

The Texas Constitution: The People, History, and Government of the Lone Star State

Unit 1: Early Texas History, Migration and Immigration, and the Constitutions of Texas

Unit 1 provides the foundations for understanding the current Texas Constitution and state government and politics. It examines the early explorations, settlements, and disputes over Texas land; migration and immigration to the state; and the state's constitutions, political culture, and major participants that have impacted Texas government.

Chapter 1

Early Explorations, Settlements, and Disputes over Texas Land, 1519 - 1836

Chapter 1 discusses early Texas history. It focuses on various explorations, treaties and agreements concerning Texas land and attempts by a number of individuals to liberate Texas from Spanish rule. Upon completing the chapter, you should be able to demonstrate knowledge about:

- Early Spanish and French explorations of Texas
- The names of key individuals and the contributions they made to early Texas history
- Treaties and agreements entered into concerning Texas land
- Attempts to liberate Texas from Spanish rule
- The importance of Austin's Colony

Spain, France, and Early Exploration and Settlement of Texas

The history of Texas is a very long one with human settlements tracing back at least 11,000 years before the arrival of Europeans. By the time the first European, **Alonso Alvarez de Pineda** of Spain, arrived in present-day Texas in 1519 and explored and mapped the Texas coastline, Native American populations had long occupied lands from the Texas Gulf Coast to the Panhandle, and from the Piney Woods of East Texas to the barren plains of the south and west. Native American tribes such as the Karankawa, Caddo, Apache, Comanche, Wichita, Coahuiltecan, Neches, Tonkawa, and many others had established themselves as hunters, food gatherers, traders, artisans, and healers.¹

¹ "American Indians: A story told for thousands of years," *The Story of Texas (online)*, The Bullock Museum, <http://www.thestoryoftexas.com/discover/campfire-stories/native-americans>.

Pineda's exploration of the Texas Gulf Coast was followed in 1528 by Cabeza de Vaca. After becoming shipwrecked on a sandbar off present-day Galveston Island, De Vaca's exploration team including **Esteban** (also referred to in historical accounts as "Estevanico"), the first known African to arrive in Texas, was promptly enslaved by the native people of the area, the Karankawa Indians. Esteban's rudimentary medical knowledge and gift for languages increased his influence over the Karankawa, and after eight years he was released and set off to Mexico City to find *Cibola*, the "Seven Cities of Gold".² De Vaca's exploration team was followed by Francisco Coronado who from 1540 to 1542 led an expedition across Mexico into what is now northern Texas. Coronado's expedition mapped northern Texas and for a time the explorer resided in Palo Duro Canyon near present-day Amarillo and Canyon.³

The 17th and 18th centuries were an era of both Spanish and French exploration of Texas. France laid claim to Texas with the settlement of present-day Matagorda Bay by La Salle in 1685,⁴ and further explorations were made by St. Denis who in the early 1700s made expeditions up the Red River, and La Harpe who in 1718 established a trading post among the Caddo Indians in present-day Red River County.

The Wild and Wonderful Women of Texas: "Angelina" (birth unknown; death unknown)

"**Angelina**," the Christian name given at baptism to a Native American woman, was educated by Spanish friars at the Mission of San Juan Bautista on the Rio Grande River. She spoke Spanish as well as several Indian languages, and served as a translator for Luis Juchereau de St. Denis during his travels in East Texas. In 1718 and 1719, Angelina served as translator for an expedition that founded the Alamo and the city of San Antonio de Bexar. She is the only woman to have a Texas river, county, and national forest named for her.⁵

² Birzer, Dedra McDonald, "Esteban (? - 1539)," *BlackPast.org: An Online Reference Guide to African American History*. <http://www.blackpast.org/gah/esteban-1539>.

³ David Donoghue, "Coronado Expedition," *The Handbook of Texas Online*, Texas State Historical Association, <https://tshaonline.org/handbook/online/articles/upcpt>.

⁴ Weddle, Robert S., "La Salle's Texas Settlement," *The Handbook of Texas Online*, Texas State Historical Association, <https://tshaonline.org/handbook/online/articles/uel07>.

⁵ "Angelina," *Women in Texas History: Ruthe Wingarten Memorial Foundation for Texas Women's History*, <http://www.womenintexashistory.org/bios>.

In response to increasing French activity and incursion, the Spanish viceroy in Mexico City prepared to establish colonies in Texas. The first official Spanish settlements were established in 1716 (present-day Nacogdoches); 1718 (present-day San Antonio); and 1721 (La Bahia near present-day Goliad).⁶ Colonization by Spanish explorers and missionaries continued throughout the 1740s and 1750s to include both banks of the Rio Grande River in the areas surrounding present-day Laredo.⁷ Although France officially abandoned its claims to Texas in 1762 with the signing of the Treaty of Fontainebleau, settlement attempts continued to be made by French individuals such as the pirate Jean Lafitte who in 1817 set up a “republic” on Galveston Island as a base from which to conduct smuggling and privateering activities; and the Napoleonic exiled General Charles Lallemand, who in 1818 established a settlement on the Trinity River near present-day Liberty.

For the Record: Jean Lafitte (1780?-1825?)

Jean Lafitte was born in Bayonne, France, to a French father and a Spanish mother. The family migrated from France to the island of Hispaniola but then fled during a rebellion on the island. Jean and his brother, Pierre, arrived in New Orleans around 1804, and by 1808 were heavily involved in the smuggling trade. The brothers held shares in many privateers that sailed the Gulf and the Caribbean, and the privateers brought their prizes to the Lafitte brothers at Barataria, a village on the outskirts of New Orleans in present-day Jefferson Parish.⁸

The British asked Lafitte for his help during the War of 1812, but he rejected the offer and sided with the United States in hopes of gaining a pardon for his illegal activities. He supplied the United States with men, weapons, and his knowledge of the region to help secure Andrew Jackson an overwhelming victory at the Battle of New Orleans (1814-1815).⁹ Lafitte was not the only “scallywag” involved in Jackson’s war. Using court records, vessel registries, and

⁶ Arnolde De León, Arnolde, “Mexican Americans,” *The Handbook of Texas Online*, Texas State Historical Association, <https://tshaonline.org/handbook/online/articles/pqmue>.

⁷ Ibid.

⁸ Interestingly, the name “Barataria” derives from a fictional isle that was awarded by some noblemen to Sancho Panza as part of prank in Part II of Cervantes’ *Don Quixote*, published in 1615. http://www.online-literature.com/cervantes/don_quixote/.

⁹ Harris Gaylord Warren, “Lafitte, Jean,” *The Handbook of Texas Online*, Texas State Historical Association, <https://tshaonline.org/handbook/online/articles/fla12>.

letters of marque, the National Archives at Atlanta recently documented over 200 cases of privateering and its accompanying “prizes of war” during the War of 1812.¹⁰

Schemers in New Orleans led by Louis Michel Aury sought to open a port on the Texas coast that would serve as a haven for privateers and a base for an attack against Texas. Aury arrived in Galveston in July 1816, and was joined by the Mexican rebel José Manuel de Herrera on a mission to constitute Galveston as a *puerto habilitado* of the Mexican republic. In the meantime, Jean Laffite was sent to Galveston as an agent in the Spanish secret service. There, Lafitte organized a government for Galveston and swore its allegiance to Mexico. In a plot to capture Aury, Laffite’s brother succeeded in causing so many of Aury’s men to desert that Aury left the island. Laffite secured the island republic in September 1817, and made it a center for smuggling and privateering.

The brothers made quite a team with the more adventurous and conniving Jean handling the matters of their privateering business and the more capable Pierre managing intrigues with Spanish officials and the brothers’ business arrangements in New Orleans. After almost three years of running the “Pirate Republic” of Galveston, it became clear to the Laffite brothers that Spain would no longer support them, and that the United States was determined to end their Galveston establishment. The Laffites abandoned Galveston in May 1820 and sailed to Isla Mujeres, off the coast of Yucatán. There, Jean continued his illegal activities. He died around 1825.¹¹

The Treaty of Fontainebleau (1762), the Louisiana Purchase (1803), and Disputes over Texas Land

The Treaty of Fontainebleau is rarely discussed in Texas government textbooks but deserves mention because of its impact on later political and historical events in Texas history. First, the treaty was signed after Great Britain defeated France in the Seven Years’ War. The treaty ceded to Spain all territory west of the Mississippi River including the “Isle of Orleans” (New Orleans). While Spain was not a direct participant in the Seven Years’ War, Great Britain’s gift to Spain was an attempt to strengthen ties and develop an alliance with Spain against France.¹² But, in the three decades following the signing of the treaty, the French military leader Napoleon Bonaparte took hold of Europe, and Spain again renewed its alliance with France. The two countries entered into a series of treaties that

¹⁰ Bell, Shane, “The War of 1812: Privateers, Plunder, & Profiteering,” The National Archives at Atlanta, June 3, 2013. <https://text-message.blogs.archives.gov/2013/06/03/the-war-of-1812-privateers-plunder-profiteering/>.

¹¹ Harris Gaylord Warren, “Lafitte, Jean,” *The Handbook of Texas Online*, Texas State Historical Association, <https://tshaonline.org/handbook/online/articles/fla12>.

¹² Paul E. Hoffman, *A History of Louisiana before 1813* (Baton Rouge: Louisiana State University Bookstore, 1996), p. 90.

included Spain returning Louisiana and the Isle of Orleans to France, and France in turn ceding to Spain parts of Tuscany (an area that would be then granted to the King of Spain's son-in-law).¹³

The United States was unaware Spain had returned Louisiana to France. When French officials closed the Port of New Orleans to American citizens and forbade trade, President Thomas Jefferson sent his Minister to France, Robert Livingston, and future United States President James Monroe to negotiate a deal. The result of the negotiations was the **Louisiana Purchase of 1803** in which the United States paid just over twelve million dollars for 828,000 square miles of land known as the Louisiana Territory. The Louisiana Purchase infuriated Spain, which in turn filed a protest against France for selling Louisiana to the United States. But a "deal was a deal" and even though Spain had originally ceded the Isle of Orleans and present-day Louisiana to France, the country had no authority to undo the purchase agreement between the United States and France.¹⁴

The Louisiana Purchase did not specify the exact boundaries of the land the United States gained in the purchase. (The Lewis and Clark expedition did not begin until the following year.) Old French maps had, however, charted the area from West Florida along the Gulf Coast into present day Alabama, Mississippi and Louisiana, and the United States claimed the entire area.¹⁵ Spain disputed the United States' claim of ownership of the area since the Louisiana Purchase did not define the exact parameters of the land the United States had purchased, and many individuals saw the area – particularly that of present-day east and central Texas – as essentially "up for grabs." Among the individuals ready to take up arms and lay claim to the land were the Mexican revolutionary Bernardo Gutierrez and U. S. Army officer Augustus Magee. In 1812, the **Gutierrez-Magee Expedition** led a filibustering campaign to liberate Texas from Spanish rule. The expedition first assembled near Natchitoches, Louisiana. Armed with a militia of about 130 men, the expedition crossed the Sabine River, entered Nacogdoches, and continued to travel into present-day

¹³ "Treaty of San Ildefonso," *The Napoleon Series*, http://www.napoleon-series.org/research/government/diplomatic/c_ildefonso.html.

¹⁴ Greenspan, Jesse, "Eight Things You May Not Know about the Louisiana Purchase," *History in the Headlines*, The History Channel, April 30, 2013, <http://www.history.com/news/8-things-you-may-not-know-about-the-louisiana-purchase>.

¹⁵ Ibid.

central Texas. After successfully seizing Presido La Bahia (near present-day Goliad), the expedition grew to a force of about 800 men and surged west into San Antonio. On March 29, 1813, the revolutionaries defeated a Spanish royalist army in the Battle of Rosillo. The battle was followed by a rapid series of bungled plots, allegiances, and alliances, and the Spanish army firmly defeated the revolutionaries five months later in the Battle of Medina. Among those fighting for Spain in both the Battle of Rosillo and the Battle of Medina was a young Spanish lieutenant named **Antonio Lopez de Santa Anna**. Santa Anna was cited for bravery at the Battle of Medina and quickly rose through the ranks of the Spanish army.

The Gutierrez-Magee Expedition lasted only about a year but it reinforced the idea that complete peace in Texas could not be restored.¹⁶ Unrest and invasion continued for the next six years despite the fact that the question of “ownership” of Texas was settled by the **Adams-Onis Treaty of 1819**. The Adams-Onis Treaty clearly established the Sabine River as the boundary between the United States and Spain and granted all of Florida to the United States and all of Texas to Spain. The treaty did not quell the desires of some individuals to “liberate” Texas. On June 8, 1819, a group of 120 Anglo fighters led by Eli Harris crossed the Sabine River and traveled on to Nacogdoches to meet up with James Long, a Natchez, Mississippi merchant and doctor. The troops established a provisional government, or “Supreme Council”, in Nacogdoches, and declared Long its chief. The Council then proclaimed Galveston a port of entry; authorized the construction of a fort at Point Bolivar; and declared Jean Laffite governor of the Bolivar Peninsula and Galveston Island. By July, Long had enlisted more than 300 men under his command and appealed to Laffite for assistance. When both Laffite and the Supreme Council in Nacogdoches failed to deliver aid, Long fled to Point Bolivar where he established his headquarters and attempted to reorganize his forces. Spain quickly called out troops to put down the **Long Expedition**, and Long and fifty-two men left Point Bolivar and traveled inland in hopes of capturing La Bahia. At La Bahia, Spanish forces soundly defeated the expedition and Long was taken prisoner, sent to Mexico City, and later shot and killed by a prison guard.¹⁷

¹⁶ Warren, Harris Gaylord, “Gutierrez-Magee Expedition,” *The Texas Handbook Online*, Texas State Historical Society, <https://tshaonline.org/handbook/online>.

¹⁷ Warren, Harris Gaylord, “Long Expedition,” *The Texas Handbook Online*, Texas State Historical Society, <https://tshaonline.org/handbook/online/articles/qyl01>.

The Wild and Wonderful Women of Texas: Jane Wilkinson Long (1798 – 1880) and “Kian” (birth unknown; death unknown)

Jane Long, the wife of James Long (the Long Expedition), traveled from Natchez, Mississippi, to Nacogdoches with her two children and **Kian**, a slave girl (whose birth name, birthdate, and family are unknown). The group then traveled from Nacogdoches to Point Bolivar to join Jane’s husband at his military fort. They arrived at Point Bolivar in 1821. Soon after their arrival on Bolivar, Long left his pregnant wife, their surviving daughter (one child died alone the way), and 12-year-old Kian on the peninsula to continue his military activities.

The three females remained at Point Bolivar – alone – after all others had left, and together survived a severe winter with little food or protection. Jane gave birth in the deep cold of December with only young Kian to assist in the delivery. Somehow, Kian was able to find enough food to keep the women alive.¹⁸ In 1822, Jane received word that her husband had died, and when the child she had delivered with Kian’s help also died, Jane, her surviving daughter (Ann), and Kian left Point Bolivar and travelled to San Antonio, then back to Natchez, then back to Texas.

In 1827, Jane became a member of Austin’s Colony and received land in present-day Waller County.¹⁹ Together the women opened a boarding house near present-day Brazoria, and Jane subsequently secured another tract of land near present-day Richmond. There, Jane and Kian (Ann had since married) developed a plantation, raised cattle, and grew cotton.²⁰ Jane Long thereby became one of Texas’ first Anglo women business entrepreneurs.

It is reported that Jane Long was courted by Texas patriots Sam Houston, Mirabeau B. Lamar, and Ben Milam. Her life might have been made “more comfortable” by marriage given the harsh Texas climate of the 1830s; however, she refused to “settle” and some historical accounts claim Long broke Milam’s heart because she refused to remarry.²¹

Kian remained with Jane after emancipation and upon her death (date unknown), Kian’s granddaughter, also named Kian, came to live with Jane. Jane died in 1880.²² Kian’s descendants were reported in the 1900 U.S. Census to be living in the Richmond area²³ but no subsequent accounts are recorded.

Austin’s Colony (1821 – 1836)

¹⁸ <http://www.rootsweb.ancestry.com>.

¹⁹ Ibid.

²⁰ <http://www.womenintexashistory.org/bios>.

²¹ Rice, Harvey and Claudia Feldman, “Texas pioneer Jane Long gave birth in brutal winter, defended fort,” *Beaumont Enterprise*, <http://www.beaumontenterprise.com/news/article/Texas-pioneer-Jane-Long-gave-birth-in-brutal-9231609.php>.

²² Ibid.

²³ Ibid.

The Long Expedition and the Gutierrez-Magee Expedition failed to secure Texas independence from Spain. But, some Anglo-Americans continued to hold an interest in Texas regardless of whether the United States or Spain controlled the area. The first person to obtain official permission to bring Anglo-American settlers into Spanish Texas was **Moses Austin**. A Connecticut-born Philadelphia dry-goods business owner, Austin extended his business to Richmond, Virginia, and in 1789 secured a contract to roof the Virginia state capitol in lead. When both his Philadelphia and Virginia businesses began to fail, Austin looked toward the rumored lead deposits in Spanish Upper Louisiana and began developing a plan to settle an Anglo-American colony in Spanish Texas. Austin traveled to San Antonio, and upon his arrival in 1820 was treated to a dinner meeting hosted by the Spanish governor. As fate would have it, Austin recognized at the meeting the **Baron de Bastrop** whom Austin had met almost twenty years earlier in New Orleans. Bastrop, a native of Louisiana,²⁴ had since settled in San Antonio and gained significant prestige among the city's residents and Spanish officials. When Bastrop heard the enthusiasm with which Austin spoke of his colonization plan, he worked on Austin's behalf to secure permission for him to establish the colony. On December 26, 1820, Spanish Governor Martínez endorsed and forwarded Moses Austin's colonization plan to higher authorities in Spain.²⁵

For the Record: Baron de Bastrop (1759 – 1827)

Barron de Bastrop was born Philip Hendrik Nering Bögel in Paramaribo, Dutch Guiana, on November 23, 1759. He moved to Holland with his parents in 1764, and in 1779 enlisted in the cavalry of Holland and Upper Issel. He was later appointed tax collector of the region. In 1793, Bogel was accused of embezzling tax funds, fled Holland, and adopted the title "Baron de Bastrop." Bastrop arrived in Spanish Louisiana in 1795 and fully presented himself as a Dutch nobleman.²⁶

After Louisiana was sold to the United States in 1803, Bastrop moved to Spanish Texas and settled in San Antonio. There, he flaunted his faux nobility, established a freighting business, and gained influence among the city's officials and residents. The settlers of Austin's Colony elected

²⁴ *A Guide to the Baron de Bastrop Papers in the Natchez Trace Collection*. Briscoe Center for American History, University of Texas at Austin. <https://www.lib.utexas.edu/taro/utcah/00389/cah-00389.html>.

²⁵ Gracy II, David B., "Moses Austin," *The Handbook of Texas Online*, Texas State Historical Society, <https://tshaonline.org/handbook/online/articles/fau12>.

²⁶ Moore, Richard W., "Bastrop, Barron De," *Handbook of Texas Online*, Texas State Historical Association, <http://www.tshaonline.org/handbook/online/articles/fbaae>.

Bastrop to the provincial government at San Antonio in 1823, which in turn chose him as representative to the legislature of the new state of Coahuila y Tejas. While serving in the capitol at Saltillo, Mexico, Bastrop was instrumental in the passage of an act establishing a port at Galveston.

Bastrop died on February 23, 1827, and was buried in Saltillo. Historian Richard W. Moore writes that although Bastrop's "pretensions to nobility were not universally accepted at face value even in his own lifetime, he earned respect as a diplomat and legislator." The city and county of Bastrop, Texas, and city of Bastrop, Louisiana, were named in his honor.²⁷

Austin returned home to Virginia to await word. Unfortunately, he contracted pneumonia either while in Texas or during his journey home, and received news on his deathbed that permission for his colony had been granted. His dying wish was that his wife make sure their son, Stephen Fuller Austin, fulfilled his colonization plan.²⁸ **Stephen F. Austin** set out for San Antonio de Bexar shortly after his father's death on June 10, 1821, and upon his arrival was declared the rightful heir to his father's grant. The grant allowed Austin to settle 300 families – later known as the **Old Three Hundred** - in Spanish Texas. Austin selected the rich river bottom between the Brazos and Colorado Rivers, south of the *El Camino Real*, as the land upon which to establish **Austin's Colony**. The settlement of Austin's Colony from 1821 to 1836 has been called the most successful colonization movement in American history. The grant opened up a flood of American immigrants, and by 1835 as many as 30,000 had arrived at Austin's Colony.²⁹ The settlement also brought Anglo and African settlers from the United States into contact with "the governmental and ranching traditions of Spain and Mexico [and] helped set the course for much of Texas' history in the 19th century."³⁰

Conclusion

Early Texas history is filled with intriguing individuals and events that helped shape the state's future. The settlement of Austin's Colony marked the beginning of significant Anglo immigration into the state. But, Native American Indians had roamed the lands of present-

²⁷ Ibid.

²⁸ Gracy II, David B., "Moses Austin," *The Handbook of Texas Online*, Texas State Historical Society, <https://tshaonline.org/handbook/online/articles/fau12>.

²⁹ Long, Christopher, "Old Three Hundred," *The Handbook of Texas Online*, Texas State Historical Society, <https://tshaonline.org/handbook/online/articles/umo01>.

³⁰ Ibid.

day Texas for hundreds of centuries before the arrival of Europeans in the early 1500s, and Spain had ruled Texas for three centuries before Anglo settlement began in earnest.

Chapter 2 explores immigration into Texas by a number of Anglo groups as well as African movements into Texas beginning with the settlement of Austin's Colony.

Key Terms

Alonso de Pineda
Jean Lafitte
Louisiana Purchase
Long Expedition
Austin's Colony
Stephen F. Austin

Esteban
First official Spanish Settlements
Gutierrez-Magee Expedition
Jane Wilkinson Long
Moses Austin
Old Three Hundred

Angelina
Treaty of Fontainebleau
Adams-Onis Treaty
Kian
Baron de Bastrop
Battle of Medina