forms of government as found among protestants.

The Texas Presbytery of the Cumberland Presbyterian church held its first meeting November 27, 1837. Sumner Bacon was made moderator and Mitchell Smith, clerk. Amos Roark was chairman of the committee on the narrative of the state of religion, and most likely formulated the same. We quote one paragraph concerning the union of church and state.

"Among the first acts of government of our infant Republic, was the severance of the unholy alliance that existed, in the gov-

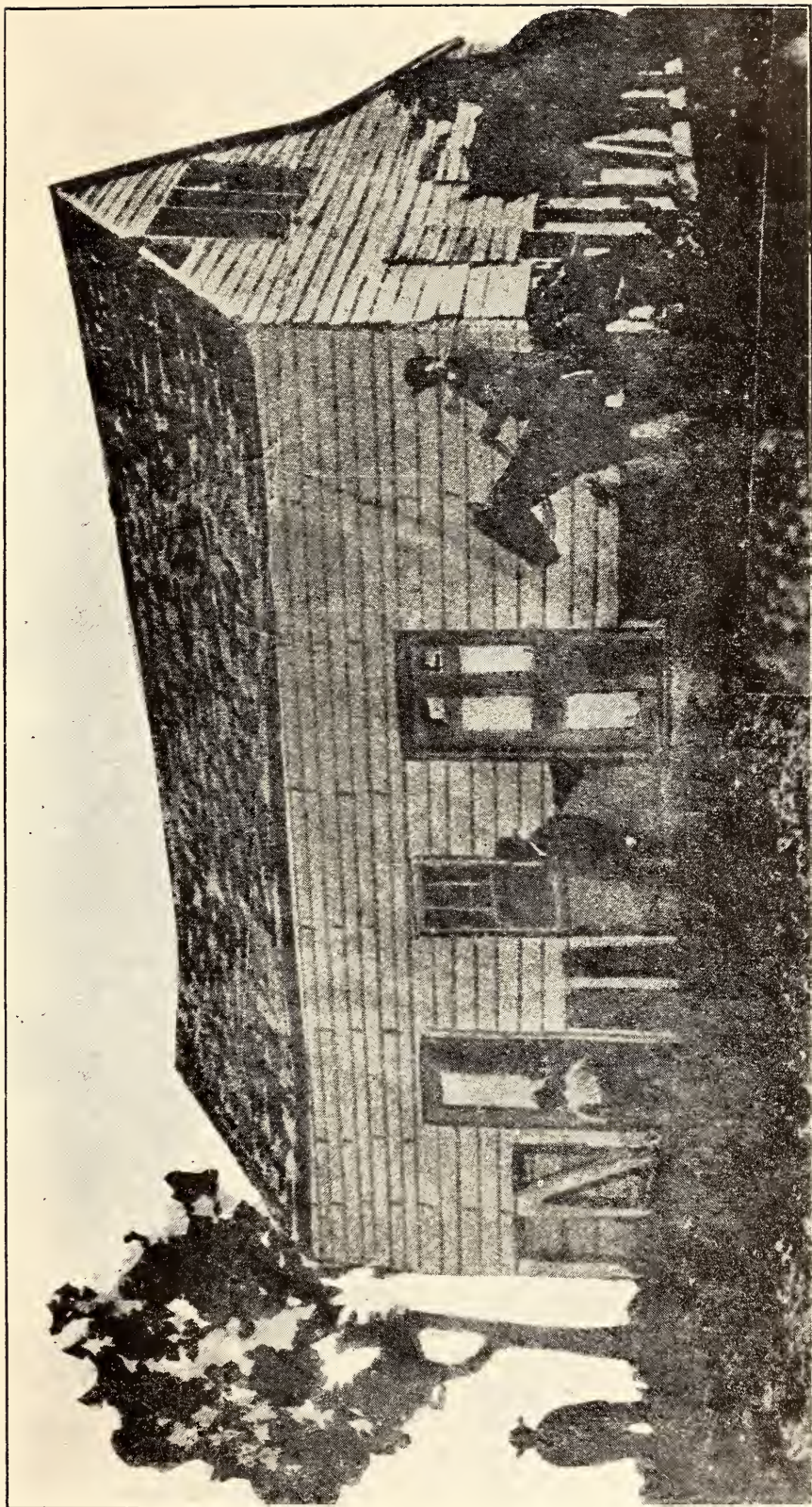
²⁴⁶*Telegraph and Texas Register, May 16, 1837.*

ernment from which we separated, between Church and state, a union deprecated in every age of the world, a union which all experience declares to be productive of unmixed evil of both the Church and State, a union which robs the holy religion of the blessed Savior, of all those peculiar attributes of meekness, purity, humility and loveliness, with which its divine founder so fully invested it; and which he intended should ever continue to be its only ornaments; and which degrades and debases it, making it a mere political engine to be used for the promotion of the selfish, vicious, and unholy purposes of political demagogues and designing and ambitious ecclesiastics. From such an union, so incongruous, in its nature, so destructive alike to the interests of piety and patriotism, opposed to the progress of freedom of thought and correct political opinions so fraught with evil and only evil to both parties concerned, we, as patriots and as christians, as friends to God and our country, desire to be devoutly grateful to the ruler of nations that He has seen proper to deliver us; and the earnest desire and prayer of our hearts are that the separation of Church and state in the Republic may continue forever; and that everything that bears the least semblance of an approach to union on the part of either to the other, may receive the most unqualified execration both of the minister and statesman, the christian and the patriot. We express the sincere and undissembled feelings and sentiments of our hearts; and, in this expression, we believe that all Protestant denominations in the Republic will most cordially unite with us, when we utter our earnest wish that the religion of Christ may ever be left to stand, if stand it can, upon its own intrinsic merits; and to fall, as fall it should, if found destitute of selfsustaining power.²⁴⁷

The declaration of independence of the original thirteen colonies expressed no higher reason for independence than a desire for political and economic freedom from the tyranny of King George III and his supporters. On the other hand, the declaration of the independence of Texas added to the economic and political reasons an educational and a religious reason and placed the latter in the foreground by repeating it three

²⁴⁷*Ibid.*, August 4, 1838.

times over. The fathers of the Republic of Texas, our fathers who had suffered so much from a union of church and state, even to blood, burst the bonds that bound them to the established church of Mexico. They sought to put into operation the bill of rights which forbids the giving of preference by the government of Texas to one form of religious belief to the exclusion of any other, fearing lest they and we might again be denied "the right of worshiping the Almighty according to the dictates of our own consciences."



The gunsmith shop of N. T. Byars at Washington, Texas. In this building the Convention assembled, signed the Texas Declaration of Independence, adopted the Constitution, and issued orders. This building was the first capitol of the Republic of Texas. (Office of Texas Sec. of State, Div. C., File box 6, No. 96, Letter B., 12-20-1849).

The Unanimous
Declaration of Independence
made by the
Delegates of the People of Texas
in General Convention
at the Town of Washington
on the 2nd day of March 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 the enjoyment of those inalienable and invaluable 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 Constitu-
-tion has departed, Moderation is
at length, so far lost, by those in pow-
-er that even the semblance of freedom
is removed, and the forms, themselves,
of the Constitution discontinued; and
so far from their petitions and Remon-
-strances 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 Maffea-
-dence and abdication, on the part
of the government, Anarchy pre-
-vails, and civil Society is dissolved
into its original elements. On
such a crisis, the first law of nature,
the right of self-preservation - the
inherent and inalienable rights of
the people to appeal to first princi-

plus 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 ^{future} 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 steps now taken of severing our political Connection 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 de Santa Anna, who, having overturned the Constitution of his Country, now offers us 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 has 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 Constitu-
tion which was without just Cause Con-
temptuously rejected.

It incarcerated in a dun-
-geon, 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 re-
-fused 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 estab-
-lish 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 en-
-lightened it is idle to expect the con-
-tinuance of civil liberty, or the capa-
-city 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 ports 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 interest 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 tyr-
annical governments.

It has invaded our
Country both by sea and by land, with
intent to lay waste our territory and
drive us from our homes; and has poured
a large mercenary army advancing
against us a war of extir-
pation.

It has, through its Em-
-issaries, incited the merciless savages,
with the tomahawk and Scalping knife,
to massacre the inhabitants of our
defenseless frontiers.

It hath been, during

the whole time of our connection 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 untill 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 here-
by resolve and declare that our poli-
tical connection with the Mexican
nation has forever 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 prop-
erly belong to independent nations; and,
conscious of the rectitude of our intention,
we fearlessly and confidently commit
the issue to the decision of the Supreme
Arbiter of the destinies of Nations.

Rufus Ellis Brimmer
of the Convention's Delegate
from West Texas
Charles B Stewart
Edwin Waller
Thos Barnett.

John P. Byrom	Geo. C. Childress
Frank Muir	Barly Hardeman
	Rob. Potter
Thomas Navano	Thomas Jefferson Burr
Issa B. Badger	Thos. V. Taylor
Wm D. Lacey	John A. Roberts
William Monaghan	Robert Burnett
Mr. Fisher	Collier Kinney
Mathew Calder	Albert B. Lattin
William Mottley	Jerry Bowen
Lorenzo de Zavala	Saml. Houston
Stephen H. Everett	David Thomas
Geo. W. Wright	Ellis Combs
Elijah Stapp	Martin Parnas
Claborne West	Edwin A. Seligman
John B. Scates	Stephen W. Bland
M. B. Menard	John Quincy
AB Hardin	Wm Clark Jr
J. M. Buntan	Sydney S. Pennington
Thos P. Farley	Wm Carrol Cranford
R. M. Coleman	John Turner
Stirling C. Robinson	

Perry Briggs Goodrich

G. M. Barnett

James S. Swisher

Isaac Grimes

"

I. Rhoads Fisher

John W. Moore

John W. Bower

Just
Jame. A. Maverick from Bejart

Sam. J. Carson

A. Briscoe

W. B. Woods

Just W. D. Knibbe Secretary

APPENDIX A

THE ESTABLISHED CHURCH OF MEXICO²⁴⁸

That the reader may form a correct judgment in regard to the type of religion that prevailed in Mexico during the colonial period of Texas history we present the views of a French catholic priest, M. Manuel Domenech, former director of the press of the cabinet of his Majesty the Emperor Maximilian, and ex-chaplain of the expeditionary force. His observations were made thirty years after the colonial period of Texas history and when conditions may be supposed to have improved rather than grown worse. Father Domenech says of himself in the first chapter of *La Mexique tel Qu'il est*:

I left Paris in 1864, with the object of studying in Mexico the institutions of the new empire, of sketching the political portraits of the new men, comparing the Mexicans at the center with those of the north and the frontiers, and of comparing her native Indian races with those of the United States. I was going to cross the ocean the fifth time at that age when the enthusiasm of youth does not animate to these sorts of enterprises, when one's illusions are extinguished, when the imagination does not color objects; men and things, then, were to appear to me in their prosaic nudity.

Mexico had become, under the Spanish, a monastic State; I shall say why later on. Not only were three fifths of the cities occupied by convents and churches, but there were also some convents, like that of San Francisco at Mexico [City] and that of Santa-Clara at Queretaro, which occupied a good portion of the city. I speak not of the fabulous riches of the churches—I consider it only quite natural that the temples of God should be more richly adorned than the apartments of a money changer—but is it not deceitful to God and man to take the vow

²⁴⁸Domenech, *Le Mexique tel Qu'il est*, 124-152, passim, and 268, translated from the French by Rizpah Bowers Red.

of poverty and to live in the midst of abundance and of comfort as did priests of all Spanish America?

Much has been said of the splendor of the Mexican churches and of their immense riches; all this is only a legend which but demonstrates the pious liberality of the Spaniards and the sacriligious rapacity of Mexican liberals. These last stole what the former gave. In the last revolution the Mexicans took away more than two hundred millions in gold and silver and jewels which the Spaniards had accumulated in the churches since the conquest. It will be remembered that the cathedral of Mexico possessed a lamp of solid silver, so massive and large that three men could go inside of it to clean it. The liberals have so well cleaned it that there remains not a trace of it. It would take too long to cite other historic objects of this kind which have likewise disappeared.

If the country had profited by these considerable sums produced from the pillage of churches one could but regret to see a nation obliged to come to such extremities in order to relieve its finances, but as individuals, and a very small number of them, have been the only ones enriched by these precious spoils, it is permitted to brand these acts as vandalism. Today, ruins and remnants of luxury have succeeded to all these splendors. The Mexican loves the piasters and keeps them; he has taken or destroyed the heritage of the Spaniards; he has restored nothing, built nothing, even from a religious point of view. The *votive offerings*, which even in Europe have sometimes a certain value, are limited in Mexico to objects of microscopic value in silver, bought from the silversmiths for two or three francs.

The Mexican, moreover, is not catholic; he is simply a christian because he has been baptized. I speak here of the masses and not of the numerous exceptions which are met with in all classes of society. I say that Mexico is not a catholic country; in the first place, because the majority of the native Indian population is semi-idolatrous; second, because the majority of the Mexicans carry ignorance of religion to the point of having no other worship than that of form; it is materialistic without doubt; they do not know what it is to adore God in spirit and in truth, as the gospel says; third, because, finally, the clergy themselves are in general little instructed, know very little of theology, and appear to be ignorant of the canonical laws and the decrees of the councils.

Charity and humility are the foundations, the key stone of catholicism; the Mexican professes scarcely any enthusiasm for these two virtues; nevertheless scarcely without them, catholicism becomes a purely humane religion, having divinity for a pretext and means of action, but struck with barrenness, reproved by God. If the Pope should abolish all simoniacal livings, whether wilful or by ignorance, and should excommunicate all the priests having concubines, the Mexican clergy would be reduced to a very small affair. Nevertheless, there are some very worthy men among them whose conduct as priests is irreproachable.

In spite of the bad examples of their colleagues, the number of good priests is not as small as has been said. From Vera-Cruz to Mexico, as San-Luis-Potosi and Durango, I have seen some of whom one could say only good and whose conversation has very much edified me. Their lack of instruction, their want of education, and the local coloring of their character render them little commendable to persons accustomed to the French clergy, whose decorum and apostolic spirit edify everyone.

. . . (Paragraph Omitted.)

In all Spanish America one sees among the priests veritable wretches, knaves deserving the gallows, men who make an infamous traffic of religion. Mexico has her share of these scoundrels. Whose fault is it? In the past, it was the fault of the customs of the Spanish, of the climate; at present, of the episcopacy. If the bishops had good seminaries in which students received a sound and real education, if the bishops had more energy, if they were more rigorous in the choice of candidates for the priesthood, if they caused to be observed and observed themselves more scrupulously the canonical laws of the church they would not see the disorders of which they are the first to complain. In spite of the decrees of the council of Trent, pastoral visitations are almost unknown in Mexico. I know that they are difficult and dangerous since the independence, but if the episcopacy does not give an example of devotion and sacrifice who will

The Mexicans also themselves have complained greatly against their clergy, but it is less on account of their failure in deportment, which shocks only foreigners, than because they wished to despoil them of their possessions. Before returning to this subject, I want to say that we must not be too pharisaic-

cal in our condemnation. Out of twelve apostles, Jesus Christ chose a Judas to show us that nothing was perfect on earth and that one ought not to be scandalized at the apostacy of certain ministers of God. This apostacy heightens and proves the divinity of catholicism, which is sustained and developed in spite of the delinquencies of some few of her priests. The Mexican clergy has perhaps more than one Judas among every twelve apostles, but it is more to be pitied for this than to be blamed.

If one should visit Italy and Spain before going into Mexico one would be less shocked by the deportment of the Mexican clergy; do not individuals like societies, bear the stamp of the country which has seen their birth? I recall, in this connection, that a French priest was very much astonished, when traveling in Mexico, to see the curé of the church where he used to say the mass offer him a cigarette after mass. The curé, on his part, was scandalized that our abbe allowed the train of his cassock to trail on the ground, a thing unknown elsewhere than in France, and that he arranged his hair before the mirror of the sacristy, before and after being disrobed.

I have known in the south and the north of the Mexican empire curés who gave at their homes balls and evening parties and who had not the faintest suspicion in the world that they had better have distributed bread to the poor than champagne and refreshments to their dancing women.

The clergy stress their love of family to that of paternity. In my travels in the interior of Mexico many curés refused me hospitality in order to prevent my seeing their *cousins*, their *nieces*, and their children. It is difficult to determine the nature of these relationships. Priests who are recognized fathers of families are by no means rare. The people consider it quite natural and do not rail at the conduct of their pastors excepting when they are not satisfied with only one woman. Once a friend of mine said to the mistress of a curé: "Are you not afraid that you will go to hell and have you no remorse at living maritally with a man who says mass every day?"

"Sir", she replied angrily, "understand that I am a virtuous woman and that I would not live with the curé if we had not been legitimately married."

In fact, in the State of Oaxaca, there are priests who pretend to be married without shocking any one. Although the celibacy of the priest is an institution genuinely ecclesiastical,

I do not know how these gentlemen can contrive to contract these so-called legitimate marriages.

A woman of Oxaca whom I questioned about these singular unions said to me one day: "My fellow country women prefer to live with priests rather than with laymen, because they are better supported. The poor creatures are so miserable that they seek by preference a house where they are sure of always finding good clothes and food."

In spite of this, the priest and the woman are not at all dishonored; they are even respected if they live well together. One day a merchant was seen to ask of the woman of one of bishop X's priests the price of a dress which she owed him; she replied to him: "I have not the money, wait a while."

"I do not wish to wait", answered the merchant, "and if you do not pay me immediately, I will have you called before the judge."

"Just try it," responded the woman, "do you forget that I belong to the sacred mitre?"

Everything that is a part of the house of the bishop is believed to be worthy of especial respect.

A few bishops lament this situation, but they have taken little pains to change it. Others encourage it, without any doubt, by a remarkable leniency. I recall that one of these prelates, passing through a village situated near the episcopal city, the curé said to him:

"Sire, have the goodness to bless my children and their mother."

The good bishop blessed them; there was a whole room full of them.

Another one did still better. He baptized the child of one of his curés. Can such a clergy as this make saints? I doubt it; nevertheless, we must not take them for heretics.

To change this deplorable state of things there should be established in Mexico one or several seminaries conducted by the French sulpcians. It would be essential that no one should be ordained priest except those presented by the directors of these seminaries. Likewise, the pope should send to Mexico a French nuncio, intelligent and wise, to urge the bishops to reform their clergy in order to guide them in the means of obtaining such results. An Italian nuncio would always busy himself about religious politics and the honorary and material interests of the clergy, which ought never to be mixed with the

affairs of the church. To the honor and dignity of religion and the purity and integrity of the service of God the Italians pay scarcely any attention.

The most honorable bishops think more of their own privileges and prerogatives than of helping the flock which is confided to them. In their few institutions which are seminaries only in form and name they allow to be taught a bastard theology which perverts the spirits and consciences of the future priesthood. The ecclesiastical spirit, that is to say, love for our neighbor, poverty, humility, zeal for the salvation of souls, self-abnegation, are so many virtues of which the Mexican clergy have no knowledge. Besides, the priests go out from there with the most erroneous and absurd ideas regarding catholic ethics and doctrine. They grant the first communion and give confirmation to children of five and six years, who have received no other instruction and do not know what they are doing. They make merchandise of the sacraments. receive money for all the religious ceremonies without suspecting that they render themselves guilty of simony and that they are exposing themselves to the censures of the Church. If roman justice had its sway in Mexico, one half of the Mexican clergy would be excommunicated.

The well instructed priests, disinterested, animated by a truly apostolic spirit toward others, saintly souls, whose religious sentiments are of a high standard, constitute a negligible minority. Mexican faith is a dead faith. The abuse of ceremonial observances, the ease with which they reconcile the devil with God, the absence of the exercise of inward piety, which develop the christian spirit, have killed faith in Mexico. It is in vain that one seeks for good fruits on this hybrid tree, which makes the Mexican religion a singular assemblage of impotent devotions, of shameful ignorance, of sickly superstitions, and of hideous vices. It is in vain that one seeks in this country, ostensibly catholic, homes for aged indigent, for houses of refuge for young girls gone astray through poverty or wantonness, for works of beneficence, the like of which there are so many in Europe; one never sees even meetings of the rich women who work for poor children.

In Mexico faith inspires nothing, invents nothing, does not even imitate; it is in a fossil state. Visiting the needy is a thing of which no one ever thinks. Sometimes they give a scrap of food; on Saturdays they give charity to anyone who comes to

ask it, but in ones' own home to care for the infirm, the sick, one who is dying of misery, no indeed! Mexican pride would not permit that. Many a time the pious wives of our Ministers and foreign ladies have wished to establish associations of Mexican women to relieve the poor, to make clothing for children, to exercise christian charity as it is exercised in France. They have always replied:—*No se puede* (that is impossible). The empress Carlotta founded a charitable organization which she directs herself; aside from a few piasters which her majesty receives from ladies who wish the cross of St. Charles or a place at court, I think that organization will have no practical results for a long time.

The idolatrous character of the Mexican catholicism is a fact recognized by all travelers, and especially by our officers who have traveled throughout Mexico in all directions. The worship of saints and madonnas absorbs the devotion of the people to such an extent that there remains a very little time to dream of God.

The religious ceremonies are conducted with a lack of decorum and a regrettable freedom. The songs of the Church and the music are atrocious; it is something infernal. The natives go to hear mass with their poultry and commodities that they are carrying to market. I had to leave the cathedral of the City of Mexico, where I went every morning, because I could not maintain a reverent frame of mind there. The gobbling of the turkeys, the ki-ri-ki-ri of the cocks, the barking of the dogs, the mewling of cats, the warbling of birds which have built their nests under the arches of the church, the itching from the flees, render meditation impossible to one who is not accustomed to live in such a menagerie.

Sacrifices of turtle doves and other animals are still in usage among the natives in many places. In the State of Puebla, during the feast days of Saint-Michael, who is for the Indians their ancient god of war, Huitzipochli, they sacrificed, only a few years ago, a little boy without either parents or property and an old man who had nothing better to do than to go into another world.

. . . (Two Paragraphs Omitted.)

It would take volumes to relate the native superstitions, having an idolatrous character, which are still practiced even to

this day. For want of serious instruction one finds in the catholicism of the natives numerous vestiges of Aztec paganism.

. . . (Indian Dance in Church.)

In spite of the good faith of the Indians. it is evident that they possess only shreds of catholicism; I believe that these scraps are preferable to a complete nudity. but with tact. disinterestedness, and a truly christian training one could make of these natives the best catholics in the world.

. . . (Sackcloth Procession; Passion of Christ.)

The mysteries of the middle ages are sometimes surpassed by the burlesque of the Mexican ceremonies. The accouchement of the virgin during christmas night seemed to me indecent; in France, the police would prohibit that ceremony as offending the public morals. Public morals being a thing unknown in Mexico, the custom of representing in many of the churches, the accouchement of the virgin offends no one. No father of a family finds it improper to conduct his daughter to the procession. . . . In the diocese of Puebla, the color and figure of the infant, the manner of holding him made most of our troupers think that the man who carried him was a musician carrying an ophicleide bedecked with ribbons.

. . . (Lack of Modesty; Treatment of Dead.)

. . . (Burial of Children; Feast of Dead.)

One of the greatest evils in Mexico is the exorbitant fee for the marriage ceremony. M. Biart has said, in one of his last works, that the priests forced the poor to live in concubinage by demanding of them for the nuptial benediction a sum which a Mexican workman, seeing the smallness of his wages, could never accumulate in fifty years of the strictest economy. This is no exaggeration. The consequences of the excessive price for perquisites in general are fatal alike to morals and religion. One of the first duties of the Mexican episcopacy, in my opinion, should be to diminish the fees for baptism, marriages, dispensations, and everything else that is necessary to the accomplishment of religious duties.

. . . (Monks Charge Less Than Secular Priests and Get Donkeys for Marriages, etc.; Carry Water and Make Money.)

. . . (Elevation of Host and Prostration of People.)

All of these observations which I have made upon the religious opinions of the Mexicans are not to be limited to the

ignorant class of people; they are likewise applicable to the well to do class. . . .

The secular clergy, but above all the regular clergy, had acquired under the Spanish government immense properties valued, rightly or wrongly, at very nearly three fourths of the Mexican territory. These riches and the employment which they made of them created the omnipotence of the clergy. From such a situation it resulted that the poor population, ambitious or lazy, wished to enter into the convents of the priesthood. Mexico became, then, a state monastic or clerical, as one would say today. Indeed, the Indians under the control of the clergy like children, being a nonentity in politics, the rest of the nation, which was not in the Church, were related to the church by kinship, business, or servitude. [Page 260.]

APPENDIX B

HOW SAM HOUSTON BECAME A MEMBER OF THE ESTABLISHED CHURCH

(Mrs. Rosine Ryan's statement)

“My father, Adolphus Sterne, and General Houston were warm friends before either of them came to Texas. My father came to Texas and settled at Nacogdoches, and when Mr. Houston arrived he became a guest in my father's home. Texas was then under Mexican rule, and one of the prerequisites to citizenship was that one must be christened in the Catholic church. Since my mother, Eva Rosine Sterne, was a member of that Church, Mr. Houston asked my mother to act as his god-mother. So, when Mr. Houston was christened in the Catholic church, in Nacogdoches, by Father Chambondeau (I think it was), my mother became his god-mother, after which, as she has often told me, he always addressed her as “Madre Mio”. If Bishop Nerez (who later lived in San Antonio) is still living he can confirm this statement.

“One of the most appreciated relics which I have is a set of jewelry (the earrings over two inches long) which General Houston sent to my mother (Madre Mio). the day the declaration of independence from Mexico was signed, March 2. 1836. In his note to my mother he requested that she wear them on each recurring 2nd of March, in commemoration of two events, the signing of the Declaration and also his birthday. After my mother's death, my sister. Mrs. Barret. always wore them. On the second of last March [1919] she wore them, it being her ninetieth birthday. and on the fifth she went to sleep.”

Rosine Ryan.

APPENDIX C

LETTER OF BUCHETTI TO AUSTIN²⁴⁹

State of Leon, Parish of Lamparros,
April 29th, 1826.

Dear Sir,

I have already sent you a few lines from Laredo giving you notice of my purposes and intention of going to your Colony, the which. I hope. you have received. ,

I now think advisable to inform you of my posterior Relations with the President of the venerable Ecclesiastic Chapter of this See of New Leon. *Episcopali Sede vacante*. the reverend Doctor, D. Jose Lobo, on the subject of my being sent thither.

After having made known to him my intentions and. &. by letters from this place (not having been able, as yet. on account of sickness. to go and appear before him; but I hope I shall do so) I have received his answer in a letter. written in Chapter, which not only approuves my purposes, praises my motives; but also encourages me to go amongst you with the Curate, who is shortly to be sent thither, (he defines not the precise time when) in the capacity of his assistant: to-wit: 1°, *in licitis*, as his lawful interpreter for church affairs, 2° as the sacristan à *Secretis*, which implies stward, or clerk of the depending Branch there of this Episcopal church.—3° as the public teacher of the roman Catholic Doctrine and Dogms in favour of the Anglo-americans Catholic of your Colony and, pro tempore, of those of its vicinity.

Credential Letters patent of Licentiated commission are not only promised me, but I am even requested to accept of them to enable me to discharge legally those 3 offices. As for my maintenance, or salary, as well as that of the Curate, I know not as yet how much it will be agreed upon or from whom it will be afforded; whither from the Colony or from the See? But, for my part, I will try to make my arrangements with the See on that point. Our Curate, I understand, is a man of

²⁴⁹Buchetti to Austin, April 29, 1826, Austin Papers.

very amiable manners and of a Strict Discipline. you will have a good and vigilant Pastor of him.

I will not neglect to exert myself in praying for an as decent Set as possible of Church Necessaries, of ministerial ornamental implements; if they are to be sent from this place, or, ad interim, borrowed from some of the missions in Texas.

The President of the Chapter in writing to me adverts rather with displeasure in one of his letters that he has understood and Knows well that a good many heretics and protestants have introduced themselves into those new colonies &, &, and says that he will omit nothing in his power in order to quickly prevent and effectually impeach the further dissemination of their anti-catholic principles either by words or Books within his jurisdiction—and to that effect, (he does intimate) he will call upon the assistance of the Secular Power of these States, if necessary ???—may be that Mys George Nixon or Dr. John B. Long, who has been at the Brassos and who lately went to Monterrey to see him to be Baptized or some other americans have informed him, as they have also told me, that they believed that there are not 10 souls of real Roman Catholic in all your Colony? and that you, with out exacting Credentials of Catholicity, as duty bound, indiscriminatedly protect and admit into it families and individuals too well Known to be pertinacious members of various heretical Sects? But I hope they have been mistaken.

I understand also that the President of the Chapter, in order to avoid abusive impositions and deceptions on their part, will insert amongst other matters, in our orders of instructions, that we should recognize, refer, and admit nobody as roman Catholics but those who can *individually* produce to us their regular, sealed Church Dismissorial Letters especifying which of the 7 Sacrements they have received, from the several R. C. Episcopal authorities of the countries from whence they came, according to the canonical laws of the R. C. church in such cases. And all those who cannot produce the same, shall be, casually, considered as heretics, protestants, or, at the best, near Deist, to be refered and proceeded with according to the further orders of the Ecclesiastical authorities, as their several cases might require ?—

Consequently, Dear Sir, you will perceive the propriety of timely advising all your catholic people, who might have forgotten or neglected to furnish themselves with the s'd. regular

Credentials, to have immediate recourse to their original Records, by writing to their respective Bishops, or grand vicaries, in order that they may be sent to them and above all, their several individual Extracts of *Baptism Confirmation* and *Matrimony*: for they will be the very first things demanded and as *ex-officio* exacted by us as a—*Sine qua non*: so that this department of the R. C. Church may officially know whither they have individually received the first Sacrament of Baptism and which of the others besides, in order that we may proceed to confer legally and validly the others not already conferred, as and when the case might individually require. No superiour authorities, either Civil or ecclesiastical, can dispense anybody with this. And we at our arrival thither, without that very first requisit could not canonically and in good Conscience proceed to officiate, chiefly in the cases of Matrimony &, &, in order to Confirm Lands Titles &. &. (in gratiam taliam), in favour of all such and even of the pure Nominals, or self styled Roman Catholics? ?—

If there be, in realty, any protestants, or Sectarians in your colony who might wish, for approuved motives, after being instructed in the Catholic Dogms, bonafide to abjure solemnly their erroneous ways of Thinking in matters of Faith and Morals, they shall be upon trial admitted. Whom, I in pity of their ignorance of our holy Dogms, &, &, and of their once maliciously preached and deeply rooted prejudices against our holy R. C. church, I will for my own part use my utmost endeavour to instruct them rightly by Catechising them preparatory to their being admitted, and do all what Charity and prudence will dictate, so that by mild means they may become incorporated with us in *the* Church and consequently be made *thereby* the lawful civil members of this Confederated Catholic Republic, for their own individual good and that of the Colony.

I hope that they will all, without murmur, gladly and obediently Submit and conform themselves in every things to the established rules and customs of this Diocesis.—

And as for you, Dear Sir, you will evidently perceive that it would be among other things very conducive to your own and to your people's interests that you should not only [not] put any impediments or obstacles to our futur proceedings and exersions, but, as duty bound, it is hoped you would gladly second our plans, help and protect us in effecting all those desirable things, so that your first planted Colony of anglo-

americans, being well moralized may not only prouve a dellightful consolation in your old days but might also serve, to your own credit and honour as a pattern of Moralty for the others which are about to be formed in its vicinity—.

But not to fatigue too much your attention, Dear Sir, renewing my respects to you and to your Secretary, Mr. Williams and sending my compliments to all and in particular to some of my own acquaintances in the Colony, till I shall have the satisfaction of seeing you all personally I remain your very humble and devoted servant

John Francis Buchetti.

P. S. in case you should desire me to receive your commands on any subject, you will direct your letters to me recommended to the cares of Dr. D. Jose Leon Lobo, Canonigo Doctoral, vicario Capitular y Gobernador de este Obispado de Novo Leon, & & Monterrey, so that through him I might receive the same Yours &.

J. F. Buchetti.

But, Dear Sir, I was forgetting to observe to you that it would be very proper (if you have not already thought of it) for you to procure a Small Assortment of english Roman Catholic approved Books, for the use of the people of your Colony and of those of its vicinity, for every families besides the Schools will be obliged to have more or less of them.

I thought advisable to enclose you the anexed List of those I think the most necessary and usefull in the several cases of the people of your own and of the other colonies; you may easelsly obtain them from the several R. Catholic libraries of the U. S. by addressing yourself on that subject to the Rev'd Mr. Dubourg R. Catholic Bishop of the State of Louisiana or to the R. C. arch bishop of Baltimore or to some others, who upon application will (as duty bound) gladly assist you, or agents in making a genuine Sellection, at least in Substance, of the S'd. neaded religious and moral Books, so that you may not be mistaken in the collection but they would also indicate you from whence they may be had at reasonable price. For it is already too well known that not a few of Moral and religious Books of a great many of those new colonists, are, anti-catholic both in name and substance, they, being composed by various heretical authors, ennemis declared of the roman C. Church—? which Books all the colonists who shall wish to commune with our holy roman C. Church, will not and cannot be allowed or

suffered either to *Read*, to *Keap* or to *Sell*,?? but they must be delivered up to us?—as orders will be given to that effect by the superior (ecclesiastic) authorities of these states.#

And also a small collection of Spanish English et vice versa, Dictionaries and gramars for the schools among which, if you procure me *Ainesworth's* Latin and english Dictionnary, I will at my arrival, pay you well for it, or and with some others roman Catholic approuved religious books as one of the s'd Bishops or some other roman C. Ecclesiastic authority would recommend as very sellable and useful in favour of the anglo-american settlers of those new colonies, observing that, in order of their being lawfull, all moral or religious books to be introduced into this Episcopal jurisdiction must be purely and strictly canonical according to the several Pontifical Bulas and the Decrees of the holy Councils and of this Diocesis.

Sir,

I remain yours &

J. F'cis Buchetti.

#But, may be it would be better not to tell them anything of it for the present, so that they may not, being alarmed, abscond or hide them.

[Following this letter Buchetti gave a list of sixteen canonically approved books which the colonists might read, and which Austin was advised to secure for them.]

APPENDIX D

REMINISCENSES OF GOVERNOR HENRY SMITH²⁵⁰

. . . . The government having determined to put the colonists to every possible test, about this time, sent all the way from the City of Mexico, a Priest to reside among us and administer to our necessities. He purported to be a man of great consequence if titles could make him so, for it took up half a column of a newspaper to contain them all, such as minister plenipotentiary, vicar General, etc. . . . He was an Irishman by birth, and had frequently licked the blarney stone before he left the emerald Isle, he wore a wig, or was white headed from age—grave gentlemanly and prepossessing in his appearance and manners at first interview, but proved to be as vain vulgar and very a scamp as ever disgraced the colony. . . . This much I can say for the venerable Padra whose province it was to redeem the colonists from Herecy and infidelity, and make them true Christians. His sage appearance and seemingly good manners caused him to be kindly received by the colonists, as a kind of necessary evil, which they could not well avoid. Every courtesy and attention was paid to him, and for a time, him and his parishioners got on very well together. he never troubled them with church service, but confined his duties to baptism and marriage ceremonies. This was a snug little money-making business, two dollars for baptism and twenty five for marriage, when it is recollected that all both old and young were subjects for baptism, and all who wished to marry as well also as those who had been bonded for years, had now to come forward and have the slip-not made fast. he immediately issued his edict forbidding provisional marriages, which rendered it very inconvenient to the people, who lived scattered over a district of country several hundred miles in extent. They however, paid very little attention to his edict except those immediately in his vicinity. It realy looked dry and peculiarly odd to me to see those who had for years been living together as man and wife, and had perhaps a large family step forward to the marriage alter. It seemed to carry with it a kind of acknowledgement of both, error and crime. Imme-

²⁵⁰Lamar Papers, November 18, 1836.

diately after his arrival a number of these old married people determined to save trouble by having one grand wedding and give the Padra an opportunity do a whole sale business. They accordingly fixed on a convenient point and an arrangement made with the Padra to meet them there at a time fixed. Every preparation was made and a splendid barbecu prepared, with all the necessary exhilarating libations abundantly provided, so as to make it a day of rural felicity. I had taken it upon myself to attend to the reception and comfort of the Padra and suit, and accordingly had a snug little house fitted up for his reception, at a convenient distance from the main crowd and bustle. The bed was comfortable and tastefully caparisoned—the table groaned with its weight of the abundant luxuries of the country tastefully arranged with a pyramid of the most transparent and luscious honey comb in the centre. the day was fine and every countenance seemed to brighten with the prospect of the anticipated enjoyment, not for the pleasure of being, or seeing, the old people married over again entirely, but the baptism, the wine—the dinner, the dance and with many, the sight of a Roman Catholic Priest was equal to a rare show in Texas—a thing of which they had long heard, but never seen—and really with some, having heard much said about them, they were at a loss to conjecture whether the Priest could be a natural man, or some kind of a beast. Expectation was on tiptoe—the Padra arrived and was conducted to his mansion, and it was soon discovered, that he looked like a man, and talked like a man, and finally concluded that he was nothing but a common man—and an Irishman at that. The Padra seemed to be well pleased with the provision made for his comfort passed many encomiums on the taste displayed and seemed much surprised to find so many of the real luxuries of life in the wilds of Texas. So soon as he had become rested and taken the necessary refreshments with a few glasses of generous wine I was called on, being generally acquainted with the people, to act as a kind of precursor, and requested to go and take down the names of the candidates for matrimony, in order that the necessary certificates be prepared and in readiness. This I complied with and returned with a muster roll of twelve rank and file, no new candidates having offered. While these things were in preparation I was requested to return and make out a roll of the names of all the candidates for baptism. now the test was to be made, though no religious

societies were tolerated in Texas, yet prejudices deep rooted by early education rose up in strong opposition, and with many the idea of being baptised by a Roman Catholic Priest carried with it an everlasting stigma and disgrace. I applied to those who seemed the elders among the people, and I found very few without some kind of excuse, either that they had been baptised when they were young, or that they had belonged to some religious order before they came to the country and that they by no means considered a second baptism necessary, as such I met with poor success and immediately returned and made my report I told the Padra that fortunately for the good people of Texas they had generally emmigrated from Christian countries and had many of them been baptised before they came here, and some had religious scruples respecting the propriety of a second baptism. I never had been baptised myself and as such was a willing candidate because necessity required it, but was anxious to draw him out on that point. He requested me to go and tell his good parishioners, that they need have no scruples on that account, that he did not consider a second baptism necessary provided they had evidences that they had been baptised in the true faith. Well Padra there are so many different faiths now in the world I am entirely at a loss to know which is the true faith? You will excuse me for the inquiry, what do you call the true faith? the true faith is the Roman Catholic Apostolic, all other is herecy.

I returned to the company with my explanations, still there seemed to be great unwillingness, with much exertion and argument as to the absolute necessity; but with very many, the pill could not be so gilded as to be tamely swallowed, and I only succeeded in procuring a list of about forty, out of a company of perhaps two hundred. I reported my list, and told the Padra that I had probably enrolled as many as he could conveniently get through with that evening, and the balance would have to wait another opportunity. I did not wish to let him know that any persisted in refusing after being informed that if they had previously been baptised that he would baptise them conditionally. Everything now being arranged, I was requested to muster my forces. I immediately issued orders for a general parade. During this time however, the brides and grooms being used to married life, did not feel that intense interest that is common for young expectants and they had become scattered and separated so that it was with much

difficulty they could be paired, and a complete hurly burly commenced. have you seen any thing of my wife? have you seen any thing of Jim? I cant find him. I cant tell what in the plague has become of him. have you seen any thing of Polly I cant find her to save my life. all was hurry scurry and one hour at least was spent before they were ready to fall into line, and even then one poor woman had to march without her husband, for find him she could not. I comforted her however, by telling her she should not be disappointed, that if he did not come in time she should certainly have another. They were marched up in solid column and formed a hollow square around the Priest table. The delinquent had not been found though many were in search of him.

The ceremony now to be performed was by a Catholic Priest . . . something new in Texas, eyes, years [ears] and mouths were all open, the baptism commenced first, as heretics could not be lawfully joined in matrimony until they were baptised in the true faith. Next commenced a kind of liturgy—that finished, the marriage ceremony, which was short and a mere conjoining in lawful wedlock closed the scene. They had all been conjoined but one couple and the lone woman, when her husband made his appearance quite out of breath, his hair flying his eyes walling with a wild and frightened look. He did not know how much harm he had done nor really what it all meant, for he had been raised with hue and cry and told to hurry, or the Priest would take his wife from him. The scene take it all in all, was truly ludicrous in the extreme. Most of them had children and some five or six. To see brides on the floor, and while the marriage rites are performing, with the bosoms opened and little children sucking at the breast, and others in a situation really too delicate to mention, appeared to me more like a burlesque on marriage than a marriage in fact. It was a fine scene for a painter and afforded much for amusement, and much for serious and sober reflection.

The reign of the Padry among us was however, a short one, and his conduct soon brought him into contempt. . . . I know not whether he was a fair sample of the Priesthood of that order, and as such would not be understood as aiming to cast reflections on any but himself. . . .

APPENDIX E

SKETCH OF THE LIFE OF SUMNER BACON

In the history of Protestantism in Colonial Texas, Sumner Bacon occupies a place that can be accorded to no other. That which Francis McKamie was to the American Colonists Sumner Bacon was to the Texas Colonists. His consecrated life shows that he was moved by the same spirit that made Paul the apostle to the gentiles.

He was born at Auburn in the county of Worcester, Massachusetts, January 22, 1790. About the time of his majority he enlisted as a private soldier in the army of the United States. After serving two or three years he was discharged and attached himself to a company of surveyors in the employ of the government and went to Arkansas. In 1825, he was savingly converted under the preaching of some missionaries of the Cumberland Presbyterian church, laboring in Fayetteville. With his conversion there came a conviction that he was called to the ministry and that his special field of labor was in Texas. Clad in his buckskin clothing he presented himself to the Cumberland Presbytery of Arkansas and asked to be commissioned as a missionary to Texas. So unprepossessing was he in every respect save his zeal that the Presbytery declined to license him. Nothing daunted, after a year he presented himself to another meeting and was again refused.

According to the testimony of Professor O. F. Russell of the University of Arkansas and the Honorable J. W. Throckmorton of Texas he was quite proficient in mathematics and history; besides, while still unconverted, he had studied the Bible with a view to combating its teachings.

Having been refused by the Presbytery of Arkansas, he went to Tennessee, where he received great encouragement from some of his brethren and especially from Rev. Benjamin Chase

of the Presbyterian church, who was then residing near Natches, Mississippi. Following Chase's advice, he secured the endorsement of a Cumberland Presbytery in Tennessee to act as a colporter in Texas. It was also through Mr. Chase that he received some Bibles and tracts. In the latter part of the year 1829, he started to Texas. It was October when he arrived in the municipality of San Augustine, and it was there that he decided to make his headquarters at what became known as the "Isaac Robert's camp ground." His first trip was to Nacogdoches, where some "lewd fellows of the baser sort" stirred up the authorities against him, for it was not lawful in those days to distribute Bibles and hold prayer meetings in Texas. It is said that he was even cast into prison for a short time. After his release his work was so successful that he soon exhausted his supply of books. Upon receiving another supply from the Rev. Mr. Chase he extended his labors as far west as Gonzales. Since he was acting as a colporter largely at his own expense, he engaged in the teaching of a school.²⁵¹ While thus engaged he took time to advise Austin how to conduct the religious affairs of his colonists.²⁵²

During his stay in Gonzales he was called upon to visit and pray with an old man and his son who had been arrested for stealing horses. Bacon, as well as the prisoners, thought that they would certainly be executed, as was the custom of the time. They were released, however, and went back to the Sabine. Strange as it may seem, the two prisoners conceived the idea that Bacon had been the cause of their arrest.²⁵³

Bacon remained in the west, and in 1831 engaged in teaching a school on the Caney. At this time Father Muldoon arrived in Austin's colony, and Bacon wrote to Austin the letter which has been published in full on Page (?).²⁵⁴ At the close of school Bacon returned to eastern Texas and laid out for him-

²⁵¹*Texas Presbyterian*, January 29, 1848.

²⁵²Bacon to Austin, September 18, 1830, Austin Papers.

²⁵³*Texas Presbyterian*, January 29, 1848.

²⁵⁴Bacon to Austin, July 30, 1831, Austin Papers.

self a circuit in that part of the country now occupied by the counties of Shelby, San Augustine, and Nacogdoches.

Sometime in the year 1832, Bacon made an appointment to talk on religion near a large spring about two miles west of Milam, in the vicinity of San Augustine. Upon hearing of the appointment, the alcalde sent word to Bacon forbidding his holding religious services within his jurisdiction. The news of this order spread like wildfire all the way from the Sabine to Nacogdoches. The citizenship assembled and organized for the protection of the man who had the courage to talk to them about religion and bring them the Bible. D. B. Renfro, the father of Mrs. W. A. Wall, to whom credit for this information is due, was selected as leader of the band. Notice was sent to the alcalde of what they proposed to do to any man who should interfere with Sumner Bacon. It is needless to say that the alcalde remained at home.

At another time in this same year, Bacon was informed that the commandant of Nacogdoches, Colonel Peter Ellis Bean, had been importuned to arrest him for violation of the laws by preaching. No sooner did Bacon learn that he might be wanted than he presented himself before the commandant, expressing his willingness to be executed rather than cease preaching. Colonel Bean told him to go and do all the good he could and that he should not be interfered with.²⁵⁵ Just before the outbreak of hostilities with Mexico, Colonel James Bowie was passing through the neighborhood in the Red Lands where Bacon was making preparations for a campmeeting. Bowie, having learned that some rowdies had threatened to break up the meeting, left the main route and went several miles out of his way to say to Bacon that he should not be interrupted, for he had made provision for his defense in doing all the good he could.²⁵⁶

In 1833, before starting to one of his appointments Bacon was informed that he would certainly be waylaid and killed,

²⁵⁵*Texas Presbyterian*, February 5, 1848.

²⁵⁶*Ibid.*

and efforts were made to dissuade him from going. The man who warned him saddled his horse and accompanied the preacher. "Passing a narrow ravine in which it was necessary to ride single file, the armed friend saw two men rush upon Bacon and knock him from his horse at a single blow. His companion fled and reported that Bacon was killed. It seems, however, that he was not dead. The assassins dragged him into the thicket for the purpose of concealing their bloody deed, when they discovered that their victim still lived. They were proceeding to complete the work, when Bacon asked them to allow him a few minutes for prayer. This was granted. The man of God knelt and poured forth a most earnest prayer for his murderers. When he rose, the assassins were in tears, and declared to him that they could not kill so good a man."²⁵⁷ The two men were the same persons who had been arrested for stealing horses; ever afterward they were his staunch friends, as is shown by the following incident. Bacon held his first campmeeting in Sabine county in the year 1833. At this meeting or some other, certain persons went to the place of preaching declaring their purpose to kill Bacon. Upon the appearance of these desperadoes, one of the men who had been prayed for in the former attack upon Bacon's life arose and, planting himself in front of the preacher, told the people that he was there to defend Bacon; with gun in hand he stood guard while Bacon preached.²⁵⁸

In the summer of 1833 Benjamin Chase, an agent of the American Bible Society, came to Texas, and he and Bacon went as far as Austin's colony. While we have no account of their experiences, some of the results of their trip are revealed in the eighteenth annual report of the American Bible Society (1834).

To the Province of Texas, in Mexico, a grant of Spanish Bibles and Testaments has been made, and also a few copies in

²⁵⁷McDonnold, *History of the Cumberland Presbyterian Church*, 265.

²⁵⁸*Ibid.*, 266.

the English tongue. These books were first solicited by our Agent for Louisiana, Rev. Benjamin Chase, who made a temporary visit to Texas, and found a lamentable destitution to prevail. Application was soon after made for books by Mr. Sumner Bacon, a resident in the province, who felt deeply anxious that the word of God should there be distributed, and who offered his own services as agent, even should it be without compensation. He had traveled extensively through the province, and learned the number and moral situation of its inhabitants. "There are" he says, "in the jurisdiction of Nacogdoches, about six hundred American families and three hundred Spanish, and the households, destitute of the Bible, are as nine to one. Therefore, not less than five hundred Bibles are wanted immediately, towards supplying this jurisdiction alone. In the jurisdictions farther in the interior, where I am also personally acquainted, there are fewer copies of the word of God, in circulation, than in this region. To supply them, it will need three times the number of all the kinds specified in the above list, and of the Spanish, five times as many will be needed."

Mr. Bacon having been recommended by judicious men, as one who would well perform the duties of an agent, your Board have cheerfully furnished him with a commission. His agency has commenced auspiciously and he has hopes of effecting an extensive distribution of the Scriptures, both in the English and Spanish tongues. In a letter just received he says, that, from inquiries made in relation to another section of Texas, I am convinced that 700 English Bibles and 900 Testaments will be wanted, and as many more of Spanish. Your Board are truly grateful for this prospective demand for the word of life, in that rapidly growing province.

Bacon spent the following year, 1834, with increased zeal, in the work of the Bible society; for it says: "In the province of Texas, the Rev. Sumner Bacon has performed some service for the Society. He has organized . . . two auxiliary societies, and has in other ways distributed some Bibles and Testaments, both in the English and Spanish."

In the almost two years of his work as agent of the Bible society he distributed more than two thousand Bibles and parts thereof among the colonists, to the value of almost

\$1,000.00. His mode of travel is graphically described by Rev. B. W. McDonnold, who says:

He had a pack horse to carry his books on and bear skins to cover them in rainy weather. His chief difficulty was in crossing the water-courses. When he reached a deep river he went into camp and remained till he could construct a raft which would bear him and his books. That done, he swam his horses over beside his raft, and went on his way again. . . . The heavens were the roof over his head at night. The prairie grass furnished him forage. Indians, Mexicans, persecuting priests, and rigid laws, bloody assassins, and wild beasts, were all in the hands of his God who sent him to that special field.

Although not an ordained minister, Bacon had labored in Texas for five years when he received a letter from his friend, Benjamin Chase, advising him to apply for licensure from the Cumberland Presbytery of Louisiana, about to be organized. Acting on this advice, Bacon and Chase appeared before the Presbytery, in the spring of 1835, and there, upon the earnest solicitation of the Presbyterian minister, Rev. Benjamin Chase, the Cumberland Presbytery licensed and ordained Sumner Bacon on the same day. Chase preached the ordination sermon. The Presbytery spread upon its minutes the reason for this extraordinary procedure and stated that it was not to be plead as a precedent in the future.

After ordination he went to Middle Tennessee, where he was married to Miss Elizabeth McKerall in January, 1836. Returning with his wife to Texas on horse-back, he left her at the home of the Rev. James McMahan, east of San Augustine, and hastened to join the army under General Sam Houston. From there he went to New Orleans, where he purchased five hundred and sixty-one dollars worth of cannon powder which he donated to the Texas army through the purchasing agent of the Texas government. In June he was sent by General Houston as confidential commissioner to General Dunlap of Tennessee seeking aid in repelling the expected invasion by the Mexi-

can army. He made the trip at his own expense. For these two patriotic acts he received no remuneration from his government.²⁵⁹ Returning to his wife, he soon purchased a home near the "Old Robert's Camp Ground", east of San Augustine. From this place he continued his labors until November 27, 1837, when Revs. Amos Roark, Mitchell Smith, and Sumner Bacon met in the latter's home and constituted the Presbytery of Texas (Cumberland Presbyterian), according to the direction of the Synod of Mississippi. At the same place, in the year 1843, the Synod of Texas (C. P.) was organized with Sumner Bacon as moderator by order of the General Assembly. In January, 1844, Sumner Bacon, having fought a good fight and having kept the faith, crossed over that river to the place where the wicked cease from troubling and the weary are at rest.

Because of his consecrated labors for the Texas colonists, without regard to religious belief, and because of his evangelistic faith, although he was identified with one denomination, all true Christians will delight to honor the memory of Sumner Bacon.

²⁵⁹Files in the office of the Texas Secretary of State, File Box No. 5; Letter B, No. 3.

FACSIMILE OF THE MEMORIAL ON SUBJECT OF A SYSTEM OF EDUCATION.

[One of the grievances of the Texas Colonists, as expressed in their declaration of independence, was that the government of Mexico had "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." The Constitution of 1836 stipulated that "it shall be the duty of Congress, as soon as circumstances will permit, to provide by law a general system of education." Scarcely had the sound of battle died away, and before their political house was firmly established, when sixty-two patriots presented a memorial to the Congress of the Republic of Texas concerning a system of "popular education, and the establishment of such a system as shall do honor to the Nation and guarantee to our posterity the blessings for which we have been and are contending." They believed education necessary to the enjoyment of civil and religious liberty and reinforced their argument by the following statement:

We have just emerged from the midst of a people who have vainly attempted without its aid to govern themselves—we have rescued a portion of their territory from civil and religious thralldom, after they had invited us to participate in the blessings of a Civil Liberty, which they proclaimed to the world to have established, but which we have discovered, by actual experience, existed only in name and not in administration.—We have left a country where Civil and Religious Liberty were proclaimed established and administered and where its doctrines have been taught and instilled by the parental instruction of the Nation into the minds of its offspring, thus laying a sure foundation for its permanent Security.

This memorial was introduced into the House of Representatives of the Second Congress by Thomas J. Rusk and referred, on April 23, 1838, to a special committee consisting of Thomas J. Rusk, Anson Jones, and Peyton S. Wyatt. On the first of the following month this committee recommended the establishment of a system of education to be conducted under the control of Congress, but owing to the pressure of other business the memorial was sidetracked until the convening of the Third Congress, when President Lamar gave it impetus by his masterful address to both houses of Congress in which he said: “. . . a cultivated mind is the guardian genius of Democracy, and while guided and controlled by virtue, the noblest attribute of man . . . and how shall we protect our rights if we do not comprehend them? And can we comprehend them unless we require a knowledge of the past and present condition of things, and practice the habit of enlightened reflection?”

Another committee of the House was appointed of which John A. Wharton was chairman. Owing to the protracted illness of Mr. Wharton, and at his request, Rev. William Allen, Chaplain of the House, drafted the report of the committee with the exception of the first five paragraphs.²⁶⁰ At the same session of Congress lands were set aside “for the establishment of a general system of education.” By the Fourth Congress a law was passed establishing a school system. The Texas Declaration of Independence and this Memorial lie side by side in the vault of the Secretary of State.]

²⁶⁰*The Quarterly*, XVII, 302-303.

To the Honorable the Senate
and House of Representa-
tives of the Republic of Texas
in Congress Assembled,

The Memorial of the Subscribers, Citi-
zens of the Republic of Texas, Respectfully
Sheweth, that Your Memorialists are
deeply impressed with the necessity of provi-
ding some means for the ~~establishment~~ of
a system of popular education, to be founded,
protected and sustained by the patronage and
fostering care of the Government.

A wise and settled policy in the present enlight-
ened age has induced most of the Nations of Eu-
rope, including all those who now exist under a
prosperous government, to direct their attention to
this important subject, and the example of the
happy country from which most of us have emi-
grated affords a brilliant illustration of the wisdom
of such an establishment; especially where the re-
gardous experiment of self government by a free people
is attempted.

Such is the present position of our Country. We
have just emerged from the midst of a people who
have vainly attempted without its aid to govern
themselves - we have rescued a portion of their ter-
ritory from civil and religious thralldom; after they
had invited ^{us} to participate in the blessings of a
Civil Liberty, which they proclaimed to the world
to have established, but which we have discovered
by actual experience, existed only in name and

not in administration - We have left a Country
 where Civil and religious Liberty were proclaimed
 established and administered and when its
 doctrines have been taught and instilled by the
 parental instruction of the Nation into the
 minds of its offspring, thus laying a sure founda-
 tion for its permanent Liberty.

An Infant Nation like our own must be guided
 in her measures, in some degree, by the prevailing
 opinions of other nations, and no act of this Gov.
^{then with a favorable opinion of} ~~could~~ more deeply impress ^{its} the wisdom
 and policy of ~~this Government~~ than an early
 attention to the subject of popular education,
 and the establishment of such a system as
 shall do honor to the Nation and guarantee
 to our posterity the blessings for which we
 have ~~been~~ are contending.

Your Memorialists would therefore
 respectfully request Your honorable Body
 to take the subject into serious consideration,
 and establish by law such a system of popular
 education for the Citizens of this Country and
 their children, as your wisdom shall suggest
 making such ^{as will increase the value of the sum} ~~reservations of the public domain~~
 for the support thereof as shall ensure its
 success, and Your Memorialists with every prayer

Resolution
 Introduced
 Education

Name	County	Name	County
Affates	Liberty	Osborne	Washington
Rollison	Harrodsburg	G. H. Blackwell	Washington
B. Wending	St. Anthony	Chadwick	
Geo. G. Blackwell	Harrodsburg	Edwards	Washington

S. G. Brown	Houston	H. A. Allen	Houston
F. W. Thornton	Goliad		
Wm O. Neil	Goliad		
Andrew Orr	Houston	W. R. Baker	Do
		W. R. Baker	Do
Thos Mathews	Mines	W. R. Baker	Do
E. J. Llyer	Goliad		
Stephen W. Richey	Galveston	M. M. Bagby	Do
Wm. H. H. H.	Houston	A. Colman	
		R. Lee	Do
John McChes	Houston		
D. O. Athridge	Washington	Niles P. Smith	Do
Ben H. Hill	Trayona	James Moore	Do
W. R. Gumburg	Houston	H. C. McChes	Do
J. Morgan	New Washington	W. R. Gumburg	Do
W. R. Gumburg	Houston	W. R. Gumburg	Austin
Francis R. L. L.	Houston	Thos. Harris	do
		Samuel Whiting	Liberty
H. H. H.	Harrisburg	Geo. A. Nixon	Nacogoches
Jefferson Wright	"	Poppley Baker	Houston.
L. M. M.	Harrisburg	M. B. Menard	Liberty
A. C. Allen	Houston	Thomas F. M. M.	"
E. E. Philips	Washington	A. La Grand	Harrisburg
Chs. Stephens	Houston	Eli Williams	do
Geo. W. H. H.		David G. Bonnet	do
L. R. Queen	Houston	David P. B.	Liberty
Thos H. Bruce	Houston	Samuel T. Angier	Liverpool
J. W. H. H.	Houston		
William Thompson	Houston	O. C. C. H. H.	Oakland
W. R. Gumburg	Houston	Anton Jones	Trayona
Levi J. J.	Galveston		
James G. G.	Houston		

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