

Exhibit 49

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

**Address of the Honorable S.F. Austin,
Delivered at Louisville, Kentucky, March 7, 1836;
from The Avalon Project at the Yale Law School.**

This attestation is made on August 13, 1998.

Attest: Joseph Savage

Darrell Dean Franks

Witness to source and above signature

Merle Ann West

Witness to above signatures

Address of the Honorable S. F. Austin, Delivered at Louisville, Kentucky, March 7, 1836

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

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

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

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

In order to restrain these savages and bring them into subjection, the government opened Texas for settlement. Foreign emigrants were invited and called to that country. American enterprise accepted the invitation and promptly responded to the call. The first colony of Americans or foreigners ever settled in Texas was by myself. It was commenced in 1821, under a permission to my father, Moses Austin, from the Spanish government previous to the Independence of Mexico, and has succeeded by surmounting those

difficulties and dangers incident to all new and wilderness countries infested with hostile Indians. These difficulties were many and at times appalling, and can only be appreciated by the hardy pioneers of this western country, who have passed through similar scenes.

The question here naturally occurs, what inducements, what prospects, what hopes could have stimulated us, the pioneers and settlers of Texas, to remove from the midst of civilized society, to expatriate ourselves from this land of liberty, from this our native country, endeared to us as it was, and still is, and ever will be, by the ties of nativity, the reminiscences of childhood and youth and local attachments, of friendship and kindred? Can it for a moment be supposed that we severed all these ties-the ties of nature and of education, and went to Texas to grapple with the wilderness and with savage foes, merely from a spirit of wild and visionary adventure, without guarantees of protection for our persons and property and political rights? No, it cannot be believed. No American, no Englishman, no one of any nation who has a knowledge of the people of the United States, or of the prominent characteristics of the Anglo-Saxon race to which we belong-a race that in all ages and in all countries wherever it has appeared has been marked for a jealous and tenacious watchfulness of its liberties, and for a cautious and calculating view of the probable events of the future-no one who has a knowledge of this race can or will believe that we removed to Texas without such guarantees, as free born, and, enterprising men naturally expect and require. The fact is, we had such guaranteed; for, in the first place the government bound itself to protect us by the mere act of admitting us as citizens, on the general and long established principle, even in the dark ages, that protection and allegiance are reciprocal-a principle which in this enlightened age has been extended much further; for its received interpretation now is, that the object of government is the well being, security, and happiness of the governed, and that allegiance ceases whenever it is clear, evident, and palpable, that this object is in no respect effected.

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

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

the Mexican confederation, so soon as she "possessed the necessary elements." Texas consented to the provisional union with Coahuila on the faith of this guarantee. It was therefore a solemn compact, which neither the state of Coahuila and Texas, nor the general government of Mexico, can change without the consent of the people of Texas.

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

At this time (September and October, 1833,) a revolution was raging in many parts of the nation, and especially in the vicinity of the city of Mexico. I despaired of obtaining anything, and wrote to Texas, recommending to the people there to organize as a state de facto without waiting any longer. This letter may have been imprudent, as respects the injury it might do me personally, but how far it was criminal or treasonable, considering the revolutionary state of the whole nation, and the peculiar claims and necessities of Texas, impartial men must decide. It merely expressed an opinion. This letter found its way from San Antonio de Bexar, (where it was directed) to the government. I was arrested at Saltillo, two hundred leagues from Mexico, on my way home, taken back to that city and imprisoned one year, three months of the time in solitary confinement, without books or writing materials, in a dark dungeon of the former inquisition prison. At the close of the year I was released from confinement, but detained six months in the city on heavy ball. It was nine months after my arrest before I was officially informed of the charges against me, or furnished with a copy of them. The constitutional requisites were not observed, my constitutional rights as a citizen were violated, the people of Texas were outraged by this treatment of their commissioner, and their respectful, humble and just petition was disregarded.

These acts of the Mexican government, taken in connexion with many others and with the general revolutionary situation of the interior of the republic, and the absolute want of local government in Texas, would have justified the people of Texas in organizing

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

Texas, however, even under these aggravated circumstances forbore and remained quiet. The constitution, although outraged and the sport of faction and revolution, still existed in name, and the people of Texas still looked to it with the hope that it would be sustained and executed, and the vested rights of Texas respected. I will now proceed to show how this hope was defeated by the total prostration of the constitution, the destruction of the federal system, and the dissolution of the federal compact. It is well known that Mexico has been in constant revolutions and confusion, with only a few short intervals, ever since its separation from Spain in 1821. This unfortunate state of things has been produced by the effects of the ecclesiastical and aristocratical party to oppose republicanism, overturn the federal system and constitution, and establish a monarchy, or a consolidated government of some kind. In 1834, the President of the Republic, Gen. Santa Anna, who heretofore was the leader and champion of the republican party and system, became the head and leader of his former antagonists - the aristocratic and church party. With this accession of strength, this party triumphed. The constitutional general Congress of 1834, which was decidedly republican and federal, was dissolved in May of that year by a military order of the President before its constitutional term had expired. The council of government composed of half the Senate which, agreeably to the constitution, ought to have been installed the day after closing the session of Congress, was also dissolved; and a new, revolutionary, and unconstitutional Congress was convened by another military order of the President. This Congress met on the 1st of January, 1835. It was decidedly aristocratic, ecclesiastical and central in its politics. A number of petitions were presented to it from several towns and villages, praying that it would change the federal form of government and establish a central form. These petitions were all of a revolutionary character, and were called "pronunciamientos," or pronouncements for centralism. They were formed by partial and revolutionary meetings gotten up by the military and priests. Petitions in favour of the federal system and constitution, and protests against such revolutionary measures, were also sent in by the people and by some of the State Legislatures, who still retained firmness to express their opinions. The latter were disregarded and their authors persecuted and imprisoned. The former were considered sufficient to invest Congress with plenary powers. It accordingly, by a decree, deposed the constitutional Vice President, Gomez Farias, who was a leading federalist, without any impeachment or trial, or even the form of a trial, and elected another of their own party, Gen. Barragan, in his place. By another decree it united the Senate with the House of Representatives in one chamber, and thus constituted, it declared itself invested with full powers as a national convention. In accordance with these usurped powers, it proceeded to annul the federal constitution and system, and to establish a central or consolidated government. How far it has progressed in the details of this new system is unknown to us.

The decree of the 3d of October last, which fixes the outlines of the new government, is however sufficient to show that the federal system and compact is dissolved and centralism established. The States are converted into departments. This decree is as follows as translated:

[Decree of the 3d October, 1835.] "Office of the First Secretary of State, Interior Department.

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

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

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

"ART. 3. In those States where the Legislatures cannot be assembled within eight days, the ayuntamientos (1) of the capital shall act in its place, only for the purpose of electing the five individuals of the department council.

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

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

MIQUEL BARRAGAN, President, pro. tem. Manuel Dias De Bonilla, Secretary of State.

For the information of those who are not acquainted with the organization of the Mexican Republic under the federal system and constitution of 1824, it may be necessary to state that this constitution is copied, as to its general principles, from that of the United

States. The general Congress had the same organization in substance and was elected in the same manner. A Senate elected by the State Legislatures for four years, and a House of Representatives elected by the people for two years. A President and Vice President elected for four years, and removable only by impeachment and trial. The mode of amending the constitution was clearly fixed.(2) The powers of the States were the same in substance as the States of the United States, and in some instances greater. In addition to this, during the recess of Congress, half the Senate formed the council of government.

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

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

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

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

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

the government in Mexico.

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

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

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

Without exhausting the patience by a detail of numerous other vexatious circumstances, and violations of our rights, I trust that what I have said on this point, is sufficient to show that the federal social compact of Mexico is dissolved; that we have just and sufficient cause to take arms against the revolutionary government which has been established; that we have forborne until the cup was full to overflowing; and that further forbearance or submission on our part would have been both ruinous and degrading; and that it was due to the great cause of liberty, to ourselves, to our posterity, and to the free blood which I am proud to say, fills our veins, to resist and proclaim war against such acts of usurpation and oppression.

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

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

This object we expect to obtain, by a total separation from Mexico, as an independent community, a new republic, or by becoming a state of the United States. Texas would have

been satisfied to have been a state of the Mexican Confederation, and she made every constitutional effort in her power to become one. But that is no longer practicable, for that confederation no longer exists. One of the two alternatives above mentioned, therefore, is the only resource which the revolutionary government of Mexico has left her. Either will secure the liberties and prosperity of Texas, for either will secure to us the right of self-government over a country which we have redeemed from the wilderness, and conquered without any aid or protection whatever from the Mexican government, (for we never received any,) and which is clearly ours. Ours, by every principle on which original titles to countries are, and ever have been founded. We have explored and pioneered it, developed its resources, made it known to the world, and given to it a high and rapidly increasing value. The federal republic of Mexico had a constitutional right to participate generally in this value, but it had not, and cannot have any other; and this one has evidently been forfeited and destroyed by unconstitutional acts and usurpation, and by the total dissolution of the social compact. Consequently, the true and legal owners of Texas, the only legitimate sovereigns of that country, are the people of Texas.

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

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

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

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

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

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

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

"5th. That they hold it to be their right, during the disorganization of the federal

system, and the reign of despotism to withdraw from the union, to establish an independent government, or to adopt such measures as they may deem best calculated to protect their rights and liberties; but that they will continue faithful to the Mexican government so long as that nation is governed by the constitution and laws, that were framed for the government of the political association.

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

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

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

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

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

To show more strongly the absurdity of this charge of ingratitude made by the general government of Mexico, and of the pretended claims to liberality, which they set up, for having given fortunes in land to the settlers of Texas, it must be remembered, that with the exception of the first three hundred families, settled by myself, the general government have never granted or given one foot of land in Texas. The vacant land belonged to the state of Coahuila and Texas, so long as they remained united, and to Texas so soon as she was a state, separate from Coahuila. Since the adoption of the federal system in 1824, the general government have never had any power or authority whatever to grant, sell, or give any land in Texas, nor in any other state. This power was vested in the respective states. The lands of Texas have therefore been distributed by the state of Coahuila and Texas (with the exception of the three hundred families above mentioned) and not by the general

government, and, consequently, it is truly absurd for that government to assume any credit for an act in which it had no participation, and more especially when it has for years past thrown every obstacle in the way, to impede the progress of Texas, as is evident from the 11th article of the law of the 6th April, 1830, which absolutely prohibited the emigration to Texas of citizens of the United States; and many other acts of a similar nature-such as vexatious custom-house regulations, passports, and garrisoning the settled parts of the country where troops were not needed to protect it from the Indians, nor from any other enemy. It is therefore clear that if any credit for liberality is due, it is to the state government, and how far it is entitled to this credit, men of judgment must decide, with the knowledge of the fact that it sold the lands of Texas, at from thirty to fifty dollars per square league, Mexican measure, which is four thousand four hundred and twenty-eight acres English, and considered they were getting a high price and full value for it.

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

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

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

In order to make the position of Texas more clear to the world, a convention has been called to meet the first of March, and is no doubt, now in session, for the express purpose

of publishing a positive and unqualified declaration of independence, and organizing a permanent government. (4)

Under the declaration of 7th November, a provisional government has been organized, composed of an executive head or governor, a legislative council and a judiciary. A regular army has been formed, which is now on the western frontiers prepared to repel an invasion, should one be attempted. A naval force has been fitted out, which is sufficient to protect our coast. We have met the invading force that entered Texas in October, under Gen. Cos, and beaten him in every contest and skirmish, and driven every hostile soldier out of Texas. In San Antonio de Bexar, he was entrenched in strong fortifications, defended by heavy cannon, and a strong force of regular troops, greatly superior to ours in number, which was of undisciplined militia without any experienced officer. This place was besieged by the militia of Texas. The enemy was driven into his works; his provisions cut off, and the spirits and energies of his soldiers worn down, with the loss of only one man to the Texans, and the place was then taken by storm. A son of Kentucky, a noble and brave spirit from this land of liberty and of chivalry, led the storm. he conquered, and died, as such a spirit wished to die, in the cause of liberty, and in the arms of victory. Texas weeps for her Milam; Kentucky has cause to be proud of her son. His free spirit appeals to his countrymen to embark in the holy cause of liberty for which he died, and to avenge his death.

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

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

therefore repeat that we consider our resources sufficient to effect our independence against the Mexicans, who are disorganized and enfeebled by revolutions, and almost destitute of funds or credit.

Another interesting question which naturally occurs to every one is, what great benefits and advantages are to result to philanthropy and religion, or to the people of these United States from the emancipation of Texas? To this we reply, that ours is most truly and emphatically the cause of liberty, which is the cause of philanthropy, of religion, of mankind; for in its train follow freedom of conscience, pure morality, enterprise, the arts and sciences, all that is dear to the noble minded and the free, all that renders life precious. On this principle, the Greeks and the Poles, and all others who have struggled for liberty, have received the sympathies or aid of the people of the United States; on this principle the liberal party in priest-ridden Spain, is now receiving the aid of high-minded and free born Englishmen; on this same principle Texas expects to receive the sympathies and aid of their brethren, the people of the United States, and of the freemen of all nations. But the Greeks and the Poles are not parallel same with ours-they are not the sons and daughters of Anglo-Americans. We are. We look to this happy land as to a fond mother from whose bosom we have imbibed those great principles of liberty which are now nerving us, although comparatively few in numbers and weak in resources, to content against the whole Mexican nation in defence of our rights.

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

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

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

the tranquility of Louisiana and the neighbouring states.

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

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

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

FOOTNOTES

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

(2) See articles 166, 167, 168, 169 and 170 of the Mexican constitution. [Back](#)

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

(4) The declaration of independence was made on the 2d March. [Back](#)

19th Century Page	Texas Page	Avalon Home Page
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