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**Resolution and memorial of the constitutional convention of the State of Texas, asking the attention of Congress to the condition of Texas frontiers, and praying compensation for losses sustained by the people of Texas, by reason of the incursion of Indians and Mexicans, and re-imbusement for sums of money expended by that state in defending the frontier, &c**

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DEPREDACTIONS ON THE TEXAS FRONTIER.

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RESOLUTION AND MEMORIAL

OF THE

CONSTITUTIONAL CONVENTION OF THE STATE OF TEXAS,

ASKING

*The attention of Congress to the condition of Texas frontiers, and praying compensation for losses sustained by the people of Texas, by reason of the incursion of Indians and Mexicans, and re-imbusement for sums of money expended by that State in defending the frontier, &c.*

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JANUARY 12, 1876.—Referred to the Select Committee on Texas Frontier Troubles and ordered to be printed.

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COMMITTEE-ROOM,  
Austin, November 24, 1875.

*To the Hon. E. B. Pickett, president of the Constitutional Convention of the State of Texas:*

Your select committee, to which was referred a resolution concerning depredations upon the people of the Texas frontier by bands of marauders, organized beyond the limits thereof to invade the territory of the United States and murder and plunder its citizens, have had the same under consideration, and beg leave to report:

That they find that since the time of the annexation of Texas to the United States, and especially since the termination of the war between Mexico and our Government, resulting in the acquisition by us of an immense and valuable territory theretofore belonging to the republic of Mexico, the people of the latter government, especially those of the northern and frontier States of Mexico, have entertained feelings of bitter hostility towards Americans. They have also coupled with that sentiment a vehement desire to avenge their defeats and retrieve their losses. This feeling has been evinced in various ways.

They have robbed, murdered, and maltreated citizens of the United States who were residing or traveling in Mexico, in violation of positive treaty stipulations, the laws of nations, and the laws of humanity; they have passed legislative enactments hostile to the interests of Americans living adjacent to Mexican States, injurious to American commerce, and entailing great damage to and upon the revenues of the United States; they have set on foot expeditions upon Mexican soil, or allowed the same to be done, for the purpose of invading the territory of

the United States, and of waging a depredatory war upon her citizens and their property; and they have made themselves the allies of Indians whose mode of warfare respects neither age nor sex. These acts of savage aggression have been perpetrated upon our peaceful citizens for more than twenty years.

In 1859 they became open and unconcealed. During that year Juan Nepomuceno Cortina organized an expedition, mostly in the Mexican State of Tamaulipas, made a descent upon the territory of Texas, and captured the city of Brownsville. He murdered unsuspecting citizens in cold blood, robbed houses, and committed other acts of violence. This outlaw prosecuted an inhuman war upon the flag and the people of the United States for eight months. He did so with the knowledge, tacit consent, and secret co-operation of the Mexican authorities. He drew supplies of men and means from Mexico, and used her territory for the purpose of re-organizing his forces, depositing his stolen property, and as an asylum for himself and followers.

No attempt was then made by the government of Mexico to restrain her citizens. When once upon her soil they were free from arrest and molestation, and received the protection of her laws, and her authorities looked to him as the champion of their sentiments of hatred and revenge. He was their favorite because his hands were stained with American blood. He rose in the estimation of the authorities. They rewarded crime by promoting him, and he is now a brigadier-general in the Mexican army. During the presidency of Mr. Juarez he was sent to the Rio Grande as the commander of the line of the Bravo, and the representative of the supreme government of Mexico. He resumed his position as the leader and protector of the desperadoes, thieves, and criminals who were depredating upon the people of Texas. He was retained on the Rio Grande against the protest of General McCook, of the United States Army, and of an indignant people he had outraged. His presence upon our border in any official capacity was an insult to the Government and the people of the United States. He was the first to give coherence and form to the Mexican feeling of hostility to Americans, and his admiring countrymen have faithfully followed his examples.

Notwithstanding General Cortina has been recently arrested for disobedience of orders to his government, and for nothing more, yet the border war he inaugurated has been persistently and energetically carried on by his followers. We are informed, and believe it true, that he will soon be upon the Rio Grande to rejoin his plundering partisans, and to finish a historical record which has been written in letters of blood.

The *Zona Libre*, or free belt, was first established by a decree of the governor of the State of Tamaulipas. It provided that goods, wares, and merchandise could be introduced, and sold free of duty, in a belt six miles in width and about three hundred in length. It commenced at the mouth of the Rio Grande and extended to the upper boundary line of the State of Tamaulipas. This decree received the sanction of the supreme government of Mexico, notwithstanding it is in direct violation of the constitution thereof. Its object is expressed on its face. It was a blow aimed at the commerce and merchants of the United States. It encouraged smuggling, and did much to concentrate upon the Rio Grande a horde of lawless Mexican adventurers. It has shifted business from the American to the Mexican side, and has well-nigh ruined American traders in the valley of the Rio Grande. The custom-house records show that the goods introduced by the way of Brazos Santiago and the mouth of the Rio Grande previous to the late civil war between the

States, amounted to more than \$10,000,000 per year, and that the amount now scarcely exceeds \$3,000,000 annually. The Government of the United States requested that of Mexico to abolish a system which discriminated against her commerce and her interests, and produced so many results prejudicial to her revenues and the welfare of her people. The answer to this just demand was an extension of the free belt to about double its former length.

The border warfare which has been waged upon the territory of the United States, and the people of Texas and their property, has been characterized by savage atrocities. Men have been murdered in cold blood in almost every conceivable way; they have been shot, stabbed, burned alive, and strangled, and their bodies have been indecently mutilated; women have been captured, their persons violated; captive children have been held and sold as slaves. In the latter enormities the Mexicans and Indians have co-operated. In proof whereof the evidence taken before the United States Frontier Commission, in 1873, in the cases of H. M. Smith and others, is respectfully referred to. To be brief; on our exposed frontier, especially on the Rio Grande, a reign of terror has existed which prevented citizens from attending to their vocations; the prices of real and personal property have depreciated; population has not increased; hundreds of lives have been sacrificed, and millions of dollars' worth of property have been taken into Mexico, and into the haunts of their savage allies. It is a question of supremacy. The homes, the property, and the lives of frontiersmen hang upon the issue. On the Rio Grande the decision will consign the country to Mexican bandits, or secure it to the American settlers. It is abandonment on the one side, and reconquest on the other. It is a contest between civilization and savagery.

The outrages on the part of Mexico have been committed boldly and defiantly. Citizens and soldiers have participated; officers of the Mexican army have crossed the Rio Grande at the head of their commands, and have committed outrages upon the persons and the property of our people. Mexican officials—civil and military—have been participants in the profits arising from this border war. They have given their sanction to acts of violence and rapine; they have protected the perpetrators, and, as far as they could, they have legalized robbery and murder. To the dishonor of the supreme government of Mexico, the proceeds of the sale of cattle stolen from the people of Texas have found their way into the public treasury. The custom-house authorities of Reynosa and Camargo have seized stolen cattle, knowing they had been feloniously acquired. They have refused to deliver them to the authorized agents of the American owners, and have condemned and sold them, on the ground that they had been introduced into the country contrary to law. A municipal tax has been assessed, and paid, upon property publicly known to have been robbed from Texans. This has been done in Matamoras and other places.

It has been the practice of the Mexican authorities to throw insuperable obstacles in the way of recovering property stolen from Americans, and carried into Mexico. Our citizens have been threatened and imprisoned for daring to ask for the restitution of property. To be concise, we have suffered the evils and the calamities of war from a people with whom we are professedly at peace.

The supreme government of Mexico has been notified of the hostile and piratical aggression of her authorities and citizens upon the territory, people, and property of a neighboring and peaceful power, and no

adequate steps have been taken to prevent the fitting out of expeditions upon her soil. Her territory has been used as a place of deposit for stolen property, the same has been sold publicly in her markets, and the marauders have found refuge upon her territory; once across the Rio Grande, and the outlaw is safe from molestation; he is covered by the flag of Mexico, and is the peculiar object of protection by her authorities. For these, and many other hostile acts, Mexico stands condemned by the law of nations as the endorser of the aggressions of her citizens. She has utterly failed to comply with her treaty obligations. She has been an inactive spectator of the murders and robberies committed by her citizens and soldiers upon citizens of the United States and their property.

Her failure to comply with her duties under the obligations of international law, and to extend to a neighboring and friendly power the offices of comity and good neighborhood, attach to her a fearful responsibility. By so doing she has encouraged her citizens in their wanton acts of robbery; and up to the present time, as we are informed by dispatches from the distracted frontier of the Rio Grande, those depredations are still continuing upon our peaceful people and their property in the immediate vicinity, and in sight of the armed forces of the United States.

Again, our extensive northwestern frontier has for forty years been exposed to constantly recurring inroads of the nomadic tribes that dwell in the regions beyond that line—resulting in the murder of men, women, and children, and the stealing and destruction of property of immense value, often leaving whole settlements of hardy frontiersmen (the pioneers of civilization) utterly divested by wholesale plunder of all the accumulations of an industrious life, acquired in rescuing from the savage fertile plains and devoting them to industrious civilization.

Therefore, in consideration of the premises, which are abundantly established by the testimony of the civil and military officers, and various citizen of the United States—

We, the delegates of the people of Texas, in constitutional convention assembled, do most respectfully but earnestly invoke the interposition of the Government of the United States, through its legitimate and constituted authorities, to take such prompt and efficient action as shall secure to her citizens security of person and property and just compensation for the injuries they have so wrongfully suffered at the hands of the people and officers of the government of the republic of Mexico, claiming to be at peace with our Government, so that in the future there shall not be the constantly impending danger of a war between the two countries, and our people be left to enjoy their rights of person and property in peace and security, and that they be compensated for the losses and injuries they have sustained, and the State of Texas be reimbursed for the sums of money she has expended in defense of her exposed and suffering frontier along the entire Indian and Mexican border.

In making these requests, which we prefer to the honorable the Congress of the United States, we feel that we are but asking that which as citizens of that great Government we are justly entitled to; nor can we entertain a doubt that the relief will be granted when the facts shall be made known to the properly constituted authorities.

We therefore request that his excellency the governor of the State of Texas transmit a copy of this report and memorial to His Excellency the President of the United States, and that a copy thereof be transmitted by the president of the convention to our Senators and Representatives in

Congress, that the subject may be properly presented to the consideration of the Congress of the United States.

GEORGE FLOURNOY,  
*Chairman.*

J. R. FLEMING,  
L. S. ROSS,  
JOHN S. FORD,  
D. A. NUNN,  
B. D. MARTIN,  
E. L. DOHONEY,  
J. W. BARNETT,  
JOHN S. MILLS,  
C. S. WEST,  
HENRY C. KING.

Mr. Flournoy offered the following resolution :

*Resolved*, That 500 copies of the memorial be printed and the governor be requested to forward a copy of the same to each Senator and Representative in the United States Congress and to the governors of the several States.

Adopted.

H. Mis. 37—2

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