

Empresario

Austin's plan for an American colony was thrown into turmoil by Mexico's gaining independence from Spain in 1821. Governor Martínez informed Austin that the *junta instituyente*, the new rump congress of the government of Agustín de Iturbide of Mexico, refused to recognize the land grant authorized by Spain. His government intended to use a general immigration law to regulate new settlement in Mexico. Austin traveled to Mexico City, where he persuaded the *junta instituyente* to approve the grant to his father, as well as the law signed by the Mexican Emperor on January 3, 1823.

The old imperial law offered heads of families a league and a labor of land, 4,605 acres (1,864 ha), and other inducements. It also provided for the employment of agents, called *empresarios*, to promote immigration. As an *empresario*, Austin was to receive 67,000 acres of land for each 200 families he brought to Texas. According to the law, immigrants were not required to pay fees to the government. Some of the immigrants denied Austin's right to charge them for services at the rate of 12.5 cents/acre (31 cents/ha).

When Emperor of Mexico Agustín de Iturbide abdicated in March 1823, the law was annulled once again. In April 1823, Austin induced the congress to grant him a contract to bring 300 families into Texas. He wanted honest, hard-working people who would make the colony a success. In 1824, the congress passed a new immigration law that allowed the individual states of Mexico to administer public lands and open them to settlement under certain conditions. In March 1825, the legislature of the Mexican state of Coahuila y Tejas passed a law similar to the one authorized by Iturbide. The law continued the system of *empresarios*, as well as granting each married man a league of land, 4,428 acres (1,792 ha), with the stipulation that he must pay the state \$30 within six years.

Austin sought an area for his colonists on the land near the mouth of the Colorado River (Texas) for his colony, that could provide a good supply of clean potable water. Austin laid claim to rich tracts of land near bays and river mouths already populated by the



Portrait of Austin, 1833

Karankawa. The Karankawa relied on these bays for the fish and shellfish that provided their winter food sources and thus were fiercely protective of that land.

Austin was greeted by the native Karankawa inhabitants with the help of his Mexican scouts, they watched closely as the immigrants unloaded their goods, so that their two sloops could navigate safely up the shallows of the Colorado River. When the Karankawa noticed that only four armed men were guarding the merchandise of 300 immigrants, they made their attack, killing the guards and plundering the articles.

On February 23, 1823 the Karankawa killed two men, named Loy and John C. Alley, and wounded another named John C. Clark. They were bringing home a canoe full of corn on the Colorado River, near the mouth of Skull Creek. Later the same evening, Robert Brotherton was riding along a trail near Skull Creek, when he was "met by the Indians, robbed of his guns and perceiving he was in danger of his life after making his escape, was wounded in the back with an arrow, very severely. A volunteer militia was organized and went to the scene of the robbery. They followed the tracks to a nearby encampment and slew nineteen of them, scalped them and plundered their camp", wrote one of the participants, John H. Moore, This event became known as the Skull Creek massacre.

Austin wrote that extermination of the Karankawa would be necessary, even though his first encounter with the tribe was friendly. Austin told the colonists that the Karankawa would be impossible to live among. Austin continued to encourage violence both against and between the Indian tribes, culminating in 1825 with his order for all Karankawa to be pursued and killed on sight.

By late 1825, Austin had brought the first 300 families to his settlement, the Austin Colony; these 300 are now known in Texas history as the Old Three Hundred. Austin had obtained further contracts to settle an additional 900 families between 1825 and 1829. He had effective civil and military authority over the settlers, but he was quick to introduce a semblance of American law – the Constitution of Coahuila y Tejas was agreed on in November 1827. Austin organized small, informal armed groups to protect the colonists, which evolved into the Texas Rangers. Despite his hopes, Austin was making little money from his endeavors; the colonists were unwilling to pay for his services as *empresario*, and most of his revenues were spent on the processes of government and other public services.

He was active in promoting trade and currying the good favor of the Mexican authorities, aiding them in the suppression of the Fredonian Rebellion of Haden Edwards. Some

historians consider the Fredonian Rebellion to be the beginning of the Texas Revolution. Although "premature ... the Fredonian Rebellion sparked the powder for later success." For this event, Austin raised troops to fight with Mexican troops against the Texas rebels. With the colonists numbering more than 11,000 by 1832, they were becoming less amenable to Austin's cautious leadership, and also, the Mexican government was becoming less cooperative. It was concerned with the growth of the colony and the efforts of the U.S. government to buy the state from them. The Mexican government had attempted to stop further U.S. immigration as early as April 1830, but Austin's skills gained an exemption for his colonies. He granted land to immigrants based on 640 acres (2.6 km²) to the husband, 320 to the wife, 160 for every child, and 80 for every slave.

Slavery

Slavery was a very important issue to Austin, one he called "of great interest" to him. Austin was a periodical slaveowner throughout his life; however, he had conflicting views about it. Theoretically, he believed slavery was wrong and went against the American ideal of liberty. In practice, however, he agreed with the social, economic, and political justifications of it, and worked hard to defend and expand it. Despite his defense of it, he also harbored concerns that the long-term effects of slavery would destroy American society.

While Austin thought it would be advantageous some day for Texas to phase out of slavery, up until the Texas Revolution he worked to ensure that his colony's immigrants could bypass the Mexican government's resistance to it. Doing so ensured the population growth and economic development of his colony, which was primarily dependent on the monocropping of cotton and sugar. In August 1825, he recommended that the state government allow immigrants to bring their slaves with them through 1840, with the caveat that female grandchildren of the slaves would be freed by age 15 and males by age 25. His recommendation was rejected.

In 1826, when a state committee proposed abolishing slavery outright, 25 percent of the people in Austin's colony were slaves. Austin's colonists, mostly pro-slavery immigrants from the south, threatened to leave Texas if the proposition passed, while prospective Southern immigrants hesitated to come to Texas until slavery was guaranteed there. Austin conceded that the success of his colony was dependent on slavery. Without slaves, the colonists would lack the mass labor to cultivate the land, which would stall the pace of

immigration needed to develop and increase the value of the land, and would deflate the economy and motivate his colonists to leave.

Austin went before the legislature and pleaded that, at the least, his original 300 families should be allowed to keep their slaves. He argued against the "bad faith" of freeing them, demanded reparations to slaveowners for every slave emancipated by the state, warned that the loss of slaves could leave some colonists destitute, and reasoned that freeing them would not only leave his settlers alone in the harsh Texas environment, but would also expose them to the discomfort and nuisance of living amongst freed slaves, who would become vagrants seeking retribution upon their former owners. While he waited for the legislature's verdict of his request, Austin went into a deep depression over the issue and sent his brother, Brown Austin, to further lobby the legislature on his behalf.

In March 1827, the legislature signed Article 13 into law. Despite the law complying with some of his requests, Austin called it "unconstitutional". He contested the law as it freed the children of slaves at birth, established a six-month grace period before fully emancipating all slaves in the state, and included provisions to improve the conditions of slaves and transitioning freedmen. Austin — who had been so effective in persuading the legislature, however, that the author of Article 13 (before its passage) requested to withdraw it — helped his colonists evade the law by advising them to legally supplant the word "slave" with the words "workingmen," "family servants," and "laborers," and by working to pass a decree that banned freedmen from Texas and forced emancipated slaves to work for their former slaveowners until the accrued "debt" (e.g. clothing, food), incurred for their own enslavement, was worked off.

In 1828, Austin petitioned the legislature to guarantee that slaveowners, immigrating to Texas, could legally "free" their slaves before immigrating, and contract them into a lifetime term of indentured servitude, thereby avoiding recognizing them as slaves. He lobbied to help his colony elude president Vicente Guerrero's 1829 decree to legally emancipate slaves in the province, and to bypass the government's effort to prohibit slavery when it passed the Law of April 6, 1830.