

= Convention of 1833 =

The Convention of 1833 (April 1 ? 13 , 1833) , a political gathering of settlers in Mexican Texas , was a successor to the Convention of 1832 , whose requests had not been addressed by the Mexican government . Despite the political uncertainty resulting from a recently concluded civil war , 56 delegates met in San Felipe de Austin to draft a series of petitions to the Mexican government .

The volatile William H. Wharton presided over the meeting . Although the convention 's agenda largely mirrored that of the Convention of 1832 , delegates also agreed to pursue independent statehood for the province , which was at the time part of the state of Coahuila y Tejas . Under the guidance of Sam Houston , former governor of the US state of Tennessee , a committee drafted a state constitution to submit to the Mexican Congress . The proposed constitution was largely patterned on US political principles , yet retained several Spanish customs . Delegates also requested customs exemptions and asked that a ban on immigration into Texas be lifted .

Some residents complained that this convention , like its predecessor , was illegal . Nevertheless , Stephen F. Austin journeyed to Mexico City to present the petitions to the government . Frustrated with the lack of progress , in October Austin wrote a letter encouraging Texans to form their own state government . This letter was forwarded to the Mexican government and Austin was imprisoned in early 1834 . During his imprisonment , the federal and state legislatures later passed a series of measures to placate the colonists , including the introduction of trial by jury . Austin acknowledged that " [e] very evil complained of has been remedied . "

= = Background = =

Mexico won its independence from Spain in 1821 . After the new country 's monarchy was overthrown , the Constitution of 1824 established a federalist republic composed of multiple states . Sparsely populated provinces were denied independent statehood and instead merged with neighboring areas . Mexican Texas , which marked the country 's eastern border with the United States , was combined with Coahuila to form the new state Coahuila y Tejas . To facilitate government of the large area , the state was subdivided into several departments ; all of Texas was included in the Department of Béxar .

Texas was part of the Mexican frontier , and settlers faced frequent raids by native tribes . Bankrupt and unable to provide much military assistance , in 1824 the federal government legalized immigration from the United States and Europe , hoping that an influx of settlers would discourage raiding . As the number of American living in Texas increased , Mexican authorities became apprehensive that the United States intended to annex the area , possibly by force . To curb the perceived threat , the Mexican government passed the Law of April 6 , 1830 , which restricted immigration from the United States into Texas and called for the first enforcement of customs duties . The new laws were unpopular with both native Mexicans in Texas (Tejanos) and recent immigrants (Texians) .

In 1832 , General Antonio López de Santa Anna led a revolt against President Anastasio Bustamante 's centralist government . Under the pretext that they supported Santa Anna , a small group of Texians armed themselves and overthrew the commander of the garrison that was enforcing the new customs duties . Other settlers followed their example , and within weeks all Mexican soldiers in eastern Texas had been forced to leave .

Buoyed by their military success , Texians organized a political convention to persuade Mexican authorities to weaken the Laws of April 6 , 1830 . Although the two municipalities with the largest Tejano populations , San Antonio de Béxar and Victoria , refused to participate , 55 delegates met in October for the Convention of 1832 . They adopted a series of resolutions that requested changes in the governance of Texas . The most controversial item was for Texas to become an independent state , separate from Coahuila . After approving the list of resolutions , delegates created a seven @-@ member central committee to convene future meetings .

Before the list of concerns could be presented to the state and federal governments , Ramón Músquiz , the political chief of the Department of Béxar , ruled that the convention was illegal . The

law directed that citizens should protest to their local ayuntamiento (similar to a city council) , which would forward their concerns to the political chief . The political chief could then escalate the concerns to the appropriate governmental authority . Because this process had not been followed , Músquiz annulled the resolutions .

= = Preparation = =

The previous convention 's lack of Tejano representation fostered a perception that only newcomers to Texas were dissatisfied . The president of the Convention of 1832 , Stephen F. Austin , traveled to San Antonio de Béxar to garner support for the changes the convention had requested . Austin found that the Tejano leaders largely agreed with the result of the convention but opposed the methods by which the resolutions had been proposed . They urged patience ; Bustamante was still president and would not look favorably on a petition from settlers who had recently sided with his rival , Santa Anna .

As a compromise , the ayuntamiento of San Antonio de Béxar drafted a petition containing similar language to the convention 's resolutions . Following legal norms , they submitted this to Músquiz , who forwarded it to the Mexican Congress in early 1833 . At this time , the federal and state governments were in flux . Bustamante had resigned the presidency in late December 1832 as part of a treaty to end the civil war . There was no effective state government . The governor of Coahuila y Tejas had died in September 1832 , and his replacement , federalist Juan Martín de Veramendi , immediately dissolved the state legislature , which had centralist leanings . Veramendi called elections to seat a new government in early 1833 . Due to the political uncertainty , Austin urged that the federal government be given several months to address the petition . If no action was eventually taken , he advised that Texas residents would form their own state government , essentially declaring independence from Coahuila , if not from Mexico .

Austin 's timeframe was endorsed by Tejano leaders , but it did not pacify the Texian settlers . Towards the end of December , the central committee called for a new convention to meet in San Felipe de Austin in April 1833 . Elections were scheduled for March . This action disturbed the Tejano leaders , who saw it as a violation of their agreement with Austin .

Communities in Texas elected 56 delegates for the new convention . In a departure from the previous election , San Antonio de Béxar also sent delegates , including James Bowie , the son @-@ in @-@ law of Governor Veramendi . Bowie , like many of his fellow delegates , was known as an agitator who wanted immediate change . The majority of the delegates to the previous convention had been more cautious .

= = Proceedings = =

The Convention of 1833 was called to order on April 1 , 1833 , in San Felipe de Austin . By coincidence , on that day Santa Anna was inaugurated as the new President of Mexico . Delegates elected William H. Wharton , a " known hothead " , as president of the convention . Wharton had lost his bid to be president of the previous convention . Historian William C. Davis describes Wharton 's election as " a public declaration that while Austin was still respected , his moderate course would no longer be followed " .

On the first day , several delegates addressed the convention to justify the recent Texian actions . Many argued that the expulsion of most garrisons in the region was not an act of disloyalty to Mexico , but instead resistance to a particular form of governance . Sam Houston , who represented Nacogdoches , commented that " Santa Anna was only a name used as an excuse for resistance to oppression " . Several delegates argued that the recently concluded civil war had left Mexico in too much turmoil to provide effective rule for Texas . Echoing the American Revolution slogan " no taxation without representation " , one delegate insisted that Texas was not bound by Mexican laws since its settlers had no representation . This delegate overlooked the fact that Texas had been granted two representatives to the Coahuila y Tejas legislature .

Austin presented an overview of the events that had occurred in Texas and in the rest of Mexico

over the previous year . He enumerated several grievances against the political and judicial systems and concluded that Texas needed to become an independent state . This could be justified , in his opinion , by language in the Constitution of 1824 .

= = = State constitution = = =

By the second day of the convention , delegates were in agreement to pursue separate statehood . Austin wrote to a friend , " We are now able to sustain A State Govt. and no country ever required one more than this " . Houston was named chairman of a committee to draft a new state constitution . Although Houston had not lived in Texas for very long , he was well @-@ known , having served as governor of Tennessee and as a member of the United States Congress .

The new constitution was based on a copy of the 1780 Massachusetts Constitution provided by one of the committee members . The proposed document also drew from the constitutions of other states in the United States , including Louisiana , Missouri , and Tennessee . It provided " meticulous detail " for the new system of government . The executive branch structure , proposed by Austin , called for a governor who would serve two @-@ year terms . The state would have a bicameral legislature and a three @-@ tier judiciary system , with local and district courts ultimately kept in check by a state supreme court .

A 27 @-@ article bill of rights , containing , according to historian Howard Miller , an " impressive list " of protected rights , was included . This document aligned closely with contemporary American political ideals , especially the notion that all men had a right to liberty . Much of the language and concepts were drawn from the first eight amendments to the United States Constitution . The document called for trial by jury , a distinct departure from Mexican law , which required that trials be heard by the local alcalde . Defendants would be granted counsel and would have the right to examine any evidence against them . They would be protected from excessive bail or cruel and unusual punishments . Civil authorities would take priority over military authorities . Delegates also agreed to protect " free communication of thoughts and opinions " , a phrase carefully drafted to imply freedom of speech , of assembly , and of the press . Although it could also be interpreted to imply freedom of religion , delegates were unwilling to explicitly grant that right , knowing that it would cause an uproar in Catholic Mexico .

A few of the rights were drawn from Spanish practices . The proposed constitution forbade the English practices of primogeniture and entailment , following a change made to Spanish law in 1821 . Delegates retained the traditional Spanish prohibition against seizing a debtor 's physical property and extended it to forbid imprisonment as a punishment for debt . This was a novel idea . In the United States , nine states had enumerated certain conditions under which a debtor could not be imprisoned , but no state had an unqualified prohibition on the practice .

Borrowing from the resolutions of the Convention of 1832 , delegates wrote into the constitution a guarantee of free public education . They further banned unsecured paper currency and insisted the state economy should be based solely on hard currency . When the constitution was completed , David G. Burnet headed a subcommittee to craft a letter to Mexican authorities to explain the merits of the proposal .

= = = Resolutions = = =

In addition to the development of a state constitution , delegates passed a series of resolutions that asked Mexican authorities for reforms . Several of these echoed resolutions passed at the previous year 's convention . Delegates again insisted that the ban on immigration should be repealed and that customs duties be lifted . Resolutions also requested additional protection from raids by native tribes , and that the government implement a more efficient mail delivery system .

One of the resolutions would have been more suited for passage by a state legislature than a group of concerned citizens . Perhaps to atone for some of the more revolutionary items they had requested , as one of their final acts delegates passed a resolution that condemned the slave trade within Texas . The Constitution of 1824 had already abolished the slave trade , and the constitution

of Coahuila y Tejas had forbidden the importation of slaves into the state . Most settlers in Texas ignored the restrictions and instead converted their slaves to servants indentured for 99 years . African slaves were still imported into Texas occasionally , and a ship carrying slaves docked in Galveston Bay as the convention met . This ship , like most others used to import slaves , came from Cuba , which was a possession of Spain . Because Spain did not officially recognize Mexican independence , delegates considered this trade treasonous to Mexico .

Delegates ordered that the resolution be printed in newspapers in the Mexican interior and in New Orleans . It was not printed in Texas , clearly indicating that it was intended to influence public opinion in the Mexican interior rather than in Texas . The resolution was not binding , and slaves continued to be imported to Texas through Cuba .

Despite a vocal minority advocating for the unilateral implementation of the proposals , delegates agreed to present the requests to the Mexican Congress for approval . They did agree to take action if it appeared their demands would be ignored . As their last act , delegates elected Austin , James Miller , and Erasmo Seguín to deliver their petitions to Mexico City . Seguín , a prominent citizen of San Antonio de Béxar , had not attended the convention . Delegates hoped Austin could persuade Seguín to accompany him , thus implying that Tejanos supported the resolutions .

= = Preparations for delivery = =

When the convention adjourned on April 13 , Austin went directly to San Antonio de Béxar to meet with Seguín . Seguín called a series of meetings , held from May 3 to 5 , for prominent locals to discuss the convention proceedings . He was the only Béxar resident to fully support separate statehood . Other residents suggested that the capital of Coahuila y Tejas should be moved to San Antonio de Béxar , giving Texas more power . There was precedent for this ; under Veramendi , the capital had just been moved from Saltillo to Monclova . If the legislature rejected the move , these residents vowed to support separate statehood .

A third group of residents believed that the convention , like its predecessor , was illegal . Under their interpretation of the laws , only the state legislature would be able to petition the Mexican Congress for such a drastic change . Austin argued that the laws really meant that no one could petition on behalf of the people unless the people had been consulted , and the convention served as that consultation . The meetings ended with no agreement on how to proceed . Austin wrote that " the people here agree in substance with the rest of Texas , but differ as to the manner , and will express no opinion for , nor against " .

Seguín declined to accompany Austin . Miller also withdrew . Texas was in the throes of a cholera epidemic , and Miller , a physician , felt it his duty to stay and tend the sick . Austin then visited Goliad but was unable to attract any more Tejano support . He chose to go to Mexico City alone ; he had visited several times and had established a good reputation among government officials . Although he was warned that his reception would likely be poor , he ignored suggestions to delay his journey .

= = Reception = =

Within the Mexican interior , rumors abounded that Texas was on the verge of revolution . Many citizens in Matamoros believed Texians had already declared independence and were raising an army . Santa Anna was infuriated , especially at the involvement of Houston , a former officer in the United States military .

Immediately after Santa Anna had taken office in April , he had handed over all decision making authority to his vice president , Valentín Gómez Farías , and retired to the countryside . Farías enacted many federalist reforms , which angered citizens and army leaders . Much of the country was clamoring for a return to centralism , yet Texians wanted to take further steps toward self @-@ rule . By the time Austin arrived in Mexico City on July 18 , several Mexican states had engaged in minor revolts against Farías 's reforms . Although Texians had expelled troops within their province before Santa Anna and Farías took office , many officials identified the province with

the other rebellious states and were suspicious of Austin 's intentions .

The cholera epidemic reached Mexico City within days of Austin 's arrival , prompting Congress to adjourn before Austin could present the convention 's resolutions . As he waited for the legislature to reconvene , Austin heard rumors that Texians were planning a third convention to unilaterally declare themselves a separate state . Although Austin was also frustrated at the lack of progress , he disapproved of this drastic proposal . In an attempt to quell the more radical groups in Texas , in October Austin sent a letter to the ayuntamiento in San Antonio de Béxar in which he proposed that all of the ayuntamientos should jointly form a new state government . In what could be interpreted as an inflammatory gesture , Austin signed his letter " dios y Tejas " (" God and Texas ") rather than the traditional Mexican closing " dios y libertad " (" God and liberty ") . A few days after he had posted the letter , the immigration ban was repealed , assuaging one of the major Texian concerns .

Austin had expected the letter to reach his friend Músquiz , who could be trusted to determine when or if it was appropriate to publicly disclose its contents . The letter arrived while Músquiz was out of town and was read by an unsympathetic ayuntamiento member . At this member 's request , the ayuntamiento of San Antonio de Béxar forwarded the letter to state officials in Coahuila . The new governor , Francisco Vidaurri y Villaseñor , ordered Austin 's arrest . Austin was arrested in December on suspicion of treason . He was imprisoned through all of 1834 and remained in Mexico City on bond until July 1835 .

During Austin 's imprisonment , the government addressed several more of the convention 's proposals . At Santa Anna 's urging , the Coahuila y Tejas legislature enacted several measures to placate the Texians . In early 1834 , Texas gained an additional seat in the state legislature . An American immigrant was named state Attorney General , and , for the first time , foreigners were granted explicit permission to participate in retail trade . Several American legal concepts , including trial by jury , were introduced to Texas , and English was authorized as a second language . Finally , the state created four new municipalities in Texas : Matagorda , San Augustine , Bastrop , and San Patricio . In a letter to a friend , Austin wrote " Every evil complained of has been remedied . This fully compensates me for all I have suffered . "