

Exhibit 183

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:

**Chieftains of Mexican Independence, from:
Sons of Dewitt Colony Texas at the Texas A&M
website.**

This attestation is made on August 14, 1998.

Attest: 

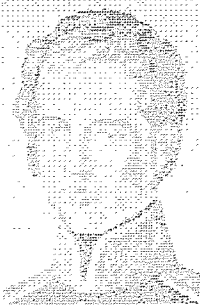






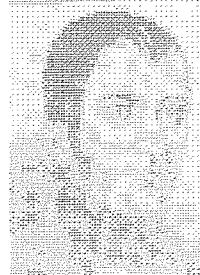

Maria Ann West
Witness to source and above signature

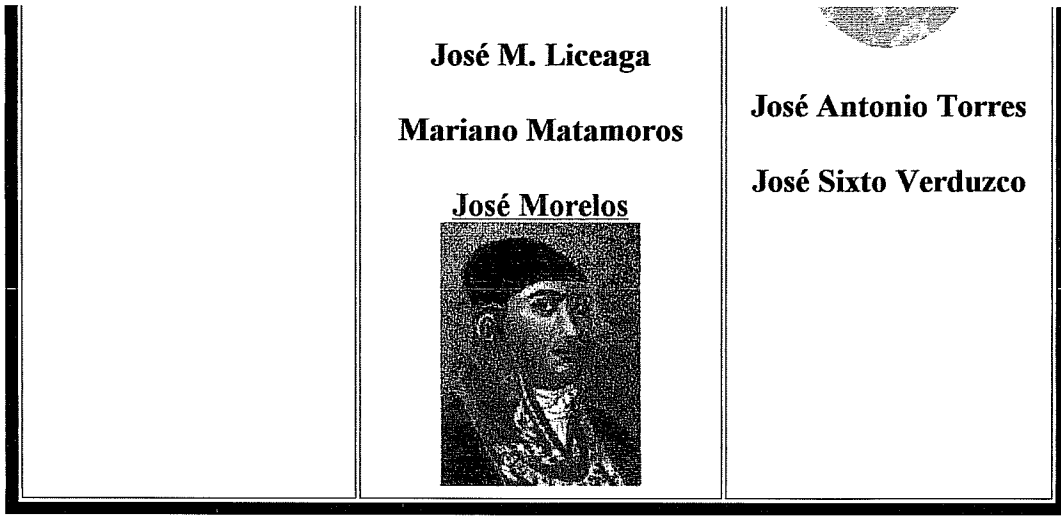
D. A. West
Witness to above signatures

Chieftains of Mexican Independence

"The Salvation of our country....do you hesitate to say that it is the purest of all causes?"--Vicente Guerrero

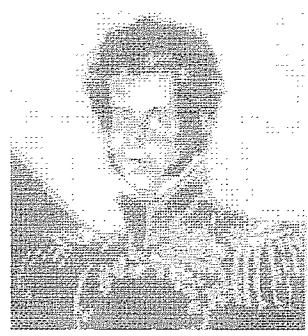
Personajes de la Independencia (in Spanish) | Presidentes de México (in Spanish)
Presidents of Mexico-Table

Mariano Abasolo	José Felix Fernández	Manuel Mier y Terán
Juan Aldama		
Ignacio Allende	Hermenegildo Galeana	Xavier Mina
	Albino Garcia	
Juan Alvarez	Vicente Guerrero	Francisco Osorno
<u>Peter (Pedro) E. Bean</u>		Ignacio Lopez Rayón
	Miguel Hidalgo	Ramón Rayón
Nicolás Bravo		Andres Quintana Roo
	Mariano Jimenez	Juan N. Rosains
Carlos M. Bustamente	<u>Juan Bautista Las Casas</u>	<u>Antonio Santa Anna</u>
José María Cos		



Coahuila y Texas Under President Vicente Guerrero

(From *Vicente Guerrero: Mexican Liberator: A Study in Patriotism* by William Forrest Sprague)



The removal of President Guerrero and his later capture and execution was a very important early event in the destruction of the dream of a Mexican Texas that would be the shining star example for a second democratic multi-racial republic on the American continent based on libertarian principles initiated by revolutionary American Creole chieftains. It was also the beginning of the destruction of hope for a democratic Republic of Mexico in the 19th century. It paved the way for the return to viceregalism and domination by racist, self-serving and corrupt Creole dictators who controlled the country through most of the period and held back the

development of the Mexican people to well into the 20th century--WLM

1. THE FEDERAL TARIFF AND COLONIZATION LAWS

Although Guerrero served in the revolutionary armies during the entire period of the struggle for independence, 1810-1821, none of his campaigns were in or near the province of Texas. When Moses Austin arrived in San Antonio in December, 1820, for the purpose of securing a grant of land, Guerrero was about to engage in his decisive struggle with Iturbide. At the date of the approval of the senior Austin's petition by the Spanish authorities, January 17, 1821, Iturbide had come to the conclusion that he could not defeat Guerrero and had entered into negotiations with the independent leader. These resulted in Guerrero embracing a proposal of Iturbide for the separation of Mexico from Spain, known as the Plan de Iguala. Moses Austin died on June 10, 1821, and while his son, Stephen Fuller Austin, proceeded at once to carry out the provisions of the grant and later brought in the specified three hundred families, the overthrow of the viceregal government in September of the same year rendered the validity of the grant questionable. Austin was therefore obliged to spend many months in Mexico City in order to prevail upon the officials of Iturbide to confirm his concession.

The colonization law passed by the *junta instituyente* was promulgated on January 4, 1823, and Austin's grant was confirmed by an imperial decree of February 18 of the same year. By that date, however, Guerrero, Bravo, Santa Anna, Echávarri, and other military leaders had deserted Iturbide, and Austin saw that another change in government was imminent. He waited until the *poder ejecutivo* had replaced the imperial regime of Iturbide, and then succeeded in having his cedula confirmed by the new executive board on April 14, 1823. Guerrero became one of the alternates of the *poder ejecutivo*

on July 3, 1823, and since the leadership of that body rotated, he was the president at the time when the law exempting Texas from the payment of tariff duties on imports for seven years was promulgated. The following is a translation of the decree:

The sovereign congress, taking into consideration the pitiful and deplorable state to which the hostilities of the barbarians have reduced the province of Texas, and in order to obviate in part the misery of the civilized inhabitants, has decided to declare that all goods of whatever class, national or foreign, that enter the province of Texas for consumption of the inhabitants, shall be free from duty for a period of seven years, dating from its publication in that capital. Therefore, we order the tribunals, justices, chiefs, and other authorities, civil, military and ecclesiastical, of every class and dignity, that they observe and have observed, comply, and execute this decree in all its parts. Have it understood and arrange for its printing, publication, and circulation. Mexico City, September 30, 1823. Vicente Guerrero, President José Mariano de Michelena Miguel Dominguez.

Austin petitioned the *poder ejecutivo* on October 1 of the same year for an additional cession of land to enable him to bring three hundred more families into Texas. He sent with this letter a statement explaining and qualifying his request. Nevertheless, the constituent congress had granted statehood to the formerly separated provinces of Coahuila and Texas on May 7, 1824. According to the federal colonization law, therefore, the request was one for the new state of Coahuila y Texas to consider. Whether the petition reached Mexico City before the *poder ejecutivo* had been succeeded by President Victoria, is not known. But Guerrero, acting for the plural executive, sent a copy of the request and explanatory statement of Austin to the authorities at Sattilo, the capital of Coahuila y Texas. This was probably Guerrero's last official act concerning Texas while he was a member of the *poder ejecutivo*, Guadalupe Victoria became the chief executive of Mexico on October 10, 1824, and Guerrero had no further official contact with Texas until he in turn became the president of the republic on April 1, 1829.

2. GUERRERO AND THE ATTEMPTS OF THE UNITED STATES TO BUY TEXAS

Perhaps no Mexican was more concerned over the desires of many Americans to acquire Texas than was Mr. H. G. Ward, the first British envoy to Mexico. He insisted that the United States government had attempted to obtain the cession of the province from both Iturbide and Victoria. When it was known that Guerrero would succeed the latter, Ward remarked: "*It is a matter of conjecture whether Guerrero will resist the temptation as his predecessors have done.*" The Englishman also stated that since Mexico could secure no more sums in Great Britain, her sole recourse would be to pledge Texas for a loan in the United States. Guerrero had been a member of the *poder ejecutivo* less than seven months when he was afforded an opportunity to become acquainted with the ambition of his country's northern neighbor to acquire the province of Texas. José Anastasio Torrens, representative of the Mexican government in Washington, reported on January 26, 1824, that the desire of the United States to obtain Texas was "*without limits.*" After John Quincy Adams became president on March 4, 1825, members of the Mexican congress and other prominent citizens had still graver apprehension regarding the designs of the Anglo-Americans, since it was known that both the president and his secretary of state, Henry Clay, desired to annex Texas. The American slave-holding interests saw in Texas an opportunity to maintain the "*balance of power,*" while homeseekers and land speculators looked upon the region between the Sabine River and the Rio Grande as an unrivaled field for their operations. Officials of the United States, however, offered these more urgent reasons for their desire to secure Texas:

- (1) The region would provide protection from the savage tribes of Indians for New

Orleans and the Mississippi Valley.

(2) Land was needed on which to settle the Indians that must be moved from the eastern states.

(3) The desirability of a natural boundary.

It is evident that Poinsett hoped to be able to secure the purchase of Texas through his friendship with Zavala and Guerrero. Having heard that Zavala refused the appointment as minister to the United States, Poinsett wrote to Clay: *"I was not sorry that he declined it; he is one of the most efficient leaders of the party friendly to the United States, the Yorkinos, and is more useful here than he would be in Washington."* In the same communication, Poinsett also made these interesting comments on Guerrero:

.....A man who is held up as ostensible head of the party, and who will be their candidate for the next presidency, is General Guerrero, one of the most distinguished chiefs of the revolution. Guerrero is uneducated, but possesses excellent natural talents, combined with great decision of character and undaunted courage. His violent temper renders him difficult to control, and therefore I consider Zavala's presence here indispensably necessary, as he possesses great influence over the general.

The United States had relinquished its rather dubious claim to Texas when it concluded the treaty with Spain in 1819. Nevertheless, since no boundary treaty had been concluded with Mexico, Poinsett, in 1827, was instructed to request the Mexican government to accept the Rio Grande, or some other line south of the Sabine River, as the frontier. For this concession, he was authorized to offer one million dollars. But rumors stating the United States had tendered much larger sums for the coveted area had been deeply resented by Mexicans generally; therefore Poinsett did not consider it wise to mention the actual proposal to the officials at Mexico City. Early in 1828 Poinsett reached the conclusion that he could make no progress toward concluding a commercial treaty with Mexico as long as he attempted to secure Texas for the United States. He therefore signed a boundary agreement on January 12, 1828, covenanting to accept the line of 1819. This obstacle removed, the commercial pact was concluded on the following February 14. Both treaties reached Washington on April 21, and soon received the ratification of the United States senate. But the Mexican senate refused to hasten their approval of the two agreements; they were still unratified when Guerrero became president. Poinsett remarked that: *"They will delay the dispatch as long as they possibly can, both in the expectation of creating an unfriendly feeling between the two countries, and of wearing out my patience."* The envoy reported to Van Buren on July 15, 1829 that Guerrero *"told me a few days ago that he was determined the plans of these men should not prevail."* In the same letter Poinsett declared Guerrero desired to call a special session of congress, and one of his objects was the ratification of the treaty of commerce and navigation. He called the houses together on August 4, 1829, but the national emergency resulting from the Spanish invasion precluded any opportunity to consider the approval of the treaties with the United States.

At about this time, President Jackson decided to attempt the acquisition of Texas. Outlining for Van Buren the instructions for Poinsett, Jackson expressed a willingness to pay five million dollars for the region of Texas to the *"great prairie or desert."* He desired to emphasize these reasons why the Mexican government should consent to sell Texas: The new boundary would be a natural one, the proceeds from the sale would help finance a defense against the Spaniards, possibilities of strife between citizens of the United States and Mexico would end, the problem of governing Texas would be removed, and finally, by agreeing to the proposal, Mexico could be *"worthy of that reciprocal spirit of friendship which should forever characterize the feelings of the two governments toward*

each other." Jackson must have been aware of the hostility of public sentiment in Mexico toward the proposed cession of Texas; likewise that any prudent government must necessarily act with deference for the wishes of the rank and file of its citizenry. A request for the transfer of Texas as a favor and as a means of promoting future amicable relations seems little short of startling. Jackson's petition, however, was not destined for presentation to the Guerrero administration. Poinsett's instructions from Van Buren, dated August 25, 1829, were to be taken to the Mexican capital by Jackson's friend, Colonel Anthony Butler. When Poinsett was recalled, Butler was directed to proceed to Mexico as his successor. Nevertheless, if the legation of the United States in Mexico City knew of Jackson's overture prior to the collapse of the Guerrero administration on December 23, 1829, it refrained from presenting it. The issue of *El Sol* on January 9, 1830 contained this article:

A few days before the departure of Mr. Poinsett from this capital, the American Colonel Butler arrived here, commissioned, it is said, by the government of Washington, to negotiate with ours for the cession of the province of Texas for five million dollars. Since we are not informed so far that the colonel has made any overtures on the subject, we presume that he does the new administration the justice to suppose it incapable of lending itself to a transaction as prejudicial and degrading to the republic, as it would be disgraceful to the minister who would subscribe to it. It may be said with virtual certainty, therefore, that Guerrero was not obliged to consider any plan for the relinquishment of Texas during his tenure in office. But the paper of Carlos María Bustamante, *Voz de la Patria*, charged Zavala, Guerrero's treasury minister, had considered requesting a loan from the United States for which Texas would be pledged as security. It was also asserted Guerrero planned to sell Texas to the United States for twelve million pesos, but Zavala denied that Guerrero ever entertained such an intention. Because Guerrero accepted the friendship of Poinsett, some of his compatriots assumed his willingness to cede a part of the Mexican national domain. In other words, the revolutionary hero might be said to have been the victim of American aggression. Bocanegra, whom there is every reason to regard as a reliable source, joined Zavala in refuting the allegation. Nor did the writer find among the personal papers of Mexico's second president, the slightest evidence that he had ventured to alienate any part of the country for whose freedom he fought the Spaniards for eleven years.

3. TEXAS AND THE ELECTION OF 1828

Since Austin's civil and military powers terminated on February 1, 1828, the outcome of the federalist-centralist controversy was certain to affect the future of the Anglo-American settlements. Under a federal regime, the colonists had more reason to hope for the continuation of the right to mold their local institutions after those they had known in the United States. It is not surprising, therefore, that the masonic lodge with federalist affiliations, the *yorkinos*, should obtain a foothold among the colonists. Austin assisted in the formation of a York Rite lodge at San Felipe in February, 1828. While the Texans were too far from Mexico City to permit their hearing all the campaign arguments, sentiment for Guerrero among them was strong. The legislature of Coahuila y Texas voted unanimously for Guerrero, and the candidate whom he had recommended as his running mate, Anastasio Bustamante. Austin received a brief account of the *Acordada* revolution, the flight of Gomez Pedraza, and the appointment of Guerrero as minister of war and marine from a letter of J. Antonio Padilla. Evidence as to the reaction of the people of Texas toward the revolution of the *Acordada* is conflicting. An editorial in the *Texas Gazette*, written by Austin, reads as follows:

It is notorious and publicly known to everyone who knows anything about the new settlers in Texas that they unanimously disapproved of the anticonstitutional and violent

measures at the Acordada and the acts of a similar nature in 1828, because they were unconstitutional . . .

On the other hand, Austin manifested no disapproval of the acts of Guerrero's partisans when he wrote:

The difficulties in Mexico are all settled. Guerrero is the President and Bustamante the vice president. Pedrasa's election was set aside by congress in the manner prescribed by the constitution on the ground of fraud and corruption . . .

While some interest in the election of 1828 was displayed by the Anglo-American settlers in Texas, it does not appear that the enthusiasm for either aspirant was intense. Most of the new residents were making an effort to become established in the country of their adoption, and were unacquainted with the personality of either Guerrero or Gomez Pedraza. Nevertheless, the years during which the successful candidate was to serve constituted a very important epoch in the history of Texas.

4. TEXAS AND THE GUERRERO REGIME TO SEPTEMBER 15, 1829

Since most of the clergy had opposed the election of Guerrero, Austin hoped that his administration would not be adverse to the adoption of a more liberal religious code for Texas, including permission to conduct family and neighborhood worship. The colonization grants stated that the settlers should embrace the Catholic faith. Guerrero's address to the country upon assuming the presidency, however, offered the Texans little hope for his countenancing such a change. In regard to religion he said:

..... The vow of fidelity to our native land which I now renew is meant to sustain the fundamental bases of the Constitution of 1824. One of these is the holy religion of Jesus Christ, which the nation professes, condemning fanaticism the same time that it does unbelief.

Guerrero's friend, Lorenzo de Zavala, obtained a grant of land in East Texas on March 6, 1829, on which he contracted to settle five hundred families. His entry into the Guerrero cabinet prevented him from giving the colonization project his immediate attention, but the merciless criticism to which he was subjected while serving as minister of hacienda, the cold reception accorded him during the visit to his native state of Yucatan in December, 1829, and the persecution suffered after the overthrow of the Guerrero administration were doubtless among the factors that caused him to decide to cast his lot with the people of Texas. Among Austin's activities was mapmaking, and in July, 1829, he sent President Guerrero a map of Texas through Minister of Hacienda Zavala. The following is a part of his letter to the cabinet officer:

..... I do this service to my adopted country with the desire of fulfilling my duty as a citizen and if by chance His Excellency the President sees fit to have the map engraved and published, I cede to the national Government all rights to the map which according to the law belong to me as the author. I inform you of this and ask that you kindly bring it to the attention of His Excellency the President. I ask that you permit me to take advantage of the occasion to present to His Excellency the President, and to you, my most profound respect and consideration

The map apparently was never published by the Mexican government at this time, one explanation being that when it reached Mexico City, the attention of Guerrero was engrossed with the landing of the Spanish expedition. When the governor of Coahuila y Texas received the news of the presence of

Spanish forces in the country, he ordered the militia of the state to prepare for a defense. Austin received the order through the departmental chief at San Antonio, and the measures taken by him are set forth in this letter:

You will perceive by the enclosed printed proclamation of his Excellency, the Governor, and the official letter of the Chief of Department, that the inveterate enemy of our republic has landed on the coast of Tamaulipas and that the Governor has ordered that the militia of the state should be placed in the best possible state for active operations. In cumlyance with this order, I have directed the Captains to muster their respective companies with the least possible delay and inspect them and return to the first adjutant a full statement of their force, arms, etc.

When the Mexican congress gave Guerrero dictatorial powers, the Texans disapproved of the act, according to the following part of an editorial in the Texas Gazette:

..... They (the people of Texas) disapproved of the extraordinary powers given to President Guerrero because they were unconstitutional and an usurpation of power in Congress to give him or any other man such facilities . . . they disapproved of the use made of those extra powers because unconstitutional acts were done under the pretense of this authority....

The people of Texas probably objected to the granting of extraordinary powers to Guerrero because the conflict with the Spaniards proved to be of such brief duration that emergency measures hardly seemed to have been necessary. The majority of the colonists, furthermore, were from the United States, where there was still much sentiment against acquisition of more power by any branch of the central government. Under the Constitution of 1824 the state of Coahuila y Texas enjoyed approximately the same powers as possessed by the states of the Anglo-American republic; these the newcomers were determined to retain. But the most important reason why the people of Texas objected to Guerrero's possession of war powers was that one of his decrees in exercise of this facility threatened them for a time with economic ruin by depriving the planters of their slave labor.

5. GUERRERO'S EDICT ABOLISHING SLAVERY

By the autumn of 1829 the free population of Texas was approximately twenty thousand, while the slaves numbered eleven hundred. Many Mexicans feared results unfavorable to them from the steady migration of Anglo-Americans into Texas. Among those apprehensive of the movement was José María Tornel. He was confident that it could be checked by emancipating the slaves who made possible the production of valuable crops. During the past three years Tornel had made several unsuccessful attempts to have the federal congress pass a law abolishing slavery. Seeing in the chief executive's war powers an opportunity to obtain the desired decree, he drew up the following document and secured for it the signature of the liberal and easily-convinced Guerrero:

The President of the United States of Mexico, know ye: That desiring to celebrate in the year of 1829 the anniversary of our independence with an act of justice and national beneficence, which might result in the benefit and support of a good, so highly to be appreciated, which might cement more and more the public tranquility, which might reinstate an unfortunate part of its inhabitants in the sacred rights which nature gave them, and which the nation protects by wise and just laws, in conformance with the 30th article of the constitutive act, in which the use of extraordinary powers are ceded to me, I have thought it proper to decree:

1st. Slavery is abolished in the republic.
2nd. Consequently, those who have been until now considered slaves are free.
3rd. When the circumstances of the treasury may permit, the owners of the slaves will be indemnified in the mode that the laws may provide. And in order that every part of this decree may be fully complied with, let it be printed, published, and circulated. Given at the Federal Palace of Mexico, the 15th of September, 1829. Vicente Guerrero To José María Bocanegra

The number of slaves in Mexico outside of Texas was negligible; hence, only in Texas would emancipation present an economic problem. A copy of the proclamation reached San Antonio on October 16. The departmental chief, Ramon Musquiz, withheld its publication and wrote to the governor of the state and asked that he request the exemption of Texas from the provisions of the edict. He emphasized the fact that the colonization laws had guaranteed the property rights of the immigrants and that the slaves had been considered such before entering Mexico. He also wrote a letter to Austin in which he notified him of the decree and requested his keeping the matter secret for a time. Nevertheless, the news of Guerrero's proclamation reached the alcalde of Nacogdoches. The local military commander, Colonel Piedras, wrote to his superior officer in San Antonio that he had been questioned by many people who wished to know if the rumor was authentic. The excited attitude of the people is well illustrated by this letter which Austin received:

Dear Sir: We have received by the last mail a Decree Given by the executive of our Government Liberating all the Slaves in its territory. I have so farr succeeded with the civil and Military othorities to suspend its publication and expose to the Governor the evil arrising from such law should it have effect. You no doubt have it before this and I doubt nott that you have taken Measures to Surpress it, in the Name of God, what Shall we do? For God's sake advise me on the subject by the return of mail. We are ruined for ever Should this measure be adopted. Yours, John Durst.

Austin replied that the people should remind the government of the property guarantee in the colonization laws and of the fact that the state constitution expressly recognized the right of property in slaves. He predicted that the people would "*defend it (the constitution) and with it their property.*" Thus the well-intentioned Guerrero provoked what was probably the first serious threat of revolt among the Anglo-American colonists of Texas. In the meantime, the governor of Coahuila y Texas, José María Viesca, acted upon the request of Musquiz and sent a letter to Mexico City asking that Texas be exempted from the decree of abolition. He said the petition would have been made even if the political chief had not requested it, since the development of the state depended in a large measure on Texas. He also expressed fear that the publication of the law would result in disturbances that the state could not well withstand. The governor was a brother of Guerrero's minister of relations, Agustín Viesca.

The latter obtained from Guerrero on December 2 gave the authority to allow the edict of emancipation to be inoperative in Texas. The text of the letter of the minister of relations illustrates the benevolent attitude of the Guerrero administration toward Texas:

Most Excellent Sir: His Excellency the President has been informed of the note of Your Excellency, No. 126 of the 14th of last month manifesting conformity with the exposition of the chief of Texas, which you forwarded. The serious inconvenience apprehended by the execution of the decree of the 15th of September last, on the subject of abolition of

slavery in that department and the fatal results to be expected, prejudicial to the tranquility and even to the political existence of the state, and having considered how necessary it is to protect in an efficacious manner the colonization of these immense lands of the republic, he has been pleased to accede to the solicitation of Your Excellency and declare the department of Texas excepted from the general disposition comprehended in said decree.

Austin was notified by Musquiz that the Texans might retain their slaves, and at about the same time he received similar advice from José Manuel Mier y Terain, the commandant general. Since this letter was dated November 20, twelve days earlier than the communication of the minister of relations to Governor Viesca, it appears that Guerrero may have learned from a source other than the governor that the decree had caused anxiety and agitation in Texas, and thought news of the revision could reach the settlements more quickly through the military authorities. In his reply to Mier y Terain, Austin said: *"I have the satisfaction to inform you that there was never the slightest break in the good order of this colony on account of the decree of September 15, because these inhabitants have placed the most blind confidence in the justice and good faith of the government...."*

A letter of Austin to his brother-in-law reveals the goodwill which he felt toward the Mexican administration of Texas up to that time. He said: *This is the most munificent government on earth to the emigrants---after being here one year you will oppose a change to Uncle Sam....*

Probably for fear that publication of Guerrero's decree would cause restlessness among the slaves, the newspapers of New Orleans did not print it. Translated copies, however, did appear in many of the journals of the border states, the Northeast, and Midwest---just at the time William Lloyd Garrison was starting his campaign for immediate emancipation of the slaves of the United States. Guerrero's proclamation, however, provided for eventual compensation to the former owners, while the famous Thirteenth Amendment to the American constitution and the Brazilian law of emancipation did not. The manifesto to end slavery is hardly an indication of Guerrero's desire to thrust a hardship upon the Anglo-American planters of Texas. The slaves to whom he conceived of according liberty were doubtless those whose servitude dated from the colonial period. The grant of freedom to this small group can well be considered the attainment of Guerrero's goal to *"perfect the work of liberation."*

6. THE EFFECT OF GUERRERO'S DEPOSITION UPON THE HISTORY OF TEXAS

By the time that the Texans received news that their holdings in slaves were secure as far as the Mexican government was concerned, the regime of Guerrero had passed into history. Austin's newspaper, commenting on his fall from power, said:

We have for our readers today translations of some further documents relative to the events in the capital of the country, and while we deeply deplore the necessity which existed for a check to the misguided proceedings of the Administration, we are happy to find that there exist patriots who, by their vigilance and firmness, are the safeguards of the Constitution. That one so eminently distinguished for his patriotism and who had made so many sacrifices for his country as General Guerrero should have been misled, we sincerely regret.....

A later editorial said: *.....They (the people of Texas) unanimously approved of the Plan de Jalapa and hailed it as a beam of salvation to rescue the nation from the impending horrors of anarchy and civil War.*

The news that reached Texas concerning the movements of Guerrero after he left office were almost entirely from sources that favored the party in power, as the following will indicate: "*Guerrero is making large offers of advancement to such as will join him, but they are only accepted by a few robbers and fugitives.*" Equally demonstrative of the prejudicial character of the news received about Guerrero, is this longer article: *We have received regular files of the Registro oficial up to the 22d of September. The general aspect of political affairs in Mexico is favorable and is evidently improving daily. The Guerrero party as a party seems to have ceased to exist. In the direction of Acapulco there is still some confusion and that section of the country appears to be suffering severely from the robberies of detached and irregular bands.*

Considering that such communications were forthcoming, it could not be expected that the people of Texas would lament the execution of the former president. Subsequent events, however, proved not only that the immigrants had lost a friend when Guerrero passed from the political scene, but also that an epoch in the history of the settlements had closed. From the confirmation of Austin's grant by the poder ejecutivo on April 14, 1823 to the overthrow of Guerrero, the government was controlled by veterans of the first period of the struggle for independence. Of those who served in the executive triumvirate of the provisional government, only Negrete had not aided the cause of independence before the announcement of the Plan de Iguala. Then followed the administrations of Victoria and Guerrero, both liberal, both federalists, and both irreconcilable foes of the viceroys. Their non-aggressive policy afforded the colonists ample opportunity for progress and self-assertion. When rumors of a revolt in Texas reached Kentucky in 1827, the editor of the Maysville Eagle declared [issue of February 28, 1827] that such a movement deserved little sympathy, because of the hospitality of the Mexicans. Had such a policy been extended, the majority of the Texans might never have sought independence. On the other hand, the generals who controlled Mexico for the six years following the downfall of Guerrero--Bustamante and later Santa Anna--were veterans of the viceregal army. Their rule clearly indicated a desire for a centralized form of government and the rescission of many of the inducements proffered to expedite the peopling of the fertile expanse in the northeastern section of the country. The removal of Guerrero, therefore, was a very important event in the history of Texas.

The Capture and Execution of Vicente Guerrero

The New Year's season [1831] witnessed two defeats for the troops opposing the [Bustamente] government. Codallos moved against Morelia late in December, but was turned back by the followers of Ignacio Inclán at the Hacienda de Loma on the 30th. Two pieces of artillery, powder, and arms were captured by the soldiers of the government. The army of Guerrero and Alvarez took positions between Chilpancingo and Tixtla in a group of hills known as "*El Molino*" on December 29. A battle with the better equipped and organized forces of Bravo began on the night of January 1, and lasted through a part of the following day. The first attack of the government army was repulsed, but following the second charge, the insurgents fled in disorder. In his report of the engagement, Bravo paid this tribute to the efforts of his friend of other years: "*Their resistance was admirable, they struggled with valor; at the end of four hours the result was still indecisive.....*" For some time following the encounter, rumors were persistent that Guerrero had met death in the struggle. Zavala remained in Texca for several days, making these entries in his journal:

During the first day (January 6) I awaited news of the fate of Señor Guerrero. On the second (January 7) at five o'clock in the afternoon I saw approaching the house where I

was lodging, a man dressed in wellworn blue trousers, a mulberry-colored cotton shirt, and a very old straw hat. He was mounted on a very thin brown mule; upon approaching he smilingly called me by name, and then I recognized him as General Guerrero. He told me something of the way in which he had escaped death.

Eleven years of fighting the armies of Spain had taught Guerrero to become very proficient in the art of making his escape after a serious defeat. But the battle of Chilpancingo, proved to be the last in which he demonstrated that skill; his enemies had devised a plot for his capture. He prepared to return to Acapulco, in spite of his friends' warnings that enemies there planned his destruction. He spent the 8th resting at Texca, and completed arrangements whereby Zavala would accompany his party to Acapulco. The group left Texca on January 9, arriving at the Pacific port two days later. There Guerrero conferred with Zavala and Primo Tapia, the deputy from the national congress who had come to seek a peace formula. Guerrero stated his terms for a settlement, and in the course of the negotiations, Tapia obtained three or four "*blank signatures*" from Guerrero. These were later used in the framing of his prosecution. Guerrero later informed Zavala that he had made arrangements with Picaluga whereby he could board the Colombo for the first part of the return journey to Jalisco. Zavala accepted the proposed itinerary, and the captain, with feigned graciousness, told the peace commissioner he would neither "*demand nor accept*" compensation for the passage. Since there was no suitable sailing wind on either the 12th or 13th, departure was postponed, but on the following day favorable conditions led to preparations for the sailing of the Colombo.

That morning (January 14) Guerrero made the following statement to Zavala: "*We shall not say farewell yet, because my friend Don Francisco Picaluga has invited me to take dinner on board, and in order to have the pleasure of accompanying the two Manuels, I have accepted.*" The party, including Guerrero, Zavala, Tapia, and Miguel de la Cruz, collector of the port of Acapulco, went out to the vessel in a small boat. As the general boarded the ship, Picaluga ordered its crew to fire the ship's guns as a salute in his honor. It was the last such mark of respect paid to the hero of the revolution during his lifetime. The Guerrero who had been alert to perceive treacherous moves by his avowed enemies, while remaining blindly trustful of those who appeared to be his friends, had at last walked into a trap. At twelve o'clock noon, rations of brandy were allotted to the crew, including the boatswain and pilot, and they retired to the hold for their mess. One hour later the captain served dinner to Guerrero and his aides, Tapia, Zavala, De la Cruz, and to Faccini, the ship's mate. A very quiet atmosphere prevailed during the meal, the captain had not as yet given any indication of hostility toward the former president. At about three o'clock Picaluga proposed that, following their coffee, the entire party go on deck for fresh air. Guerrero acquiesced, and the group left the cabin.

When Guerrero spoke of taking leave, the captain took no cognizance of his statement, but mentioned raising the other prow anchor. Finally Guerrero and De la Cruz determined to depart, and the rowers started down for the small boat of the customs house, which was tied with the launches of the Colombo. At this moment there appeared on deck a large number of men armed with swords, and commanded by a sub-lieutenant of the militia of Acapulco. They had been hiding in the hold and fore hatchway, and soon after reaching the deck they shouted: "*To land everybody.*" They proceeded to attack those who had accompanied Guerrero to the ship, and the advancing darkness of the late afternoon in January added to the confusion. The group sought to save themselves in the manner each considered most expedient. Tapia, Zavala's assistant, a servant and the rowers jumped into the water, while Zavala sought the starboard gangway, and armed himself with an entering rope. Guerrero asked Picaluga for an explanation of this strange turn of events, and the latter replied discourteously: "*Why what do you suppose, Señor General? The ship has been anchored for a very long time. Today she leaves for the open ocean. The crew has become intoxicated.*" Guerrero, however, felt deep concern

for the safety of those who had jumped overboard. He protested to the captain that five or six men should be left in jeopardy of drowning. Picaluga thereupon ordered the pilot to despatch two seamen in a small boat to rescue the struggling men. Hardly had they returned to the vessel, when the disorderly members of the crew and their confederates again displayed a menacing attitude. The captain then suggested that Guerrero and his party retire to the cabin while he quieted the disturbance among the crew. Expecting to be followed by the others, the former president acted upon the advice of Picaluga, and entered the doorway; there the conspirators fell upon him, making the arch foe of the Bustamante regime the ship's prisoner, and consummating one of the most sinister betrayals in history. Picaluga then ordered a hasty departure from the port.

Minister of War Facio had issued several orders to insure the delivery of Guerrero to his subordinates. A letter dated December 13 had been sent to the commandant at Oaxaca, Francisco García Conde, ordering him to despatch a part of the Fourth Regiment to Huatulco, for alleged purpose of seizing boats of the insurgents which might land at the port. In compliance with these instructions, Captain Miguel González left Oaxaca for Pacific harbor mentioned. General Bravo was directed to watch Alvarez closely, in order to prevent him from opening a campaign to aid the captured Guerrero. The Colombo reached Huatulco on January 20, and Guerrero was placed in the custody of González. The former president pleaded that on account of his family he be not executed. The march to Oaxaca began on January 26. The party admired the fund of knowledge possessed by Guerrero, all the more remarkable when his lack of a formal education was considered. Captain Gonzalez was particularly impressed with Guerrero's familiarity with the topography of the country through which they passed. The explanation for this acquaintance with the mountains and the valleys of southern Oaxaca is not difficult to find. During that same month eighteen years before, Guerrero had watched the Pacific ports of that region for Spanish ships with valuable cargoes. The expedition and their captive entered Oaxaca at four o'clock on the morning of February 3. That hour was chosen for the arrival to guard against any demonstration on behalf of Guerrero. by the residents of the city. The former president was confined in the Santo Domingo monastery during his trial. The first of the six principal charges against him was that he had personally directed the Acordada and the plunder that accompanied it. Guerrero replied that the movement had been started by Santa Anna, and that he entered the capital on December 3, 1828, for the purpose of endeavoring to conclude an armistice with Gomez Pedraza. Such a charge against the captured patriot, however, was certainly not justified. They were able to present no proof of his connection with that uprising, but could they have done so, the accusation still should have been ruled out of order, since all participants in the Acordada revolt had been pardoned by an act of congress. The second count was that after his deposition from the presidency, he had refused to abide by the decision of the congress, but had joined Alvarez and his forces in a rebellion against the government. Guerrero's defense was that he did not know of the legalization of the Plan de Jalapa by the congress w-Len he sought protection from assassins in the camp of the insurgents. He stated also that he spent most of the spring and summer of 1830 hiding in the mountains. That Guerrero had some affiliation with the insurgents there can be no doubt, but it was hardly just that his captors should take his life on such a pretext, since the leaders of the Jalisco and Montafio movements had been accorded clemency. The third charge was that after the battle of Texca he had ordered the shooting of several government officers who were marching under a grant of safe conduct given by Alvarez. This accusation was denied by Guerrero. The fourth misdemeanor alleged by the prosecution was that he had violated the terms of the surrender of Acapulco in October, 1830, and had deprived the federal forces of virtually all their clothing and personal property. He replied that the troops of Alvarez were the first to enter the port after the capitulation, and that they dispossessed the government soldiers to obtain redress for certain grievances. At no time during the eleven years of warfare against the Spaniards had Guerrero been criticized for breaking agreements with the enemy. The government offered no satisfactory proof that the former president personally could be blamed for

any excesses committed by insurgent detachments at either Texca or Acapulco.

His presence at the battle of Chilpancingo, January 1-2, 1831, was also employed to incriminate him. Guerrero explained that he accompanied the forces of Alvarez for the purpose of holding a conference with Primo Tapia, who had been sent by the government to negotiate with the insurgent leaders. As stated in the previous chapter, the revolutionary hero faced the charge of attempting to negotiate a loan from the United States for which Texas would be pledged as security. The evidence presented at the trial was so flimsy that its acceptance by the court cannot appear other than absurd. Guerrero, of course, gave an unqualified refutation of his complicity in such a scheme. The former president selected Francisco Cosío as his attorney, while Captain José María Llanes led the prosecution. The latter demanded a penalty of death at the conclusion of the proceedings, and the military group acting as judge rendered such a verdict on February 10. The court stated that the decision was in accordance with the law of September 27, 1823. This act had been signed by the doomed Guerrero during his tenure as a member of the poder ejecutivo. After the approval of the court's decree on the following day by the commandant general of Oaxaca, Joaquín Ramírez y Sesma, Guerrero was required to kneel while the death sentence was read to him. He was given an opportunity during the following two days to make religious preparations for his death in accordance with the Roman Catholic faith. Facilities were also provided for the preparation of his will. During the night of February 12-13, he was removed in brutal fashion from Oaxaca to the town of Cuilapa, two leagues away, where the execution was to be held. Early on the morning of the 14th, a handkerchief was placed over his eyes, and the patriot of the southern mountains was obliged to face the firing squad kneeling. The officer in command of the troops that took him from Huatulco to Oaxaca, Captain González, was also in charge of the detachment which ended his life. González, reported that the execution and burial had been completed by seven o'clock in the morning. History affords many examples of governments and powerful individuals attempting to rid themselves of much-feared opponents by taking their lives, only to result in the loss of their own authority and the enshrinement of their victims. In the same manner, the execution at Cuilapa contributed to the downfall of the Bustamante government and the Jalapa party and placed Guerrero's name among the martyrs for the liberal movement in Mexico.

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