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THE INDIAN POLICY OF STEPHEN F. AUSTIN

by *Valentine J. Belfiglio*

"The just and legal rights of the civilized Indians should be protected"
(Stephen F. Austin, *The Austin Papers*, III, p. 123).

Introduction

Stephen F. Austin (1793-1836), U.S. politician and colonizer of Texas, led 300 American families to a site on the Brazos River in 1821. The group established a permanent settlement there. Austin was well qualified to direct this enterprise. A native of Virginia, he was educated and experienced in business and public service. Austin attended Transylvania University in Lexington, Kentucky. Then he managed his father's business mining, smelting, and manufacturing lead in Potosi, Missouri. He also served as adjutant of a militia battalion and as a member of the Missouri territorial legislature. In July 1820 the territorial governor of Arkansas appointed him circuit judge of the first judicial district.¹

On January 17, 1821, Joaquin Arredondo, the Spanish Commandant of the Eastern Interior Provinces, empowered Stephen's father, Moses Austin, to establish an American outpost on 200,000 acres of land in Spanish Texas. Many Americans and Spaniards hoped to benefit from this arrangement. Opportunities to buy inexpensive lands, and perhaps the possibility of escaping creditors, lured settlers from the United States. Spanish leaders believed that the American community would become a buffer between their development in the west and south and the Plains Indians. They wanted the colonists to serve the security interests of Spanish Texas.²

Moses Austin died on June 10, 1821, and Stephen assumed his contract. Governor Antonio Martinez authorized Austin to rule the colony as his agent. In late 1821 and early in 1822, Austin's group founded the settlements of Columbus and Washington on lands along the Colorado and Brazos rivers. In September 1821 Mexico achieved its independence from Spain, and Texas became a Mexican province. On April 14, 1823 the acting president of Mexico legally validated the colony of Austin. Other American communities followed. For example, in 1825 Green C. DeWitt received a grant to settle 400 families between the Lavaca and Guadalupe rivers, and Gonzales became its principal town. Martin de Leon also obtained a grant to establish a settlement toward the coast from Gonzales.³ Mexican federalists incorrectly surmised that these colonies would act as a barrier against annexation by the United States.⁴

The Policy Making Process of the Colony

It was primarily Austin who devised plans aimed at achieving goals which he perceived to be in the interests of the colony. He had complete civil and military authority until 1828, subject to rather nominal supervi-

sion by officials at San Antonio and Monterrey. He allowed these officials to choose military officers and local *alcaldes* (mayors, chief burgesses). To assure uniformity of court procedure, Austin drew up forms and a simple civil and criminal code. He declared a set of "Instructions and Regulations for the *alcaldes*" on January 22, 1824. The political chief, Jose Antonio Saucedo, approved the code on May 24. Articles one through four of the code dealt with offenses by Indians – such as violence to colonists, roaming through the colony without a license, stealing, etc. Anyone could arrest and conduct such Indians, without the use of arms if possible, to the nearest *alcalde* or captain of the militia. After an investigation, if the Indians proved to be guilty, they might be punished by twenty-five lashes. Section Five of the Declaration dealt with offenses against the Indians. According to its provisions, colonists could be fined heavily for abusing Indians. Natives should be treated in a friendly, humane, and civil manner.⁵

Austin created an appellate court composed of all the *alcaldes* – ultimately seven in number. The Constitution of Coahuila and Texas went into effect in November 1827, and Austin hastened the organization of the *ayuntamiento* (town or city council), over which he exercised strong influence. He initiated actions to bring more colonists to Texas, to create conditions conducive to their prosperity, and to establish and maintain the land system.⁶ Colonial leaders believed that the freedom of Indians should not be curtailed arbitrarily by government. On September 13, 1835, a Committee of Vigilance and Correspondence made up of Austin, Wily Martin, William Pettus, Gale Borden, John H. Money, and Randal Jones, issued a resolution that stated "the just and legal rights of the civilized Indians should be protected."⁷ The first state government, organized at San Felipe in October 1835, was the sixteen-member Permanent Council. The Council elected Richard Royall of Matagorda as president. On October 18, the Council pledged to respect the rights of Indians "to land with assurances."⁸

Austin was the credited agent for the external relations of the colony. He could be influenced by important individuals, opinion elites, and the general public of the colony; and he had to take into account actions by the United States government, Mexican authorities, and Indian chiefs. But he always made the major decisions. Austin pursued what he reasoned to be the vital interests of the colony. These interests included: self-preservation, progressive independence, territorial integrity, military security, and economic well-being. But these aims were jeopardized by a clash of interests between the Indians' use of land as a hunting ground, and the Americans' desire to manage and cultivate land for ranches and farms. Austin used diplomatic, economic, and military methods to exert influence over tribal chiefs and councils. He wrote on September 22, 1835 of "the vital importance of securing the friendship of the numerous Tribes of Indians."⁹

The Policy Making Process of Indian Tribes

Austin conducted relations with tribes of various Plains Indians, Indians who lived in coastal areas, and immigrant tribes. Plains Indians with whom he negotiated were: Comanches, Lipan Apaches, Kiowas, Tonkawas, and Wichitas from the Red River area who had settled in the region and were assimilated into the Plains culture. Colonists also encountered Karankawan people who lived along the coast of southern Texas, and immigrant Cherokees, Shawnees, and Delawares, who had moved to Texas from forests in the eastern part of the United States.¹⁰

Indian Texans generally had simple policy making structures. Families formed the basic social units. Groupings of these families under a tribal council headed by a peace chief and a war chief served defensive and offensive purposes. Chieftainship and council members attained their rank through recognized achievements.¹¹ Kinship and shared traditions were the organizing principles of Indian societies, which emphasized sharing rather than accumulating goods. These people perceived themselves in an almost symbiotic relationship with nature. In contrast, Anglo-Americans were accustomed to living in societies bound together by governments and laws. They believed in the private ownership of property and the means of production, a competitive profit-incentive system, and in changing their natural surroundings to suit their needs.¹² There were also religious differences between Indians and colonists. Most of the Americans were Christians, especially the Methodist, Baptist, or Presbyterian denominations.¹³ A majority of Indian Texans gave credence to polytheism, animism, and magic.¹⁴

The Diplomacy of Austin

Austin conducted relations with Indian tribal councils and chiefs. His diplomacy involved policy formulation as well as execution in order to achieve his objectives. He issued passports and letters of recommendation to friendly Indians to identify them and to attest to their tribal affiliations.¹⁵ Austin made treaties with the Comanches, and also employed demonstrations of force against the weaker, less numerous Tonkawas and associated Wichitas. These agreements established, defined, or modified mutual rights and obligations. Austin organized a militia among the settlers for protection from the Indians. Then he held military demonstrations to impress tribes with the ability of the colonists to wage war.¹⁶

Although bands of Karankawas and Wichitas sometimes raided colonial outposts, the much more powerful Comanches preferred to attack Mexican settlements at San Antonio and Goliad. The Mexican government wanted Americans to go to war with the Comanches, but Austin's colony remained neutral and established certain rights and obligations with the belligerents. Austin merely promised Mexican authorities he would initiate military action when his colony was strong enough. In a referendum on Indian relations on September 28, 1825, Austin wrote that "owing to our

scattered settlements our weak numbers, the scarcity of Arms, Ammunition and Horses ... it would be impossible to commence hostilities at present."¹⁷ During the conflict between the Mexicans and Comanches, the colonists insisted upon freedom from territorial violations, acceptance of their impartiality, and the right to pursue their economic activities. The geographic setting of the colony influenced Austin's decision. The Americans were on the coastal plain, beyond the normal range of Comanche warriors. By pursuing a policy of neutrality the settlers gained the time and strength necessary to dispose of hostile Karankawas. By 1826, after forming alliances with the Cherokees, Shawnees, and Delawares, Austin was on the verge of campaigning against the increasingly troublesome Wichitas.¹⁸

Neither the Tonkawas nor Lipan Apaches were in armed conflict with the Americans. One group of Apaches were neighbors of Stephen F. Austin's colony, and were consistently friendly. The Tonkawas were never a grave threat to the settlers, although their thieving and begging made them nuisances.¹⁹ Austin was able to maintain an *entente cordiale* with immigrant Indian tribes. He stated in his letter to the chiefs and warriors of the Cherokees on April 24, 1826, that "The cherokees and their friends the Shawnees and Delawares are also new Settlers; like us they have come to seek a new home in this country ... you have sent me word ... that you would join us to fight the wacos whenever I called upon you. I have always looked upon you as friends who could be depended on ... Your friend and Brother, Stephen F. Austin."²⁰

Austin's Economic Diplomacy

Austin's economic policies were often designed to achieve political ends. He gave beef, corn, and other gifts to friendly Indians to induce them to feel well disposed towards the colonists, and to put them under an implied obligation to return kindness with kindness. Austin also directed colonial trade to expand the political influence of his quasi-independent nation within the borders of Mexico. In the early years of the settlement, Comanches and Lipan Apaches exchanged mules and horses they had stolen in Mexico for goods of American traders at Nacogdoches. "This trade was found to be very lucrative to those engaged in it," Austin wrote.²¹ The bartering helped to keep peace between these Indians and the colonists.

On May 10, 1822, Austin wrote to Anastacio Bustamante, Vice President of Mexico, that a permanent peace with the Indians depended in part on "the establishment of a regular system by which those Indians could be supplied with Goods, and other necessary articles which they have heretofore received from American traders, and without which they will not be satisfied."²² Austin preferred a plan "to incorporate a Company to whom the whole Indian trade of Texas, and of the Rio Grande Del Norte should be given - This company by having fixed laws for its regulation could concentrate and control the Indian trade, and thereby prevent abuses."²³

Military Force, the Texas Rangers, and Covert Operations

Sometimes circumstances forced Austin to engage in armed conflict. The Karankawas occupied the lower course of the Colorado and Brazos rivers. From the start there were battles between them and the colonists. The Indians killed a group of Americans as they landed in Texas by boat in 1821. Later, during subsequent raids, the Karankawas murdered, robbed, and destroyed the crops and livestock of the settlers. To escape their attacks, many of DeWitt's people moved down river to De Leon's lands.²⁴ On May 4, 1823, J.E.B. Austin wrote to Stephen F. Austin that "The settlers have been much discouraged at ... the dread of the Indians."²⁵ Austin responded to the threat. In an address to the colonists on August 5, he said: "I have determined to augment at my own private expense the company of men which was raised by order of the late Govr. Trespacios for the defence of the Colony against hostile Indians."²⁶ Five days later, Austin assumed military command of the colony.²⁷

In 1823 Austin employed ten men to serve as "Rangers," to range over the country and protect his colony from marauding Indians. Then in 1826 he called a meeting of the representatives of the six militia districts in which it was agreed to keep twenty or thirty Rangers in service at all times. They were mounted riflemen whose purpose was to protect American settlers from Indian warriors and Mexican bandits. The Texas general council in 1835 formally organized the Rangers and assigned them the sole task of defending the frontier against Indians. An enabling ordinance provided for three companies, each with 56 men commanded by a captain. The Rangers learned the Indian skills of horsemanship, woodcraft, and direction finding. They were excellent marksmen, and carried revolving six-shooters, rifles, lariats, and Bowie knives. The Rangers were separate and distinct from the regular army and local police.²⁸

By 1825 Austin had launched a major campaign against the Karankawas. But his colony also experienced problems with marauding Tonkawas and Wichitas. Some of these Indians were caught stealing horses in the colony. Austin decided on a reprisal action against the Tonkawas, and sent spies to the villages of the Wichitas to gather and evaluate information about their intentions and operations. On May 19, 1826, Austin wrote to General Jose Antonio Saucedo, commander of a Spanish garrison, that an "attack upon the Tankuas ... took place on the 25th of March, on the Colorado, about eight leagues below the Atascosito road."²⁹ Austin confided in Colonel Mateo Ahumada about his covert operations against the Wichitas by letter on April 6, 1826. He wrote Ahumada that "I lost no time in sending spies to the frontier, and yesterday, at noon, I received information that sixteen Indians of said nation (the Tahuacanos) had arrived ... above five Leagues below the road to La Bahia on the river (Colorado)."³⁰ A second letter written by Austin on April 30, informed Ahumada that "I sent three spies to the village of these Indians (Tahuacanos) under the pretext of trading."³¹

In order to provide protection for the colony while he waged war against the Karankawas, Austin "deemed it necessary to call a board ... for the purpose of deciding upon a system of defence, and contriving plans to raise a fund for the assistance of the most exposed families."³² The war was fierce and costly. James Cummins wrote to Austin from a settlement on the Colorado River on July 31, 1826 that: "The situation of this place makes the Prospect very gloomy – the Fort that we have been at so much Expense to build is about to be left to the mercy of the Indians."³³ But Austin's army won an important battle and pursued the Karankawas to the coast. The Mexican government sent Captain General Anastacio Bustamante with a number of troops to assist the colonists. The Mexicans and colonists scored a decisive victory at Matagorda Bay. All parties signed a treaty of peace in 1827, marking the end of the Karankawas as a barrier to the colonization of Texas.³⁴

The Texas Revolution and Statehood

In 1830 the Mexican government halted Anglo-American immigration to Texas. They feared that the growing economic strength and cultural influence of the colonists threatened Mexican sovereignty over the territory. Relations between the Americans and Mexicans grew steadily worse. War erupted on October 2, 1835, with the Battle of Gonzalez. On October 12, the Provisional Government of Texas elected Austin to serve with William H. Wharton and Branch T. Archer as commissioner to the United States. Austin arrived at New Orleans in January 1836. On March 2, the Provisional Government passed the Texas Declaration of Independence. After several battles, General Sam Houston redeemed the fall of the Alamo by the victory at San Jacinto. The Treaties of Velasco, signed by Texas and Mexican officials on May 14, 1836, established Texas as an independent state. Austin returned to Texas in June.³⁵

Very few Indians fought in the Texas Revolution. Some Lipan Apaches and Karankawas were with both armies, but their participation did not affect the outcome of the war.³⁶ R.R. Royall had written to Austin on October 19, 1835 that "the Cherokees and associate tribes ... Intended to be neutral."³⁷ The Comanches and their Kiowa allies also did not interfere.³⁸ Austin's long-term diplomatic programs had prevented General Santa Anna's attempt to form an alliance with some of the tribes. In recognition of his services and abilities, on October 22, 1836, General Sam Houston, President of the Republic of Texas, appointed Austin as Secretary of State. He thereby became head of the Department of State, and chief adviser to the president on foreign policy.

During the Texas Revolution, Austin had rendered a great service by arousing American sympathy for the cause. As Secretary of State, he worked for the annexation of Texas by the United States. On November 19, 1836, he wrote U.S. Senator Thomas Benton: "Mr. Wharton returns to Washington as the Minister plenipotentiary of this Republic – The main

object of his mission is the annexation of this country to the U.S.”³⁹ But Austin died on December 27, 1836. He never witnessed the annexation of Texas on December 29, 1845, nor the end of the last great Indian war in the state in June 1875. A eulogy written around 1844 by James F. Perry to honor his memory stated “Stephen F. Austin, – the father of his country – ... labored for his country’s triumph ... those who braved, with the patriarch of Texas, the wilderness ... fought the savage, and drove him from his haunts. The claims of General Austin upon the affections of the people of Texas were of the strongest kind. He was not only the founder of our Republic; ... his life must necessarily embrace a large portion of the history of our country.”⁴⁰

Conclusion

Stephen F. Austin conducted the Indian policy of the American colony with great skill. He established objectives in the light of resources actually and potentially available for the pursuit of those objectives. He also assessed the objectives of tribal leaders and the resources actually and potentially available for the pursuit of those objectives. Then he determined to what extent these different objectives were compatible with each other. Finally, he employed the diplomatic, economic, and military tactics best suited to the attainment of his aims. As a statesman, Austin stood in the front rank of the people who built Texas. The capital of the state is named in his honor.

NOTES

¹Sallie Glasscock, *Dreams of an Empire: The Story of Stephen Fuller Austin and His Colony in Texas* (San Antonio, 1951), pp. 1-14.

²Alexander DeConde, *A History of American Foreign Policy* 1 (2 vols.; New York, 1978), pp. 163-169.

³Archie P. McDonald, *Texas: All Hail The Mighty State* (Austin, 1983), p. 53.

⁴Henry B. Parkes, *A History of Mexico* (Boston, 1969), p. 200.

⁵Eugene C. Baker, “The Government of Austin’s Colony, 1821-1831,” *The Southwestern Historical Quarterly*, XXI (January, 1918), pp. 228-229.

⁶Barker, “The Government of Austin’s Colony,” pp. 230-252.

⁷“San Felipe Meeting,” September 13, 1835, Eugene C. Barker, *The Austin Papers: October, 1834-January, 1837*, III (3 vols.; Austin, 1926), pp. 123-124.

⁸“R.R. Royall to Austin,” October 18, 1835, *The Austin Papers*, III, p. 191.

⁹“Committee of San Augustine to Committee of San Felipe.” September 22, 1835, *The Austin Papers*, III, p. 134.

¹⁰W.W. Newcomb, Jr., *The Indians of Texas* (Austin, 1986), pp. 341-344.

¹¹Harold E. Driver, *Indians of North America* (Chicago, 1975), pp. 287-307.

¹²Ellen N. Murry, “Sorrow Whispers in the Winds: Native Americans and the Texas Republic,” *Texas Journal of Ideas, History and Culture*, 14 (Spring/Summer 1992), p. 13.

¹³William S. Red, *The Texas Colonists and Religion: 1821-1836* (Austin, 1924), pp. 70-84.

¹⁴Driver, *Indians of North America*, pp. 396-430.

¹²"Copy of Passport from Stephen F. Austin to Huan Novale (January 15, 1825)." Dorman H. Winfrey and James M. Day. *The Indian Papers of Texas and the Southwest: 1825-1916* (Austin, 1966), I, p. 1.

¹³T.R. Fehrenbach. *Lone Star: A History of Texas and the Texans* (New York, 1985), p. 448.

¹⁴"Referendum on Indian Relations." September 28, 1825. Eugene C. Barker, *The Austin Papers*, Annual Report of the American Historical Association for the Year 1919, II, Part 2 (Washington, DC 1924), p. 1208.

¹⁵Newcomb, *The Indians of Texas*, p. 344.

¹⁶Newcomb, *The Indians of Texas*, p. 343.

¹⁷"Austin to Anastacio Bustamante," May 10, 1822. *The Austin Papers*, Eugene C. Barker, *Annual Report of the American Historical Association for the year 1919*, II, Part I (Washington, DC, 1924), pp. 507-508.

¹⁸"Austin to Anastacio Bustamante." p. 509.

¹⁹"Austin to Anastacio Bustamante." p. 509.

²⁰Newcomb, *The Indians of Texas*, p. 341.

²¹J.E.B. Austin to Austin," May 4, 1823, *The Austin Papers*, II, Part 1, p. 635.

²²"Austin's Address to the Colonists," August 5, 1823, *The Austin Papers*, p. 678.

²³"Austin's autograph written on back of Bastrop's proclamation of August 5, 1823." *The Austin Papers*, p. 685.

²⁴Walter P. Webb. *The Texas Rangers: A Century of Frontier Defense* (Boston: Houghton Mifflin, 1935), pp. 19-24; 81-87.

²⁵"Austin to Saucedo," May 19, 1826, *The Austin Papers*. Vol. II, Part 2, pp. 1341-1343.

²⁶"Austin to Mateo Ahumada," April 6, 1826, *the Austin Papers*. p. 1304. The Tahuacanos were a Wichita subtribe.

²⁷"Austin to Mateo Ahumada," April 30, 1826. *The Austin Papers*, p. 1315.

²⁸"Austin to Saucedo," August 14, 1826, *The Austin Papers*, p. 1423.

²⁹"James Cummins to Austin." July 31, 1826, *The Austin Papers*, p. 1391.

³⁰Newcomb, *The Indians of Texas*, p. 341

³¹Seymour V. Conner, *Texas: A History* (Arlington Heights, Illinois, 1971), pp. 97-122.

³²Newcomb, *The Indians of Texas*, p. 343.

³³"R. R. Royall to Austin," October 19, 1835. *The Austin Papers*, I, p. 192.

³⁴Fehrenbach, *Lone Star: A History of Texas and the Texans*, p. 449.

³⁵"Austin to Thomas H. Benton." November 19, 1836, *The Austin Papers*, III, p. 455.

³⁶"James F. Perry to the Public," about 1844, pp. 484-496.