

Exhibit 208

in the case of:

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

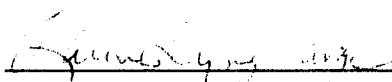
v.


**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:

Reconstruction, Texas Forces in The Civil War, The Civil War, and The Texan Republic Part 1, from the Texas Military Forces Museum website.

This attestation is made on August 18, 1998.

Attest: 


Witness to source and above signature


Witness to above signatures

*TEXAS MILITARY FORCES MUSEUM***Reconstruction**

Although they had fought bravely and determinedly for what they thought was right, the Texans, as did other citizens of the Confederate States, returned to their homes to face a problem even more complexing and discouraging than the ones on the battlefields. During the days of Reconstruction, Texans suffered an unjust fate, the same as their other Southern brothers, despite the attempts of some Federal officials to be just and to expedite the recovery of the South.

Under the plan of "reconstruction" which President Andrew Johnson unsuccessfully attempted to carry out in the Southern States, a constitutional convention met at Austin, and in April, 1866, completed its labors. On June 28, a general election was held at which James W. Throckmorton was elected governor. He was inaugurated in August, 1866, and on July 30, 1867, was removed by General P. H. Sheridan, Commander of the Fifth Military District with headquarters at New Orleans. From that date to February, 1870, Texas was under military rule, with provisional governors appointed by Army commanders and the State was without a legislative body. Naturally, under these conditions, volunteer organizations, unless allied with the Union authorities, were not permitted.

There was enacted during this period, though, a measure establishing the State Police under the command of the Adjutant General. This measure caused more general dissatisfaction during the administration of Governor Davis than any other. Some of the officers and many of the men of this force were without character and of unsavory reputation, while a number of the sergeants and privates were Negroes, who when armed and clothed with power were viewed by most Texans as

arrogant, domineering and vindictive. James Davidson, ex-United States officer of volunteers, was the commander of the force and Adjutant General. He later defaulted to the extent of \$30,000 and fled the State.



TEXAS MILITARY FORCES MUSEUM

Texas Forces In The Civil War

Confederate Forces

As nearly as can be ascertained, the following large number of organizations served the Confederate States during the Civil War:

First Lancers, First Speight's Infantry Battalion, First Battalion of Sharp-shooters, First Texas Rangers, First Cavalry Regiment of Arizona Brigade, First Indian Cavalry Regiment, First Regiment Partisan Rangers, First Cavalry Battalion, First Cavalry Battalion of Arizona Brigade, the First Regiment Heavy Artillery, the First Regiment Texas Mounted Riflemen, First Texas Cavalry Regiment (Buchel's), the Second Texas Infantry, the Second Texas Cavalry Regiment, Second Regiment of Arizona Brigade, Second Lancers, Second Texas Partisan Rangers, Second Infantry Battalion, Third Artillery Battalion, Third Lancers, Third Infantry Battalion, Third Cavalry Battalion of Arizona Brigade, the Third Texas Infantry Regiment, Third Texas Cavalry Regiment, Sixth Texas Cavalry Regiment, Ninth Texas Cavalry Regiment, Whitfield's Legion, Ross' Cavalry Brigade, Fourth Cavalry Regiment of Arizona Brigade.

Fourth Infantry Battalion, Fifth Regiment Partisan Rangers, Fifth (Hubbard's) Infantry Battalion, Sixth Cavalry Battalion, Sixth Infantry Regiment, Seventh Infantry Regiment, Seventh Infantry Battalion, Eighth Infantry Battalion (merged into Eighth Regiment), Eighth (Hobby's) Infantry Regiment, Ninth Battalion Partisan Rangers, Ninth (Nichols') Infantry Regiment, 10th Cavalry Battalion, 10th Cavalry Regiment, 10th Infantry Regiment, 11th Cavalry Regiment, 11th (Speight's) Cavalry and

Infantry Battalion, 12th Cavalry Regiment, 12th Infantry Regiment, 13th Infantry Regiment, 13th Cavalry Regiment, 14th Cavalry Battalion, 14th Cavalry Regiment, 14th Infantry Regiment, 15th Cavalry Regiment, 15th Infantry Regiment, 16th Cavalry Regiment, 16th Infantry Regiment, 17th Cavalry Regiment, 17th Infantry Regiment, 18th Cavalry Regiment, 18th Infantry Regiment, 19th Cavalry Regiment, 19th Infantry Regiment, 20th Infantry Regiment, 20th Cavalry Regiment, 21st Cavalry Regiment, 21st Texas Infantry, 22nd Cavalry Regiment (also called First Indian-Texas Regiment), 22nd Infantry Regiment, 23rd Cavalry Regiment, 24th Cavalry Regiment, 25th Cavalry Regiment, 26th Cavalry Regiment, 27th Cavalry Regiment, 28th-29th-30th-31st-32nd-33rd-34th-35th (Brown's)-35th (Likens')-36th Cavalry Regiments, Anderson's Cavalry Regiment, Border's Cavalry Regiment, Burn's Cavalry Battalion, Daly's Cavalry Battalion, De Bray's Battalion Texas Cavalry, Fulcrod's Cadets of Battalion Cavalry, Gano's Cavalry Battalion, Gidding's Cavalry Battalion, Herbert's Battalion of Arizona Brigade, Mann's Cavalry Regiment, Morgan's Cavalry Battalion, Mullen's Cavalry Battalion of Arizona Brigade, Ragsdale's Cavalry Battalion, Saufley's Scouting Battalion, Terrell's Cavalry Regiment, Terry's Cavalry Regiment, Wells' Cavalry Battalion, Wells' Cavalry Regiment, Waul's Legion, the Frontier Regiment of Texas Cavalry, and the following batteries of artillery -- Good-Douglas Christmas', Jones', Greer's Rocket, Dege's, Dashiell's, Teel's, Valverde, Pratt's, Howell's, Creuzbaur's, Fox's, Lee's, Gonzales', Neal's, Daniels', Wilson's, Gibson's, Krumbhaar's, Nichols', Shea's, Hughes', Moseley's, Haldeman's, McMahan's, Hynson's, Wilke's, Stafford's, Welhausen's, MacIn's, Abat's, Ruess', Marmimon's, Mechling's, Howe's and Edgar's.

Union Forces

For the Union Army, the following troops came

from Texas: the First Texas Cavalry Regiment, served along the coast of Texas whenever the Union Army was in possession, and whenever it left Texas, it returned to New Orleans and served in Louisiana; the Second Texas Cavalry Regiment, never fully organized; Vidal's Company Partisan Rangers, captained by Adrian I. Vidal was composed entirely of Mexicans, raised for the Confederate Army and, after serving several months in that army, deserted in a body to the Union Army; Hart's Cavalry Company, Martin D. Hart, Hunt County, raised this company in early part of the war and engaged in active partisan service as an independent company in Missouri and Arkansas, but Hart was captured by the Confederates, court-martialed and shot. On July 14, 1864, by order of Major General E. R. S. Canby at New Orleans, the Second and First Regiments were consolidated under the name of the First Texas Volunteer Cavalry.



*TEXAS MILITARY FORCES MUSEUM***The Civil War**

As in all other conflicts in which fighting manpower was needed, Texas furnished more than its share during the Civil War. The State was predominantly on the Confederate side and the majority of the men donned the grey uniform to fight for Jeff Davis.

The Secession Convention in February, 1861, commissioned Colonels John S. Ford and Henry E. McCulloch, both old Indian fighters and Rangers, to each enlist a regiment for border service for short periods, six or 12 months. McCulloch and Dalrymple's forces were consolidated and afterwards reorganized and enlisted for 12 months in the Confederate service as the First Texas Mounted Rifles.

This command was succeeded by an organization first known as the Frontier Regiment organized as State troops in 1862, and afterwards known as the 36th Texas Cavalry in the Confederate service. In the spring of 1864, Governor Murrah transferred the regiment to the Confederate service and it was sent to the coast. In 1863-64, another regiment was on the frontier commanded by Colonel James Bourland, which had several engagements with Indians. The last State troops on the northwestern frontier during the winter of 1864 and the spring of 1865 were some 200 men under Major John Henry Brown. This force was disbanded in May, 1865.

The number of troops furnished by the State of Texas to the Confederate Army included 45 regiments of cavalry, 23 regiments of infantry, 12 battalions of cavalry, four battalions of infantry, one regiment of heavy artillery and 30 batteries of light artillery, which passed beyond the control of the State authorities. Besides these, the State

maintained at its own expense, five regiments and four battalions of cavalry and four regiments and one battalion of infantry. Figuring on the usual allotment, this would give a total of 89,500 soldiers furnished out of an adult population of 120,000.

One full regiment and another partially recruited, with two or three independent companies, are all the regularly organized commands of Texans that were in the Union Army, but it is believed that half as many more left the State and joined organized commands from other States. The most conservative estimates place the whole number of Texans who served in the Union Army at 2,000.

The days of the Civil War in Texas were ones of confusion and struggle, filled with the ever present problem of keeping the ranks of the army filled with fighting men. Every exertion was made to fill the ranks of the army. Besides the men already in the field, Governor Lubbock, on July 26, 1861, called for 14 additional regiments. On November 29, General Magruder made a call for 10,000 more. At the close of Governor Lubbock's administration in 1863, the Adjutant General reported 90,000 Texans in the Confederate service, besides minute companies not then liable to duty at the front.

This showed that there were more Texas troops in the army than votes cast at any general election ever held in the State up to that time. By the close of 1861, most of the original Union men (who had not left the State) had joined the army or were otherwise engaged in the service of the Confederacy. They held that while they had opposed disunion as unnecessary and inexpedient their allegiance was due primarily to the State, and, it having withdrawn, it was their duty to acquiesce in its commands and fight for the success of the new Confederacy to which it had linked its fortunes.

Legislative action by both the State and the Confederate Union added to the general excited

conditions of the time. The legislature on January 13, 1862, passed a law providing that if any person within "this State should maliciously and advisedly discourage people from enlisting in the service of Texas or of the Confederate States or dispose the people to favor the enemy, every such person shall be deemed guilty of a high misdemeanor and on conviction thereof shall be punished by imprisonment in the penitentiary for not less than three years nor more than five years, at the discretion of the jury."

In 1862, a conscription law was passed by the Confederate States Congress. Under its provisions all males from 18 to 45 years of age were to be placed in the service, except ministers, state, city and county officers and certain slave owners. All persons holding 15 slaves, or over, were exempt. This provision gave rise to the saying that the struggle was the "rich man's war and the poor man's fight." It caused much discontent and severe criticism.

It was only natural that certain men should not want to go to war. One newspaper commented on this situation as follows: "William N. Hardeman, enrolling officer for Travis County, published in the Gazette the names of deserters. They were mostly young men of Union proclivities who had been conscripted and enrolled but had left the country to avoid service."

In another newspaper, a business man of Austin, subject to conscription, advertised that he would give \$1,000 for a substitute to take his place in the army. This is just a sample of how some men managed to escape actual fighting and remained at home.

But even at home, there were several military companies organized for duty, from time to time during the progress of the war. These companies performed such services as guarding prisoners, protecting the town and county, drilling recruits for

the regular army, etc. These companies were composed of elderly men, too old for active service in the field.

Most of these companies were mustered into the service of the Confederate States, subject to the orders of the commanding general of the Trans-Mississippi department. They were in the home service from their organization to the close of the war and were called on for special duties several times. They received no pay, receiving rations only.

The military spirit pervaded all classes and nearly everyone was attached to the service in some manner, either at home or in the field. Many, known to be Union men, joined these companies for various reasons. In fact, some of the most devoted of them went into active field service. With the vast majority of its adult population enlisted in the army, either in active or home service, the State of Texas was more or less a military camp during the Civil War.



THE TEXAN REPUBLIC Part I

Louis J. Wortham, *A HISTORY OF TEXAS: FROM WILDERNESS TO COMMONWEALTH*, Volume 4, Chapter LI,
Wortham-Molyneaux Company, Fort Worth, Texas 1924

WHILE the Texan agents in the United States, Great Britain and France were laboring to place the new republic within the family of nations, the task of creating a stable government was engaging the attention of the representatives of the people at home. The first congress had before it the duty of establishing all of the machinery of government provided for in the constitution, and it set about performing this task at its first session. The judiciary was organized, the post office department established, an official seal and national standard adopted, the seat of government designated and many other details attendant upon the setting up of a new national government were efficiently disposed of.

The constitution provided for four district judges and a chief justice, the five constituting a supreme court. James Collinworth was named chief justice, and Shelby Corzine, Benjamin C. Franklin, Robert W. Williamson and James W. Robinson were elected district judges for the first, second, third and fourth districts in the order named. Prosecuting attorneys for each district and county judges were also elected. The subdivisions of Texas under the Mexican regime were automatically abolished by the adoption of the constitution, and the old municipalities became counties. Within three months after the convening of the first congress the whole judicial system of the new republic was in operation.

The official seal adopted was slightly different from the present seal of the state of Texas, but its chief feature was the single star, as at present. The star dated back to the provisional government of Henry Smith, and an amusing story is told of its origin. At that time the fashion prevailed of wearing huge buttons on overcoats, and it is said that Governor Smith possessed an overcoat the buttons of which were decorated with a large star. When the provisional government was organized Smith, it is said, in lieu of any better seal, provided one by the simple process of cutting one of these buttons from his overcoat. The star of that overcoat button remains the seal of Texas to this day. The national standard adopted in 1836 was not that which is now familiarly known as the flag of Texas. It consisted of a single golden star in the center of an azure field. This flag was superseded in 1839 when the permanent standard—consisting of a white star in a blue vertical bar, with two horizontal bars of white and red was—adopted.

In designating the seat of government, the first congress started a controversy which lasted throughout the life of the republic, and gave rise to a sectionalism between the east and west which figured frequently in political contests. The town of Houston was founded near the San Jacinto battlefield, on a league of land purchased for that purpose by A. C. and J. K. Allen, shortly after the battle. This newly created municipality was officially designated the capital of the republic until the year 1840, when, it was provided, a permanent capital would be named. This action was resented by the people of the "west," by which was meant the section between the Brazos and the Colorado rivers. However, the seat of government was moved accordingly, and congress began its first called session in the new town on May 1, 1837, only a few days more than a year after the battle of San Jacinto.

The first congress provided also for the purchase of new vessels for the navy. This was important, for the vessels of the Mexican navy were making war on Texas commerce and attempting a blockade of Texas ports. The need of an adequate navy had been emphasized when William H. Wharton, while returning from Washington on the *Invincible*,

of the Texas navy, was captured and taken to Matamoros. However, vessels could not be obtained at once, and it was not until 1839 that those provided for by the first congress were delivered. Meantime, the old navy had ceased to exist, the vessels having been wrecked or captured. Incidentally, when John H. Wharton learned of his brother's capture, he obtained permission from President Houston to go to Matamoros to negotiate an exchange of prisoners. Taking thirty Mexican prisoners with him, he sailed to Matamoros and landed under a flag of truce. Instead of consenting to an exchange, the Mexicans placed John H. Wharton under arrest, with the result that both brothers were prisoners. Subsequently, however, both escaped and returned to Texas.

The problem of the army was a perplexing one. It was necessary to maintain a standing body of troops, for the danger of Mexican invasion was sufficiently real to require Texas to be in a position to repel it on the shortest notice. A constant stream of "volunteers" continued to come to Texas from the United States, however, and the result was that the force was kept at a greater strength than necessity required, and certainly greater than the country could afford to support. Indeed, the army itself had become a danger, for the inadequate support provided by the government created a condition calculated to promote mutiny and there was talk of unauthorized expeditions into Mexico. But to discharge any portion of the men entailed the expense of paying them, and the government was without funds for this purpose. In this situation President Houston fixed upon the device of granting furloughs to a large number, thus reducing the army considerably. Then an order was issued refusing to receive volunteers from the United States, unless they obtained passports from the Texas agent at New Orleans, and that official was instructed not to accept any unless they provided themselves, at their own expense, with good arms, clothing for six months and two months' rations. Even after these limitations were set upon the army, however, it was very expensive, and beyond the power of the new republic to support. It was one of the chief causes of the financial difficulties of the government.

These financial difficulties were very great indeed, and they presented a problem which perplexed the Texan statesmen throughout the period of independence. The Republic of Texas came into being at a time when conditions were as unfavorable as it was possible for them to be so far as financing the new government was concerned. A financial panic swept over the United States in 1837 and money could not be obtained even for enterprises offering more certain and quicker returns than that of underwriting an infant nation. When Houston became president he found the treasury empty and the republic burdened by a debt of a million and a quarter dollars. It was necessary to maintain the army and navy, and all the varied expenses incident to the establishment of a stable government had to be met. The only asset which Texas had was its vast public domain. The revenue that could be raised by taxation, whether on property or on commerce, was almost negligible. It was plain to all that money could be obtained only by loans and the sale of land. But Texas was so generous in granting lands to new settlers and to soldiers that there was no market for such land as the government sought to sell and, as the public domain was also the chief basis of the government's credit, there was no market for its securities. Moreover, land was about the cheapest thing to be had in the United States just at that time, for the panic had debased land values to a minimum. Texas was comparatively a wilderness, and when good land could be had in thickly settled sections of the United States almost for the asking, in the very nature of things Texas lands were rendered practically worthless. There were scarcely more than forty thousand people, excluding Indians, in Texas during the period of the new government's organization, and while immigration was increasing this number rapidly, it could not increase the sources of revenue as rapidly as it added to the expenses of the government.

No character of financial genius, therefore, could have solved the problem of financing the new republic in such a way as to be above criticism. That mistakes were made by the men who had attempted the task is not cause for wonder. It could hardly have been otherwise. The wonder is that there were not more mistakes, and that such loose financing as was done was due to inexperience and inefficiency rather than to cupidity.

The Texas congress, at its first session, did not fully appreciate the extreme difficulty of the problem. Its solution seemed simple. The future of Texas was assured and development would bring wealth. All that was necessary was to float a loan, secured by the public domain, until such time as adequate sources of revenue should be developed. There was much "big talk" at that first session about the future of Texas, and the great scheme known as the Texas Railroad, Navigation & Banking Company, in which many members of congress held stock, was characteristic of the spirit that prevailed. The only measure congress provided to meet the financial needs of the government, therefore, aside from passing a tariff law and authorizing the sale of land scrip through agents, was a bill directing the negotiation of a loan of five million dollars. This afforded no relief and by the time the special session convened on May 1, 1837, the government was in a condition of distress. The agents authorized to sell land scrip had made no reports and the commissioners who had gone to the United States to negotiate the loan had sent back such discouraging accounts of financial conditions that there was no hope of relief from that source. The army was almost in mutiny, not only because the soldiers had not been paid, but because they had been on scant rations for some time. Hardly anybody in the public service had received full pay, the revenue obtained from import duties being scarcely sufficient to defray the expense of collecting it. Something had to be done, and it was not surprising that the members of the Texas congress fell into the error of issuing notes, which would be acceptable in payment of all public dues. On June 7, 1837, therefore, congress passed a bill authorizing the issue of five hundred thousand dollars of such notes, bearing ten per cent interest and redeemable five years from the date of issuance. Ten days later a property tax of one-half of one per cent ad valorem and a system of occupation taxes were provided for, but as it was intended that the government notes would be receivable in payment of these and other taxes, they were partially nullified beforehand.

There was delay in issuing the notes, however, for congress had also provided that tariff duties must be paid in specie or the notes of solvent banks, and the secretary of the treasury contended that there was a conflict in the two measures. The government's embarrassment continued, therefore, until the second congress met in September. President Houston reported to that congress that "since the commencement of the present administration, during the first year there was at the disposition of the executive or in the treasury but five hundred dollars." He declared that the finances of the country from the beginning of the revolution had been "in a more embarrassed situation doubtless than any other nation ever experienced." To meet this situation, congress passed a joint resolution on October 23, 1837, directing that the notes be issued immediately. Thus it was that the Texas "red-backs," as the notes were called, came into being. The system then commenced was continued during the administration of Houston's successor. It ran the inevitable course of such systems. The notes passed at par for a while, but when the amount in circulation was increased by new issues they began to fall in value. In less than three years they declined to about twenty cents on the dollar, and during the fourth year they reached ten cents. Finally, when congress passed a law in January, 1842, providing that the notes would no longer be accepted by the government in payment of taxes and other public dues, the notes became practically worthless. A total of nearly five million dollars of these notes was issued before the final collapse. After that the government adopted the plan of issuing "exchequer bills," but because of the practical repudiation of the notes, these bills declined the first year to twenty-five cents on the dollar, in spite of the fact that there was never more than fifty thousand dollars of such bills in circulation at one time.

The five million dollar loan was never floated. The government entrusted to Gen. James Hamilton the task of negotiating this loan, but he did not succeed in placing it. He spent much time in Paris and London in connection with this mission and, though for a while it appeared certain he would succeed in floating the loan in France, the negotiations finally came to an end with charges of bad faith on both sides. Meantime the bonds, representing the total issue of five million dollars, were hypothecated as security for a loan of four hundred thousand dollars from the old Bank of the United States in

Philadelphia. This four hundred thousand dollars, and the money borrowed by Stephen F. Austin in 1836, making a total of less than a half million dollars in all, constituted the bonded indebtedness of the Republic of Texas. But the total public debt was in excess of nine million dollars before the republic ceased to exist.

More than half of this immense debt was incurred during the administration of President Lamar. Lamar has been blamed for this, for the increased expenditures during his regime were occasioned by his aggressive policy toward Mexico and the Indians, coupled with what might be called his "ambitious nationalism." However, there were extenuating circumstances which should weigh in Lamar's favor in passing judgment on him. Houston's attitude toward the Indians was conciliatory, and his policy with respect to the Mexicans was to let them alone, but events which occurred during the closing months of his first administration created widespread sentiment in favor of a more aggressive policy in both instances, and Lamar inherited this situation. Houston really had an easy time of it with the Mexicans. Mexico made no move to reconquer Texas during the two years following the battle of San Jacinto, for the government was too much occupied with other things. The Mexican treasury was empty, and France, Great Britain and the United States were all clamoring for the payment or adjustment of claims and other debts which had piled up during the first decade of Mexican independence. Besides there were the usual revolutionary disturbances in various sections of the Mexican republic, and while the attempt was made to maintain an army at Matamoros, and even to prepare another expedition into Texas, the need of troops to suppress such uprisings repeatedly postponed aggressive action. Indeed, so inactive was Mexico with respect to Texas that efforts were made to bring about formal peace by having Mexico recognize the independence of the new republic. One of these efforts to establish formal peace was initiated by Lamar early in his administration. France, in exasperation over the Mexican method of dealing with the claims of foreign nations, sent a fleet to Vera Cruz and proceeded to blockade that port. Believing it might be a good time to talk peace with Mexico, President Lamar dispatched a commission, headed by Bernard E. Bee, to the scene, to propose negotiations to that end. The Mexican authorities would not treat with Bee, however, and nothing came of his mission. Previous attempts to bring about peace had been made by Great Britain and France, but the efforts of the British and French ministers at the Mexican capital had been without results.

Mexico's trouble with France was finally settled, through the friendly offices of Great Britain, but not until after there was a skirmish between French and Mexican troops at Vera Cruz, the chief fruit of which was the reestablishment of Santa Anna in popular favor. Santa Anna lost a leg in the skirmish, but he capitalized the event so shrewdly that it might be truthfully said that he used that leg to make a long stride toward regaining the place he had occupied formerly as the absolute dictator of the Mexican nation.

These events served to engage the attention of the Mexicans sufficiently to preclude any formidable operations against Texas, and Houston had no trouble in maintaining the policy of letting them alone. The Indians still hoped to have the Texas government recognize the treaties the colonists had made with them during the revolution, guaranteeing them the possession of their lands, so that Houston's conciliatory policy toward them was carried out successfully during most of his first administration. However, during the closing months of his term a series of events began which led to the creation of a strong sentiment among the Texans for a more aggressive policy. General Filisola, who was in command of a Mexican force at Matamoros, had been intriguing for some time to incite the Indians and native Mexicans in Texas against the Anglo-American population. Through his agent, Manuel Flores, who also maintained headquarters at Matamoros, Filisola kept in constant touch with certain individuals in Texas who carried on an agitation among the Indians. As a result of these activities there occurred during the summer of 1838 an uprising of native Mexicans in the region around Nacogdoches, which was subsequently joined by a number of disgruntled Indians. This episode has been called the "Cordova rebellion," its leader being a Mexican named Vicente Cordova. For nearly ten months—from the beginning of August, 1838, to the middle of May, 1839—an armed band of about one hundred Mexicans and a contingent of Indian allies that at times

reached two hundred in number, terrorized the people of the northeastern, northwestern and western frontiers of Texas. General Rusk raised a force of volunteers and pursued Cordova and his band into the Cherokee country in August, but they made their escape, and spent the fall and winter along the upper Trinity and the Brazos among the Indians, urging them to commit depredations against the whites. Some of Cordova's followers and their Indian allies committed depredations in northeast Texas during the fall, however, and in October General Rusk and a force of volunteers attacked them at a Kickapoo village in the section which now comprises Anderson county and, after killing eleven of their number, dispersed the band.

Meantime, Filisola was succeeded at Matamoros by Gen. Valentino Canalizo, and the latter proceeded to work out a systematic plan for Cordova, Flores and other agents among the Indians to carry on a constant warfare against the settlers. But in March, 1839, Colonel Bureson and a party of hastily gathered volunteers from the territory around Bastrop, fought a battle near the town of Seguin with Cordova and his followers, in which several of the latter were killed, and Cordova was compelled to flee across the Rio Grande. Two months later Flores, who had come into Texas at the head of a party of some thirty Mexicans and Indians, evidently to confer with Cordova on the details of Canalizo's plan to incite the Indians, was overtaken by a body of seventeen rangers, under Lieut. James O. Rice, at a point west of the present city of Austin, and in the battle which followed the Mexican agent was killed. Papers found on his person revealed all the particulars of the plan which Canalizo, had formed to incite the Indians.

In addition to this trouble there were a number of Indian outrages during the latter part of 1838. American settlers were moving the frontier further to the west and north, and the Indians resented these "encroachments." In consequence there was a widespread demand for a more aggressive policy by the government against the Indians and, when it became known that the Mexican authorities had been inciting the savages, this created a strong sentiment for a different policy toward the Mexicans also. It was amid such conditions that Lamar succeeded Houston as president in December, 1839.

Mirabeau Bonaparte Lamar was one of the most remarkable of the many men of more than average ability who were attracted to Texas by the revolution. He was born at Louisville, Ga., on August 16, 1798. His ancestors were Huguenots who had migrated from France to North America during the previous century, and the fact that his parents should have named him in honor of Mirabeau and Napoleon Bonaparte indicates a strong nationalistic feeling as part of the family heritage. He had participated in the politics of Georgia, but with no marked success, and had been editor of a newspaper of pronounced free-trade and state's rights views. He visited Texas in 1835, after the revolution had started, and made public declaration at that time of his intention to settle in the country permanently. He returned to Georgia and was arranging his affairs so as to enable him to move to Texas when news was received of Santa Anna's invasion. He hurried his arrangements and arrived at Velasco in March, 1836, while Houston's army was still encamped on the Brazos. Being unable to obtain a conveyance he started on foot for the camp and, after enduring much hardship, reached the army before the retreat to Harrisburg was begun. He displayed such gallantry in action the day previous to the battle of San Jacinto that he was promoted to command the cavalry, with the rank of colonel, and served in that capacity with distinction during the battle. When Rusk retired from the cabinet of the provisional government to succeed Houston as commander in chief, Lamar became Burnet's secretary of war. Later he was appointed commander in chief to succeed Rusk but because the soldiers of the army felt that their wishes had been disregarded in the appointment, he gracefully withdrew. He was then elected vice-president of the republic, in spite of the fact that it was well known that he did not favor annexation to the United States and, as presiding officer of the senate, was a sort of leader of the opposition during Houston's first administration. The constitutional inhibition prevented Houston from succeeding himself and Lamar was elected president by almost a unanimous vote. David G. Burnet was elected vice-president. Lamar's original cabinet was composed of Bernard E. Bee, secretary of state; Albert Sidney Johnston, secretary of war; Memucan Hunt, secretary of the navy; Richard G. Dunlap, secretary of the treasury,

and Charles Waltrous, attorney general. Lamar was too ill to attend the public inauguration of the new administration, which was held on December 10, 1838, and his address was read by his secretary. His health was precarious during the whole period of his term as president, but he gave himself with unstinted zeal to the service of the country.

In his first message to congress Lamar recommended the adoption of a more aggressive policy toward the Indians and even suggested taking the offensive in dealing with Mexico. "As long as we continue to exhibit our mercy without showing our strength," he said, "so long will the Indians continue to bloody the tomahawk and move onward in the work of rapacity and slaughter." With respect to Mexico he said that, while the first desire for a just and honorable peace should be met with alacrity, "we should compel a more active prosecution of the war." "If peace can only be obtained by the sword," he declared, "let the sword do its work." Lamar expressed impatience with the policy which seemed to recognize a right of the Cherokee and other Indians who had migrated from the United States to possess lands in Texas. The government of Mexico had never granted them such a right, and the treaties made with them by the provisional government during the revolution in Texas had never been ratified by any competent authority in the Texas republic. The government had no legal responsibility to give land to those Indians and was under no moral obligation to them, he declared.

"I would respectfully offer," said Lamar, "the following suggestions: That there be established, as early as practicable, a line of military posts, competent to the protection of our frontier from incursions of the wandering tribes that infest our borders; and that all intercourse between them and our citizens be made under the eye and subject to the control of the government. In order to allay the apprehensions of the friendly tribes, and prevent any collision between them and our citizens, I would recommend that each Indian family be permitted to enjoy such improvements as they occupy, together with a suitable portion of land, without interruption or annoyance, so long as they choose to remain upon it, and shall deport themselves in a friendly manner, being subordinate to our laws in all criminal matters and in matters of contract to the authorized agents of the government. To this end, the appointment of suitable agents to reside among the located tribes would be necessary, whose duty it should be to keep up a vigilant espionage, cultivate friendly relations and, so far as practicable, prevent all causes of interruption and collision between the Indians and our own people. Commissioners might be appointed to make treaties to this effect with such tribes as are disposed to peace and friendship, while those who reject the terms should be viewed as enemies, and treated accordingly. These gratuitous and liberal concessions, on our part, are perhaps due to the regard which we all entertain for peace. If, unhappily, they should be found inadequate to secure that desirable object, and the Indians shall persist in their extravagant demands and resolve upon war, then let them feel that there are terrors also in the enmity of the white man and that the blood of our wives and children cannot be shed without a righteous retribution."

In view of this extensive program, Lamar recommended the strengthening of the army and the navy and the more extensive organization of the militia.

Where the money for all this was to come from was not very clear. Lamar characteristically confessed that he had not time to inquire into the fiscal affairs of the country, and he admitted that he had little hope for the success of the negotiations for the five million dollar loan. He was unable, he said, to recommend a reduction of the taxes and the tariff. The development of the country would soon put the government in an easy condition, he said, and he made no specific recommendations with respect to the raising of revenue. But he did recommend the organization of a bank, to be owned and operated by the government. Such a bank could be made safe, he thought, by pledging the public lands and the faith of the government in support of its credit, and by an adequate deposit of specie. He did not indicate where the specie for this "adequate deposit" could be obtained, which would have been especially pertinent in view of the fact that most of the banks in the United States had stopped specie payments at that time. There was very little actual money of any kind in Texas, and the government's treasury notes were

accepted as currency only at a heavy discount.

Congress, however, was in thorough sympathy with Lamar's views with respect to the Indians, for public sentiment at the moment was demanding an aggressive policy, and events served to keep this sentiment alive. On the very day the president's message was delivered a bill was passed providing for the organization of a regiment of eight hundred and forty men for the protection of the frontier. To meet the expense of such an organization, an issue of three hundred thousand dollars in promissory notes was authorized. A few days later provision was made for eight companies of mounted volunteers, and seventy-five thousand dollars more was appropriated. Three additional companies were voted later and on January 24, 1839, a million dollars—in promissory notes, of course—was appropriated for protection of the northern and western frontiers.

The government was just working out the preliminaries toward putting this program into effect when the papers found on the body of Flores disclosed the extensive plans which General Canalizo had formed to incite the Indians, especially the Cherokees, to make war on the Texans. The papers implicated some of the Cherokee chiefs and Lamar decided that in punishment the Cherokees should be banished from Texas. The vanguard of these Indians, it will be remembered, had come to Texas from the territory of the United States just about the time that Stephen Austin conducted his first settlers across the Sabine. They had sent representatives to the Mexican capital to obtain a grant of land, and had received very little satisfaction. They had then joined Hayden Edwards in the revolt known as the Fredonian war, on the promise that if the revolt was successful all of the northern part of Texas would be theirs. Stephen Austin and Saucedo had induced them to abandon Edwards and had promised them that the Mexican government would put them in possession of lands. But there had been delays and postponements and nothing had been done. Then when the colonists took up arms against the Mexicans, and their neutrality was important, Sam Houston and John Forbes, as the duly accredited representatives of the provisional government of Texas, had made treaties with them, promising them lands in return for their neutrality. They had kept their part of that compact faithfully, but the senate of the Republic of Texas had refused to ratify the treaties. It was hardly remarkable, therefore, that they gave ear to the promises of the Mexican agents, who again offered them lands if they would join in a move against the Texans.

But Lamar decided that they must leave Texas, where they had resided as long as the Americans themselves. Whether this policy was wise or not, it should be noted that the proposal to eject the Cherokees was in line with Lamar's major policy of "laying the foundations of a great empire." It was part of his "ambitious nationalism." Lamar was opposed to the annexation of Texas to the United States from the first. He had dreams of another great independent republic, side by side with the United States, which ultimately would stretch from the Gulf of Mexico to the Pacific. He looked forward to the time when both New Mexico and California, which were still parts of Mexico, would be incorporated in this new republic. The key to Lamar's whole course as president of the Republic of Texas lies in this. He did not conceive his task as that of establishing stable and economical government within the settled sections of Texas. He conceived himself in the role of an empire-builder, and as laying the foundations of a new nation which would one day rival the United States in area, population and wealth. If the current of history had been different—if Texas had never been annexed to the United States, and if New Mexico and California had finally been annexed by Texas instead—the people of the nation which would have resulted would today honor Lamar probably as the greatest man in that nation's history. For certainly no other man of equal talents during this period had such vaulting dreams.

Anson Jones, who, after his return to Texas from Washington, served in the senate during Lamar's administration, took the president and his cabinet to task on the scale of their operations. He told Lamar that it was a great fault to think and act as a great nation when, in point of fact, Texas was as yet but "a first-rate county." He pointed out that there were counties in the United States that were ahead of Texas in wealth and production, and

suggested that in following Lamar's policies Texas might "realize the fable of the frog and the ox—and burst." But this sort of talk could not affect Lamar, who regarded all who held to such opinions as lacking in vision. The truth is, it should be said in passing, that few men had a clearer vision of the realities with respect both to the then existing conditions of Texas and to its future than did Anson Jones. And the analogy used by Jones was strikingly to the point. A great part of the problems which the Texas government had to meet and solve daily were not very different from those of a large and populous county. But it was characteristic of Lamar's temperament that he was not nearly so much interested in those problems as in the task of "laying the foundation of a great empire." How this attitude was regarded by Jones, who was not personally unfriendly to Lamar at this time, may be judged from the following entry in Jones's memorandum book, dated August 14, 1839:

"General Lamar may mean well—I am not disposed to impugn his motives—he has fine belles-lettres talents, and is an elegant writer. But his mind is altogether of a dreamy, poetic order, a sort of political troubadour and crusader, and wholly unfit by habit or education for the active duties and the every-day realities of his present station. Texas is too small for a man of such wild, visionary 'vaulting ambition'."

This judgment may have been a little severe. But certainly Lamar's temperament did not fit him for executive office, and his talents were chiefly forensic in character. And certain it is also that his conception of himself in relation to the "great nation that was to be" affected everything he did in governing the struggling infant republic that in actual fact existed. There can be no doubt that it colored his view of the proper course to pursue with respect to the Cherokees. In order to build the great nation of the future the frontier must be pushed back continually. The lands of the Cherokees should be opened to colonization and civilization should take the place of the rude barbarism of the savages. Instead of endeavoring to have an understanding with the Cherokees over their negotiations with the Mexicans and to establish peace with them, Lamar decided that they must leave Texas. And, in spite of the empty treasury and the fast declining treasury notes, he proposed to purchase their improvements and pay for their other losses, if they would leave the country peaceably.

The Cherokees refused to go. They felt they had a right in the country, and to the lands which they had been cultivating for years. For it must be noted that the Cherokees were a semi-civilized race, and lived by agriculture and stock-raising, rather than by hunting. They believed they had as good a right in the country as the Americans. So they refused to comply with Lamar's proposal. However, when the commissioners appointed by Lamar met the chiefs in council, the latter pretended to agree to the terms. They said they would quit the country for a consideration, but after the chiefs had left the place at which the council was held and returned to their villages, it was discovered that this was merely a play for time, and that the Cherokees were gathering their forces for the purpose of resisting. Chief Bowles, the leading chief of the Cherokees, was discovered two days after the council to be retreating with his warriors to form a junction with reinforcements. Two companies of regulars and two of volunteers, under the command of Edward Burleson, then commander in chief of the Texas army, had been previously sent to the place of meeting, and a body of East Texas militia, under General Rusk, was also on hand. When the purpose of the Indians to resist was discovered, the Texans, with Burleson in command, started in pursuit. On July 17, 1839, a decisive battle was fought at a point on the Neches, near the Indian village, in what is now Cherokee county. The Indians were defeated and Chief Bowles was killed. The survivors fled from the battlefield and ultimately quitted the country.

In passing it should be said that Sam Houston, who had become a member of congress after retiring from the presidency, introduced a bill reserving the Cherokee lands from settlement, and providing that they be held as a support of the public credit. He advocated this measure with such eloquence and so effectively argued against "turning the land over to the speculators" that it was passed by a decisive vote.

During the next year Lamar turned his attention to the Comanches, who had been committing depredations in the west and carrying off prisoners. On March 19, 1840, the so-called "council house fight," in which twelve Comanche chiefs were killed, occurred at San Antonio. The chiefs had come by appointment to discuss a treaty, and had been told to bring with them all the prisoners in their possession. Instead of complying they brought only one prisoner, a little girl, though it was known there were many others. The chiefs were then informed that they would be held as hostages until the other prisoners were delivered up. One attempted to escape and, when challenged by a sentry at the door, drew his knife. He was shot down and instantly the other chiefs drew their knives and began a desperate struggle for their liberty. Efforts to disarm and pacify them failed, and the Texans were compelled to use their rifles. All of the twelve chiefs were killed. In a fight with the force of warriors who accompanied the chiefs to San Antonio, the Texans killed thirty-five more of the Indians. Seven Americans were killed and eight wounded.

The Comanches then went on the warpath, but in August they were decisively defeated by a force of Texas regulars under Gen. Felix Huston in a battle at Plum creek, near Gonzales. In October the same year an expedition under Col. John H. Moore destroyed the main Comanche village on the upper Colorado and killed more than a hundred warriors. A more or less constant war with the Indians was kept up during the whole of Lamar's administration, and when Houston became president again in 1841, a number of Indian prisoners, mostly women and children, were in the hands of the Texans, while the Indians held several white prisoners. Houston restored the policy of conciliation without delay, and it proved very successful. It is probable that Lamar's aggressive policy contributed to some extent to Houston's success in keeping the Indians quiet during his second administration, for the savages were glad to welcome peace. But Lamar's policy was very costly and was counted by his critics as among the extravagances of his regime. It has been pointed out that in the entire five years of his two terms as president, Houston spent only \$294,092 in dealing with the Indians, whereas Lamar's Indian expenses amounted to more than two and a half million dollars in three years. In other words, Lamar spent in three years more than eight times as much as Houston spent in five.

Houston's method of dealing with Indians is strikingly illustrated by the texts of his letters to the various chiefs from time to time. The letter he wrote the border chiefs when he set about reestablishing peace at the beginning of his second term is characteristic. "The path between us has been red," he wrote, "and the blood of our people remains on the ground. Trouble has been upon us. Our people have sorrowed for their kindred who have been slain. The red men have come upon us, and have slain and taken our people. We found them and slew them, and have their women and children. They are with us and are kindly treated. Our people by you have been sold; and those with you are held in suffering. This is all bad, and trouble must be while we are at war. I learn that the red friends want peace; and our hand is now white, and shall not be stained with blood. Let our red brothers say this, and we will smoke the pipe of peace. Chiefs should make peace. I send counselors to give my talk. Listen to them. They will tell you the truth. Wise chiefs will open their ears and hear—you shall have peace; and your people who are prisoners shall be given up to you on the Brazos, when the council shall meet there. You must bring all the prisoners which you have of ours. You shall trade with our people at new trading houses, and no harm shall be done to you or your people. If you are friendly and keep peace with us, your women and children shall not be harmed. You shall come to our council house, and no one shall raise a hand against you. Let the tomahawk be buried, and let the pipe of peace be handed round the council of friends. I will not forget this talk—nor my people." Houston always addressed the Indians as "friends" or "brothers, and always inscribed himself "Your brother." Few white men have ever had so much influence over Indians as Houston possessed.

Another measure of Lamar's, which was in keeping with his frontier policy and his "ambitious nationalism," was the founding of the town of Austin and the removal of the seat of government from Houston to that place. The law making Houston the capital provided that it should remain the seat of government until 1840, at which time a

permanent seat of government should be located. With the approach of the time fixed for the designation of a permanent capital the question became one of great public concern. The people of Houston, of course, desired that the temporary location should be made permanent, but every ambitious town in the republic, which had any chance at all of capturing the prize, was opposed to this. There was an overwhelming sentiment, therefore, against leaving the capital at Houston. But there was a decided division between the "east" and the "west." Very naturally, however, there was no unanimity among the people of either section about locating the seat of government in any particular town, but each section insisted that it should not be located in any town in the other section. Characteristically, Lamar sided with the advocates of a western capital, for his larger vision of an empire stretching to the Pacific comprehended all of Texas, of course, and he expected the broad prairies of the west to be settled in the not distant future. The permanent capital should be near the center of population, and in a few years, he held, that center would be in the neighborhood of the then existing frontier. It was just like Lamar to think chiefly of the future. But it was not possible to obtain agreement among the towns of what was then called the west fixing upon one particular town. Consequently it was decided to build an entirely new town and to locate it on the frontier.

The opponents of this program, among whom was Sam Houston, pointed out that the capital ought to serve the present as well as the future, and that it should be located nearer to the existing center of population. Moreover, the seat of government should be at a point that would insure greater protection of the archives of the government and would not expose the government to the danger of interruption of business or capture in the event of invasion. The frontier was no place for the capital, they argued, but the advocates of the frontier, through a coalition of the entire west and much of the center of the settled section of Texas, won the day. It was held that locating the capital on the frontier would afford greater protection to the thinly settled sections, and the protection of the frontier was the popular political slogan of the moment.

Accordingly, a bill was passed in January, 1839, providing for the naming of a commission, to be composed of five members, to select the location and purchase land for a townsite. The bill provided that the site must be within the territory between the Brazos and the Colorado and north of the old San Antonio road, which crossed the Colorado at the present town of Bastrop. The commissioners should be named by a joint vote of the two houses of congress, and after they had purchased the site, an agent, appointed by the president, should lay off the town and erect the public buildings. This program was carried out without delay. Albert C. Horton of Matagorda, Isaac W. Burton of Houston county, William Meniffee of Colorado, Isaac Campbell of San Augustine, and Louis P. Cooke of Brazoria were elected commissioners to select and purchase the site. On April 15, 1839, these commissioners reported to President Lamar that they had purchased 7,135 acres of land on the east bank of the Colorado river, near the foothills of the Colorado mountains, where a start had already been made to found the town of Waterloo. The consideration paid for this land was twenty-one thousand dollars in treasury notes.

President Lamar promptly appointed Edwin Waller as the agent to establish the town. The site was almost a complete wilderness, only two families, those of Harrell and Hornsby, residing on the land. There were no settlements north of it on the Colorado, and the nearest communities to the northeast on the Brazos were sixty miles away. San Antonio was eighty-four miles to the southwest, with no settlements between, and there were only a few families on the Colorado between the site and the town of Bastrop. Waller laid off the land in lots and streets and selected a site for the public buildings. The lots were then sold at auction, and soon that wilderness was the scene of intense activity. Lumber was transported from Bastrop, thirty-five miles away, and carpenters and laborers were set to work building a town. Within six months after the site was selected the town was a reality. It consisted of a large board building for the meetings of congress, a two-story frame "President's mansion," a number of board hotels or taverns, and log houses for the departments and for residences. These were supplemented by a number of tents and other temporary places of abode. The new capital, in accordance with the law creating it,

was named Austin, in honor of Stephen Fuller Austin, the "father of Texas," and on the first Monday in November, 1839, the fourth congress of the Republic of Texas began its sessions there. By that time it was a community of about fifteen hundred people.

Those of his contemporaries who were disposed to criticize Lamar as a visionary dreamer, counted the placing of the capital at Austin as among his sins. But the passing of time has vindicated his vision, for the only criticism that is likely to be heard today about the location of the capital is that it is too far east instead of west. Lamar's habit of giving chief emphasis to the future proved to be a happy circumstance in this instance, in spite of the fact that Houston, during his second term, seized upon the first excuse that offered to move the seat of government back to the town of Houston.

Another instance in which time abundantly vindicated Lamar's habit of "considering the future" was his insistence upon the importance of setting aside part of the public domain as an endowment of public education. Indeed, in this, respect he was far ahead of his contemporaries. Public free schools were then a novelty in most of the states of the United States, and in many of them the advocacy of education of all children at the expense of the public was regarded as extreme radicalism. Lamar, who was a great admirer of Thomas Jefferson, had imbibed from him a zeal for education similar to that which had led Jefferson to regard as a greater honor the fact that he had founded the University of Virginia than that he had been president of the United States. He urged upon congress, therefore, the importance of education as an adjunct of free government, and very wisely pointed to the public domain as the best means through which to insure it.

"If we desire to establish a republican government upon a broad and permanent basis," he said, "it will be our duty to adopt a comprehensive and well-regulated system of mental and moral culture. Education is a subject in which every citizen and especially every parent feels a deep and lively concern. It is one in which no jarring interests are involved, and no acrimonious political feelings excited; for its benefits are so universal that all parties can unite in advancing it. It is admitted by all that the cultivated mind is the guardian genius of democracy and, while guided and controlled by virtue, is the noblest attribute of man. It is the only dictator that freemen acknowledge and the only security that freemen desire. The influence of education in the moral world, as in the physical, renders luminous what was before obscure. It opens a wide field for the exercise and improvement of all the faculties of man, and imparts vigor and clearness to those important truths in the science of government, as well as of morals, which would otherwise be lost in the darkness of ignorance. Without its aids how perilous and insufficient would be the deliberations of a government like ours! How ignoble and useless its legislation for all the purposes of happiness! How fragile and insecure its liberties! War would be conducted without the science necessary to secure success, and its bitterness and calamities would be unrelieved by the ameliorating circumstances which the improved condition of man has imparted to it. Peace would be joyless, because its train would be unattended by that civilization and refinement which alone can give zest to social and domestic enjoyments; and how shall we protect our rights if we do not comprehend them? And can we comprehend them unless we acquire a knowledge of the past and present condition of things, and practice the habit of enlightened reflection? Cultivation is necessary to the supply of rich intellectual and moral fruits, as are the labors of the husbandman to bring forth the valuable productions of the earth.

"But it would be superfluous to offer to this honorable congress any extended argument to enforce the practical importance of this subject. I feel fully assured that it will, in that liberal spirit of improvement which pervades the social world, lose not the auspicious opportunity to provide for literary instructions, with an influence commensurate with our future destinies. To patronize the general diffusion of knowledge, industry and charity, has been near to the heart of the good and wise of all nations, while the ambitious and the ignorant would fain have threatened a policy so pure and laudable. But the rich domes and spires of edifices consecrated to these objects, which are continually increasing in numbers, throwing their scenic splendor over civilization and attesting the patriotism of their founders, show that this unhallowed purpose has not been accomplished. Our young

republic has been formed by a Spartan spirit. Let it progress and ripen into Roman firmness and Athenian gracefulness and wisdom. Let those names which have been inscribed on the standard of her national glory be found also on the pages of her history, associated with that profound and enlightened policy which is to make our country a bright link in that chain of free states which will some day encircle and unite in harmony the American continent. Thus, and thus only, will true glory be perfected; and our nation, which has sprung from the harsh trump of war, be matured into the refinements and tranquil happiness of peace.

"Let me, therefore, urge upon you, gentlemen, not to postpone the matter too long. The present is a propitious moment to lay the foundation of a great moral and intellectual edifice, which will in after ages be hailed as the chief ornament and blessing of Texas. A suitable appropriation of lands to the purpose of general education can be made at this time, without inconvenience to the government or the people; but defer it until the public domain shall have passed from our hands, and the uneducated youths of Texas will constitute the living monuments of our neglect and remissness."

Congress was impressed by Lamar's proposal, and on January 26, 1839, passed a law providing that three leagues of land should be set aside in each county for the support of primary schools or academies. Where there was not sufficient good land in a county, it was provided that public land elsewhere in the republic should be assigned to that county for this purpose. This allotment of land was increased the following year to four leagues for each county, and at the same time provision was made fixing a minimum educational standard for teachers. This latter measure provided that all teachers must obtain certificates, and ability to teach reading, writing, English grammar, arithmetic and geography was required of all applicants. Thus were the foundations of the school system of Texas laid.

It was Lamar's dream that the great nation which Texas was destined to be in the future should be composed of self-reliant, independent and enlightened citizens. Moreover, he desired that it should be a nation of home-owners. There was land for all, and the founding of a home required only the willingness to labor. On the same day that the bill was passed appropriating land for education, it was also provided that every immigrant family that arrived during the ensuing year should be entitled to a headright of six hundred and forty acres. Then, in order to protect every family in the republic in the possession of a home, congress passed a homestead law. This law provided that there was reserved to every citizen or head of a family in the republic, "free and independent of the power of a writ of *feri facias* or other execution issuing from any court of competent jurisdiction whatever," the following property:

"Fifty acres of land or one town lot, including his or her homestead and improvements not exceeding five hundred dollars in value; all household and kitchen furniture (provided it does not exceed in value two hundred dollars); all implements of husbandry (provided they shall not exceed fifty dollars in value); all tools, apparatus, and books belonging to the trade or profession of any citizen; five milch cows, one yoke of work oxen or one horse, twenty hogs, and one year's provisions."

The law provided also that "all laws or parts of laws contravening or opposing the provisions of this act be and they are hereby repealed; provided, the passage of this act shall not interfere with contracts between parties heretofore made."

This appears to have been the first "homestead law" ever passed in any country. When it is considered that in so enlightened a country as Great Britain imprisonment for debt was still in vogue at the time this act was passed in the Republic of Texas, its progressive character is given striking emphasis. The present "homestead law" of Texas, it should be said, is of a more sweeping character, and most of the evils which are complained of today as being the fruit of its operation are due largely to the elaborations which have been added to this original statute. In the colonial period and under the republic Texas became in a very true sense a "land of beginning again," and such measures as the

homestead law were the natural product of the spirit which prevailed. Men went to Texas in those days to make a new start in life and many thousands succeeded in doing this in a marked degree. The record of their achievements, could it be compiled, would constitute an inspiring narrative.

Museum Menu | History Menu | Part II