

Exhibit 30

in the case of:

**People of the Republic of Texas
and the
Sovereign Nation of the Republic of Texas**

v.

**UNITED NATIONS
(and all it's Political Subdivisions)
and
UNITED STATES
(and all it's Political Subdivisions)**

Under Pains and Penalties of perjury and the laws of the Almighty, and being sworn under a vow and oath, I attest that the attached pages are true and correct reprints of the:

Colonization Laws - 1823-1827, from: Sons of Dewitt Colony Texas at the Texas A&M website.

This attestation is made on August 14, 1998.

Attest: Joelyn Sarlage

D. B. West

Witness to source and above signature

Ed: Brannum

Witness to above signatures

Coahuila y Tejas-Index

Colonization Laws

Emperor Agustin's Decree of 1823

National Laws

Laws of Coahuila y Texas 1825

Laws of Coahuila y Texas 1832

Instructions to Commissioners

Colonization Law Decree of 1823

(Translated from the Spanish)

To Don José Manuel de Herrera, Minister of Interior and Exterior Relations.

AGUSTIN, by Divine Providence, and by the Congress of the Nation, 1st Constitutional Emperor of Mexico, and Grand Master of the Imperial Order of Guadeloupe; To all who shall see these presents, Know Ye, That the Junta Nacional Instituyente of the Mexican Empire, has decreed, and we sanction the following:

The Junta Nacional Instituyente of the Mexican Empire, being convinced by the urgent recommendations of the government, of the necessity and importance of giving to the empire a general law of colonization, have thought it proper to decree as follows.

- Art. 1. The government of the Mexican nation will protect the liberty, property, and civil rights of all foreigners, who profess the Roman Catholic apostolic religion, the established religion of the empire.
- Art. 2. To facilitate their establishment, the executive will distribute lands to them, under the conditions and terms herein expressed.
- Art. 3. The empresarios, by whom is understood those who introduce at least two hundred families, shall previously contract with the executive, and inform it what branch of industry they propose to follow, the property or resources they intend to introduce For that purpose; and any other particulars they may deem necessary, in order that with this necessary information, the executive may designate the province to which they must direct themselves; the lands which they can occupy with the right of property, and the other circumstances which may be considered necessary.
- Art. 4. Families who emigrate, not included in a contract, shall immediately present themselves to the Ayuntamiento of the place where they wish to settle, in order that this body, in conformity with the instructions of the executive, may designate the lands corresponding to them, agreeably to the industry which they may establish.
- Art. 5. The measurement of land shall be the following establishing the vara, at three geometrical feet, a straight line of five thousand varas shall be a league; a square, each of whose sides, shall be one league, shall be called a sitio; and this shall be the unity of counting one, two, or more sitios; five sitios shall compose one hacienda.
- Art. 6. In the distribution made by government, of lands to the colonists, for the formation of villages, towns, cities and provinces, a distinction shall be made between grazing lands, destined for the raising of

stock, and lands suitable for farming, or planting, on account of the facility of irrigation.

Art. 7. One labor shall be composed of one million square varas, that is to say, one thousand varas on each side, which measurement shall be the unity for counting one, two or more labors. These labors can be divided into halves and quarters, but not less.

Art. 8. To the colonists whose occupation is farming, there cannot be given less than one labor, and those whose occupation is stock raising there cannot be given less than one sitio.

Art. 9. The government of itself, or by means of the authorities authorized for that purpose, can augment said portions of land as may be deemed proper, agreeably to the conditions and circumstances of the colonists.

Art. 10. Establishments made under the former government which are now pending, shall be regulated by this law in all matters that may occur, but those that are finished shall remain that state.

Art. 11. As one of the principal objects of laws in free governments, ought to be to approximate, so far as is possible, to an equal distribution of property, the government taking into consideration the provisions of this law, will adopt measures for dividing out the lands, which, may have accumulated in large portions, in the hands of individuals or corporations, and which are not cultivated, indemnifying the proprietors, for the just price of such lands to be fixed by appraisers.

Art. 12. The union of many families at one place, shall be called a village, town, or city, agreeably to the number of its inhabitants, its extension locality, and other circumstances which may characterize it, in conformity with the law on that subject. The same regulations for its internal government and police shall be observed as in the others of the same class in the empire.

Art. 13. Care shall be taken in the formation of said new towns, that, so far as the situation of the ground will permit, the streets shall be laid off straight, running north and south, east and west.

Art. 14. Provinces shall be formed whose superficies shall be six thousand square leagues.

Art. 15. As soon as a sufficient number of families may be united to form one or more towns, their local government shall be regulated, and the constitutional Ayuntamientos and other local establishments formed in conformity with the laws.

Art. 16. 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.

Art. 17. In the distribution of lands for settlement among the different provinces, the government shall take care, that the colonists shall be located in those, which it may consider the most important to settle. As a general rule, the colonists who arrive first shall have the preference in the selection of land.

Art. 18. Natives of the country shall have a preference in the distribution of land; and particularly the military of the army of the three guarantees, in conformity with the decree of the 27th of March, 1821; and also those who served in the first epoch of the insurrection.

Art. 19. To each Empresario, who introduces and establishes families in any of the provinces designated for colonization, there shall be granted at the rate of three haciendas and two labors, for each two hundred families so introduced by him, but he will lose the right of property, over said lands, should they not have populated and cultivated them in twelve years from the date of the concession. The premium cannot exceed nine haciendas, and six labors, whatever may be the number of families he introduces.

Art. 20. At the end of twenty years the proprietors of the lands, acquired in virtue of the foregoing article, must alienate two thirds part of said lands, either by sale, donation, or in any other manner he pleases. The law authorizes him to hold in full property and dominion one third part.

Art. 21. The two foregoing articles are to be understood as governing the contracts made within six months, as after that time, counting from the day of the proclamation of this law, the executive can diminish the premium as it may deem proper, giving an account thereof to congress, with such information as may be deemed necessary.

Art. 22. The date of the concession for lands constitutes an inviolable law, for the right of property and legal ownership; should any one through error or by subsequent concession occupy land belonging to

another, he shall have no right to it, further than a preference in case of sale, at the current price.

Art. 23. If after two years from the date of the concession, the colonist should not have cultivated his land, the right of property shall be considered as renounced; in which case, the respective Ayuntamiento can grant it to another.

Art. 24. During the first six years from the date of the concession, the colonists shall not pay tithes, duties on their produced nor any contribution under whatever name it may be called.

Art. 25. The next six years from the same date, they shall pay half tithes and the half of the contributions whether direct or indirect, that are paid by the other citizens of the empire. After this time, they shall in all things relating to taxes and contributions, be placed on the same footing with the other citizens.

Art. 26. All instruments of husbandry, machinery, and other utensils, that are introduced by the colonists for their use, at the time of their coming to the empire, shall be free, as also the merchandise introduced by each family, to the amount of two thousand dollars.

Art. 27. All foreigners, who come to establish themselves in the empire, shall be considered as naturalized, should they exercise any useful profession or industry by which, at the end of three years, they have a capital to support themselves with decency, and are married. Those who with the foregoing qualifications marry Mexicans will acquire particular credit for the obtaining letters of citizenship.

Art. 28. Congress will grant letters of citizenship to those who solicit them in conformity with the constitution of the empire.

Art. 29. Every individual shall be free to leave the empire, and can alienate the lands over which he may have acquired the right of property, agreeably to the tenor of this law, and he can likewise take away from the country all his property, by paying the duties established by law.

Art. 30. After the publication of this law, there can be no sale or purchase of slaves which may be introduced into the empire. The children of slaves born in the empire shall be free at fourteen years of age.

Art. 31. All foreigners who may have established themselves in any of the provinces of the empire, under permission of the former government, will remain on the lands which they may have occupied, being governed by the tenor of this law, in the distribution of said lands.

Art. 32. The executive, as it may conceive necessary, will sell or lease the lands, which on account of their local situation, may be the most important, being governed with respect to all others, by the provisions of this law.

This law shall be presented to his Imperial Majesty, for his sanction, publication and fulfillment Mexico, 3d January, 1823, 3rd of the independence of the empire.

Juan Francisco, Bishop of Durango, President

Antonio de Mier, Member and Secretary

Juan Batista Arispe, Member and Secretary

Therefore, we order all tribunals, Judges, Chiefs, Governors, and all other authorities, as well civil, as military, and ecclesiastical, of whatever class or dignity they may be, to comply with this decree, and cause it to be complied with, in all its parts, and you will cause it to be printed, published, and circulated. Given in Mexico, 4th January. 1823. Signed by The Emperor.

National Colonization Law

The Supreme Executive Power provisionally appointed by the General Sovereign Constituent Congress. To all who shall see and understand those presents; Know Ye that the said Congress has decreed as

follows:

- Art. 1. The Mexican nation offers 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.
- Art. 2. This law comprehends those lands of the nation, not the property of corporations, or which can be colonized.
- Art. 3. For the purpose the Legislatures of all the States, as soon as 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.
- Art. 4. There cannot be colonized any lands comprehended within twenty leagues of the limits of any foreign nation, nor within ten leagues of the coasts, without the previous approbation of the general supreme executive power.
- Art. 5. If for the defense and security of the nation, the federal government should deem it necessary to use any portion of these lands, for the construction of warehouses, arsenals, or other public edifices, they can do so, with the approbation of the general congress, or in its recess, of the council of government.
- Art. 6. Until after four years from the publication of this law, there shall not be imposed any tax whatever, on the entrance of the persons of foreigners, who come to establish themselves for the first time in the nation.
- Art. 7. Until after the year 1840, the general congress shall not prohibit the entrance of any foreigner, as a colonist, unless imperious circumstances should require it, with respect to the individuals of a particular nation.
- Art. 8. The government, without prejudicing the objects of this law shall take such precautionary measures as it may deem expedient, for the security of the confederation, as respects the foreigners who come to colonize.
- Art. 9. A preference shall be given in the distribution of lands, to Mexican citizens, and no other distinction shall be made in regard to them except that which is founded on individual merit, or services rendered the country, or under equal circumstances, a residence in the place where the lands to be distributed are situated.
- Art. 10. The military who in virtue of the offer made on the 27th March, 1821, have a right to lands, shall be attended to by the states, in conformity with the diplomas which are issued to that effect, by the supreme executive power.
- Art. 11. If in virtue of the decree alluded to in the Last article, and taking into view the probabilities of life, the supreme executive power should deem it expedient to alienate any portion of land in favor of any officer, whether civil or military of the federation, it can do so from the vacant lands of the territories.
- Art. 12. It shall not be permitted to unite in the same hands with the right of property, more than one league square of land, suitable for irrigation, four square leagues in superficies, of arable land without the facilities of irrigation, and six square leagues in superficies of grazing land.
- Art. 13. The new colonists shall not transfer their property in mortmain (*manus muertas*).
- Art. 14. This law guarantees the contracts which the empresarios made with their families which they bring at their own expense, provided they are not contrary to the laws.
- Art. 15. No person, who by virtue of this law acquires a title to lands, shall hold them if he is domiciled out of the limits of the republic.
- Art. 16. The government in conformity with the provisions established in this law, will proceed to colonize the territories of the republic.

Mexico, 18th August, 1824

CAYETANO IBARRA, President

PEDRO DE AHUMADA, Member & Secretary

MANUEL DE VILLAY COCIO, Member & Secretary

Therefore we command it to be printed, circulated and obeyed.
 Members of the Supreme Executive Power
NICOLÁS BRAVO, VICENTE GUERRERO, MIGUEL DOMINGUEZ

Colonization Law State of Coahuila and Texas 1825

The Governor provisionally appointed by the Sovereign Congress of this State. To all who shall see these presents; Know that the said Congress have decreed as follows.

Decree No. 16. The Constituent Congress of the Free, Independent and Sovereign State of Coahuila and Texas, desiring by every possible means, to augment the population of its territory; promote the cultivation of its fertile lands; the raising and multiplication of stock; and the progress of the arts and commerce; and being governed by the Constitutional act, the Federal Constitution, and the basis established by the National Decree of the General Congress, No. 72, have thought proper to decree the following LAW OF COLONIZATION:

Art. 1. All Foreigners, who in virtue of the general law, of the 18th August, 1824, which guarantees the security or their persons and property, in the territory of the Mexican Nation, wish to remove to any of the settlements of the state of Coahuila and Texas, are at liberty to do so; and the said State invites and calls them.

Art. 2. Those who do so, instead of being incommoded, shall be admitted by the local authorities of said settlements, who shall freely permit them to pursue any branch, of industry that they may think proper, provided they respect the general laws of the nation, and those of the state.

Art. 3. Any foreigner, already in the limits of the state or Coahuila and Texas who wishes to settle himself in it, shall make a declaration to that effect, before the Ayuntamiento of the place, which he selects as his residence; the Ayuntamiento in such case, shall administer to him the oath which he must take to obey the federal and state constitutions, and to observe the religion which the former prescribes; the name of the person, and his family if he has any, shall then be registered in a book kept for that purpose, with a statement of where he was born, and whence from, his age, whether married, occupation, and that he has taken the oath prescribed, and considering him from that time and not before, as domiciled.

Art. 4. From the day in which any foreigner has been enrolled, as an inhabitant, in conformity with the foregoing article, he is at liberty to designate any vacant land, and the respective political authority will grant it to him in the same manner, as to a native of the country, in conformity with the existing laws of the nation, under the condition that the proceedings, shall be passed to the government for its approbation.

Art. 5. Foreigners of any nation, or a native of any of the Mexican states, can project the formation of any towns on any lands entirely vacant, or even on those of an individual, in the case mentioned in 35th article; but the now settlers who present themselves for admission, must prove their Christianity, morality and good habits, by a certificate from the authorities where they formerly resided.

Art. 6. Foreigners who emigrate at the time in which the general sovereign congress may have prohibited their entrance, for the purpose of colonizing, as they have the power to do, after the year 1840, or previous to that time, as respects those of any particular nation, shall not then be admitted; and those who apply in proper time, shall always subject themselves to such precautionary measures (if national security, which the supreme government, without prejudicing the object of this law, may think proper to adopt

relative to them.

Art. 7. The government shall take care, that within the twenty leagues bordering on the limits of the United States of the North, and ten leagues in a straight line from the coast of the Gulf of Mexico, within the limits of this state, there shall be no other settlements, except such as merit the approbation of the supreme government of the Union, for which object, all petitions on the subject, whether made by Mexicans or foreigners, shall be passed to the superior government, accompanied by a corresponding responding report.

Art. 8. The projects for new settlements in which one or more persons offer to bring at their expertise, one hundred or more families, shall be presented to the government, and if found conformable with this law, they will be admitted; and the government will immediately designate to the contractors, the land where they are to establish themselves, and the term of six years, within which, they must present the Dumber of families they contracted for, under the penalty of losing the rights and privileges offered in their favor, in proportion to the number of families which they fail to introduce, and the contract totally annulled if they do not bring at least one hundred families.

Art. 9. Contracts made by the contractors or undertakers, *Empresarios*, with the families brought at their expense, are guaranteed by this law, so far as they are conformable with its provisions.

Art. 10. In the distribution of lands, a preference shall be given to the Military entitled to them, by the diplomas issued by the supreme executive power, and to Mexican citizens who are not Military, among whom there shall be no other distinction, than that founded on their individual merit, or services performed for the country, or in equal circumstances, a residence in the place where the land may be situated; the quantity of land which may be granted, is designated in the following articles.

Art. 11. A square of land, which on each side has one league or five thousand varas, or what is the same thing, a superficies of twenty-five million varas, shall be called a sitio, and this shall be the unity for counting one, two, or more sitios; and also the unity for counting one two or more labors, shall be one million square varas, or one thousand varas on each side, which shall compose a labor. The vara for this measurement shall be three geometrical feet.

Art. 12. Taking the above unity as a basis, and observing the distinction which must be made, between grazing land, or that which is proper for raising of stock, and farming land, with or without the facility of irrigation, this law grants to the contractor or contractors, for the establishment or a new settlement, for each hundred families which he may introduce and establish in the state, five sitios of grazing land and five labors, at least the one half of which, shall be without the facility of irrigation; but they can only receive this premium for eight hundred families, although a greater number should be introduced, and no fraction whatever, less than one hundred shall entitle them to any premium, not even proportionally.

Art. 13. Should any contractor or contractors in virtue of the number of families which he may have introduced, acquire in conformity with the last article, more than eleven square leagues of land, it shall nevertheless be granted, but subject to the condition of alienating the excess, within twelve years, and if it is not done, the respective political authority shall do it by selling it at public sale, delivering the proceeds to the owners, after deducting the costs of sale.

Art. 14. To each family comprehended in a contract, whose sole occupation is cultivation of land, one labor shall be given; should he also be a stock raiser, grazing land shall be added to complete a sitio, and should his only occupation be raising of stock, he shall only receive a superficies of grazing land, equal to equal to twenty-four million square bars.

Art. 15. Unmarried men shall receive the same quantity when they enter the matrimonial state, and for foreigners who marry native Mexicans, shall receive one fourth more; those that are entirely single, or who do not form a part of some family whether foreigners or natives, shall content themselves with the fourth part of the above mentioned quantity, which is all that can be given them until they marry.

Art. 16. Families or unmarried men who, entirely of their own accord, have emigrated and may wish to unite themselves to any new towns, can at all times do so, and the same quantity of land shall be assigned them, which is mentioned in the two last articles; but if they do so within the first six years from the

establishment of the settlement, one labor more shall be given to families, and single men in place of the quarter designated in the 15th article shall have the third part.

Art. 17. It appertains to the government to augment the quantity indicated in the 14, 15, and 16th articles, in proportion to the family industry, and activity of the colonists, agreeably to the information given on these subjects by the Ayuntamientos and Commissioners; the said government always observing the provisions of the 12th article, of the decree of the general congress on the subject.

Art. 18. The families who emigrate in conformity with the 16th article shall immediately present themselves to the political authority of the place which they may have chosen for their residence, who, finding in them the requisites, prescribed by this law for new settlers, shall admit them, and put them in possession of the corresponding lands, and shall immediately give an account thereof to the government; who of themselves, or by means of a person commissioned to that effect, will issue them a title.

Art. 19. The Indians of all nations, bordering on the state, as well as wandering tribes that may be within its limits, shall be received in the markets, without paying any duties whatever for commerce, in the products of the country; and if attracted by the moderation and confidence, with which they shall be treated, any of them, after having first declared themselves in favor of our Religion and Institutions, wish to establish themselves in any settlements that are forming, they shall be admitted, and the same quantity of land given them, as to the settlers spoken of in the 14th and 15th articles, always preferring native Indians to strangers.

Art. 20. In order that there may be no vacancies between tracts, of which, great care shall be taken in the distribution of lands, it shall be laid off in squares, or other forms although irregular, if the local situation requires it; and in said distribution, as well as the assignation of lands for new towns, previous notice shall be given to the adjoining proprietors, if any, in order to prevent dissensions and law suits.

Art. 21. If by error in the concession, any land shall be granted, belonging to another, on proof being made of that fact, an equal quantity shall be granted elsewhere, to the person who may have thus obtained it through error, and he shall be indemnified by the owner of such land, for any improvements he may have made; the just value of which improvements, shall be ascertained by appraisers.

Art. 22. The new settlers as an acknowledgment, shall pay to the state, for each sitio of pasture land, thirty dollars; two dollars and a half for each labor without the facility of irrigation, and three dollars and a half, for each one that can be irrigated, and so on proportionally according to, the quantity and quality of the land distributed; but the said payments need not be made, until six years after the settlement and by thirds; the first within four years, the second within five years, and the last within six years, under the penalty of losing the land for a failure, in any of said payments; there are excepted from this payment, the contractors, and Military, spoken of in the 10th article; the former with respect to lands given them, as a premium, and the latter, for those which they obtained, in conformity with their diplomas.

Art. 23. The Ayuntamiento of each municipality (*Comarca*) shall collect the above mentioned funds, gratis, by means of a committee appointed either within or without their body; and shall remit them as they are collected, to the treasurer of their Funds, who will give the corresponding receipt, and without any other compensation than two and a half per cent, all that shall be allowed him; he shall hold them at the disposition of the government, rendering an account every month of the ingress and egress, and of any remissness or fraud, which he may observe in their collection of all which, the person employed, and the committee, and the individuals of the Ayuntamientos who appoint them, shall be individually responsible and that this responsibility may be at all effectual, the said appointments shall be made viva voce, and information shall be given thereof immediately to the government.

Art. 24. The government shall sell to Mexicans and to them only, such lands as they may wish to purchase, taking care that there shall not be accumulated in the same hands, more than eleven sitios, and under the condition, that the purchaser must cultivate what he acquires by this title within six years, from its acquisition, under the penalty of losing them; the price of each sitio, subject to the foregoing condition, shall be one hundred dollars, if it be pasture land; one hundred and fifty dollars, if it be farming land without the facility of irrigation; and two hundred and fifty dollars if it can be irrigated.

Art. 25. Until six years after the publication of this law, the legislature of this state, cannot alter it as regards the acknowledgement, and price to be paid or land, or as regards the quantity and quality, to be distributed to the new settlers, or sold to Mexicans.

Art. 26. The new settlers, who within six years from the date of the possession, have not cultivated or occupied the lands granted them, according to its quality, shall be considered to have renounced them, and the respective political authority, shall immediately proceed to take possession of them, and recall the titles.

Art. 27. The contractors and Military, heretofore spoken of, and those who by purchase have acquired lands, can alienate them at any time, but the successor is obliged to cultivate them in the same time, that the original proprietor was bound to do; the other settlers can alienate theirs when they have totally cultivated them, and not before.

Art. 28. By testamentary will, made in conformity with the existing laws, or those which may govern in future, any new colonist, from the day of his settlement, may dispose of his land, although he may not have cultivated it, and if he dies intestate, his property shall be inherited by the person or persons entitled by the laws to it; the heirs being subject to the same obligation and condition imposed on the original grantee.

Art. 29. Lands acquired by virtue of this law, shall not by any title whatever, pass into mortmain.

Art. 30. The new settler, who wishing to establish himself in a foreign country, resolves to leave the territory of the state, can do so freely, with all his property; but after leaving the state, he shall not any longer hold his land, and if he had not previously sold it, or the sale should not be in conformity with the 27th article, it shall become entirely vacant.

Art. 31. Foreigners who in conformity with this law, have obtained lands, and established themselves in any new settlement, shall be considered from that moment, naturalized in the country; and by marrying a Mexican, they acquire a particular merit to obtain letters of citizenship of the state, subject however to the provisions which may be made relative to both particulars, in the constitution of the state.

Art. 32. During the first ten years, counting from the day on which the new settlements may have been established, they shall be free from all contributions, of whatever denomination, with the exception of those which, in case of invasion by an enemy, or to prevent it, are generally imposed, and the produce of agriculture or industry of the new settlers, shall be free from excise duty, Alcabala, or other duties, throughout every part of the state, with the exception of the duties referred to in the next article; after the termination of that time, the new settlements shall be on the same footing as to taxes with the old ones, and the colonists shall also in this particular, be on the same footing with the other inhabitants of the state.

Art. 33. From the day of their settlement, the new colonists shall be at liberty to follow any branch of industry, and can also work mines of every description, communicating with the supreme government of the confederation, relative to the general revenue appertaining to it, and subjecting themselves in all other particulars, to the ordinances or taxes, established or which may be established on this branch.

Art. 34. Towns shall be founded on the sites deemed most suitable by the government, or the person commissioned for this effect, and for each one, there shall be designated four square leagues, whose area may be in a regular or irregular form, agreeably to the situation.

Art. 35. If any of the said sites should be the property of an individual, and the establishment of new towns on them, should notoriously be of general utility, they can, notwithstanding, be appropriated to this object, previously indemnifying the owner for its just value, to be determined by appraisers.

Art. 36. Building lots in the new towns shall be given gratis, to the contractors of them and also to artists of every class, as many as are for the establishment of their trade; and to the other settlers they shall be sold at public auction, after having been previously valued, under the obligation to pay the purchase money by installments of one third each, the first in six months, the second in twelve months and the third in eighteen months; but all owners or lots, including contractors and artists, shall annually pay one dollar for each lot, which, together with the produce of the sales, shall be collected by the Ayuntamientos, and

applied to the building of churches in said towns.

Art. 37. So far as is practicable, the towns shall be composed of natives and foreigners, and in their delineation, great care shall be taken to lay off the streets straight, giving them a direction from north to south, and from east to west, when the site will permit it.

Art. 38. For the better location of the said new town, their regular formation and exact partition of their land and lots, the government on account of having admitted any project, and agreed with the contractor or contractors, who may have presented it, shall commission a person of intelligence and confidence, giving him such particular instructions as may be deemed necessary and expedient and authorizing him under his own responsibility, to appoint one or more surveyors, to lay off the town scientifically, and do whatever else that be required.

Art. 39. The Governor in conformity with the last fee bill, *Arancel*, of notary public's of the ancient audience of Mexico, shall designate the fees of the commissioner, who in conjunction with the colonists shall fix the surveyor's fees; but both shall be paid by the colonists and in the manner which all parties among themselves may agree upon.

Art. 40. As soon as at least forty families are united in one place, they shall proceed to the formal establishment of the new towns, and all of them shall take an oath, to support the general and state constitutions; which oath will be administered by the commissioner; they shall then, in his presence, proceed for the first time, to the election of their municipal authority.

Art. 41. A new town, whose inhabitants shall not be less than two hundred, shall elect an Ayuntamiento, provided there is not another one established within eight leagues, in which case, it shall be added to it. The number of individuals which are to compose the Ayuntamiento, shall be regulated by the existing laws.

Art. 42. Foreigners are eligible, subject to the provisions which the constitution of the state may prescribe, to elect the members of their municipal authorities, and to be elected to the same.

Art. 43. The municipal expenses, and all others which may be considered necessary, or of common utility to the new towns, shall be proposed to the Governor, by the Ayuntamientos through the political chief, accompanied with a plan of the taxes, *arbitrios*, which in their opinion may be just and best calculated to raise them, and should the proposed plan, be approved of by the Governor, he shall order it to be executed, subject however to the resolutions of the legislature, to whom it shall be immediately passed with his report and that of the political chief, who will say whatever occurs to him on the subject.

Art. 44. For the opening and improving of roads, and other public works in Texas, the government will transmit to the chief of that department, the individuals, who in other parts of the state, may have been sentenced to public works as vagrants, or for other crimes; these same persons may be employed by individuals for competent wages, and as soon as the time of their condemnation is expired, they can unite themselves as colonists, to any new settlement, and obtain the corresponding lands, if their reformation shall have made them worthy of such favor in the opinion of the chief of the department, without whose certificate, they shall not be admitted.

Art. 45. The government in accord with the respective ordinary ecclesiastics, will take care to provide the new settlements with the competent number of pastors, and in accord with the same authority, shall propose to the legislature for its approbation, the salary which the said pastors are to receive, which shall be paid by the new settlers.

Art. 46. The new settlers as regards the introduction of slaves shall subject themselves to the existing laws, and those which may hereafter be established on the subject.

Art. 47. The petitions now pending relative to the subject of the law, shall be dispatched in conformity with it, and for this purpose they shall be passed to the Governor, and the families who may be established within the limits of the state, without having any land assigned them, shall submit themselves to this law, and to the orders of the supreme government of the Union, with respect to those who are within twenty leagues of the limits of the United States of America, and in a straight line of the coast of the Gulf of Mexico.

Art. 48. This law shall be published in all the villages of the state; and that it arrives at the notice of all others, throughout the Mexican confederation, it shall be communicated to their respective legislatures, by the secretary of this state; and the Governor will take particular care, to send a certified copy of it, in compliance with the 16th article of the federal constitution, to the two houses of Congress, and the supreme executive power of the nation, with a request to the latter, to give it general circulation through foreign states, by means of our ambassadors. The Governor pro tem of the state will cause it to be published and circulated.

Saltillo, 24 March, 1825

Signed, RAFAEL RAMOS Y VALDEZ, President

JUAN VICENTE CAMOS, Member & Secretary

JOSÉ JOAQUIN ROSALES, Member & Secretary

Therefore I command all Authorities, as well Civil as Military and Ecclesiastical, to obey and cause to be obeyed, the present decree in all its parts.

RAFAEL GONZALES, Governor

Instructions to Commissioners

EXECUTIVE DEPARTMENT of the State of Coahuila and Texas.

Instructions by which the Commissioner shall be governed, in the partition of lands to the new colonists, who may establish themselves in the State, in conformity with the colonization law of the 24th of March, 1825.

Art. 1. It shall be the duty of the commissioner, keeping in view the contract which an empresario may have entered into with the government, and also the colonization law of the 24th March. scrupulously to examine the certificates or recommendations which foreign emigrants must produce from the local authorities of the place where they removed from, accrediting their Christianity, morality, and steady habits, in conformity with the 5th article of said law, without which requisite they shall not be admitted in the colony.

Art. 2. In order to prevent being imposed on by false recommendations, the commissioner shall not consider any as sufficient, without a previous opinion in writing as to their legitimacy, from the empresario, for which purpose they shall be passed to him by the commissioner.

Art. 3. The commissioner shall administer to each of the new colonists, the oath in form, to observe the federal constitution of the United Mexican States, the constitution of the State, the general laws of the Nation, and those of the State which they have adopted for their country.

Art. 4. He shall issue in the name of the state, the titles for land, in conformity with the law, and put the new colonists in possession of their lands, with all legal formalities, and the previous citation of adjoining proprietors, should there be any.

Art. 5. He shall not give possession to any colonists who may have established, or who may wish to establish themselves within twenty leagues of the limits of the United States of the North, or within ten leagues of the coast, unless it should appear that the supreme government of the nation had approved thereof.

Art. 6. He shall take care that no vacant lands be left between possessions, and in order that the lines of each one may be clearly designated, he shall compel the colonists, within the term of one year, to mark their lines and to establish fixed and permanent corners.

Art. 7. He shall appoint under his own responsibility the Surveyor, who must survey the land scientifically, requiring him previously to take an oath truly and faithfully to discharge the duties of his office.

Art. 8. He shall form a manuscript book of paper of the 3d stamp, in which shall be written the titles of the lands distributed to the colonists, specifying the names, the boundaries, and other requisites, and legal circumstances; and a certified copy of each title shall be taken from said book on paper of the 2d stamp, which shall be delivered to the interested person as his title.

Art. 9. Each settler shall pay the value of the stamp paper used in issuing his title both for the original and copy.

Art. 10. This book shall be preserved in the archives of the new colony, and an exact form of it shall be transmitted to the government, specifying the number of colonists with their names, and the quantity of land granted to each one, distinguishing that which is farming land, with or without the facilities of irrigation, and that which is granted as grazing land.

Art. 11. If he shall select the site which may be the most suitable for the establishment of the town or towns, which are to be founded agreeably to the number of families composing the colony, and keep in view the provisions of the law of colonization on this subject.

Art. 12. After selecting the site destined for the new town, he shall take care that the base lines run north and south, east and west, and he will designate a public square one hundred and twenty varas on each side, exclusive of the streets, which shall be called the principal or constitutional square, and this shall be the central point from which the street shall run, for the formation of squares and blocks in conforming with the model hereto annexed.

Art. 13. The block situated on the east side of the principal square, shall be destined for the church, curate's house, and other ecclesiastical buildings. The block on the west side of said square shall be designated for public buildings of the municipality. In some other suitable situation a block should be designated for a market square, another for a jail, and a house of correction, another for a school, and other edifices for public instruction, and another beyond the limits of the town for a burial ground.

Art. 14. He shall on his responsibility cause the streets to be laid off straight, and that they are twenty varas wide, to promote the health of the town.

Art. 15. Mechanics, who at the time of founding a new town, present themselves to settle in it, shall have the right of receiving one lot a piece without any other cost than the necessary stamp paper for issuing the title, and the light tax of one dollar annually for the construction of the church.

Art. 16. The lots spoken of in the preceding article shall be distributed by lot, with the exception of the empresario, who shall be entitled to any two lots he may select.

Art. 17. The other lots shall be valued by appraisers according to their situation, and sold to the other colonists at their appraised value. In case there should be a number of applicants for the same lot, owing to its situation or other circumstances which may excite competition, it shall be decided by lot as prescribed in the preceding article; the product of said lots shall be appropriated to the building of a church in said town.

Art. 18. He shall in unison with the empresario, promote the settlement of each town by the inhabitants belonging to its jurisdiction, who take lots in it, and cause them to construct houses on said lots within a limited time under the penalty of forfeiting them.

Art. 19. He shall form a manuscript book of each new town, in which shall be written the titles of the lots which are given as a donation or sold, specifying their boundaries and other necessary circumstances, a certified copy of each one of which on the corresponding stamp shall be delivered to the interested person as his title.

Art. 20. He shall form a topographical plan of each town that may be founded, and transmit it to the government, keeping a copy of it in the said register book of the colony.

Art. 21. He shall see that at the crossing of each of the rivers on the public roads, where a town is founded, a ferry is established at the cost of the inhabitants of said town, a moderate rate of ferriage shall

be established to pay the salary of the ferryman and the cost of the necessary boats, and the balance shall be applied to the public funds of the towns.

Art. 22. In places where there are no towns and where ferries are necessary, the colonists who may be settled there shall be charged with the establishment of the ferry, collecting a moderate ferriage until such ferries are rented out for the use of the state. Any colonist who, wishes to establish a ferry on the terms above indicated, shall form an exact and certified account of the costs which he may be at for the building of boats, and also an account of the produce of the ferry, in order that when said ferry is rented out for the use of the state, he shall have a right to receive the amount of said expenses which had not already been covered by the produce of the ferry, which for the present he collect.

Art. 23. He shall preside at the popular elections mentioned in the 40th article of the colonization law for the appointment of the Ayuntamiento, and shall put the elected in possession of their offices.

Art. 24. He shall take special care that portions of land granted to the colonists by article 14, 15 and 16, shall be measured by the surveyors with accuracy, and not permit any one to include more land than is designated by law, under the penalty of being personally responsible.

Art. 25. Should any colonist solicit in conformity with the 17th article of the law an augmentation of land beyond that designated in the preceding articles on account of the size of his family, industry, or capital, he shall present his petition in writing to the commissioner stating all the reasons on which he founds his petition, who shall transmit it to the Governor of the state, together with his opinion, for which opinion he shall be responsible in the most rigid manner, in order that the Governor may decide on the subject.

Art. 26. All the public instruments, titles, or other documents, issued by the commissioner, shall be written in Spanish; the memorials, decrees, and reports of the colonists or empresarios on any subject whatever, shall be written in the same language, whether they are to be transmitted to the government, or preserved in the archives of the colony.

Art. 27. All public instruments or titles of possession, and the copies signed by the commissioner, shall be attested by two assistant witnesses

Art. 28. The commissioner shall be personally responsible for all acts or measures performed by him contrary to the colonization law or these instructions.

A Copy--Saltillo, September 4th, 1827

TIJERINA & ARCINIEGA. Secretaries of the Legislature

A Copy, **JUAN ANTONIO PADILLA**, Secretary of State.

SONS OF DEWITT COLONY TEXAS

© 1997, Wallace L. McKeehan, All Rights Reserved.