

The Archive Wars in Texas

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Texas State Library

TEXAS HISTORY has witnessed many unusual internal wars. There have been the Salt War, the Fence-Cutters' War, the Hoodoo War, the Regulator-Moderator War, the Jaybird-Woodpecker War, and the Archive Wars. Most of these conflicts resulted from intense economic struggles or differences between political factions. The Archive Wars, however, were unique in their causes and results, and especially significant in that there was no loss of life. The two Archive Wars of Texas were fought in Austin 114 years apart. The first war in 1842 determined that Austin would remain the capital of Texas. The second Archive War in 1956 was important in that it brought about the erection of a permanent home for the documents of Texas history.

The archives of Texas are the official documentary remains produced or accumulated by the agencies of the various governments of Texas. During the Texas Revolution in 1836 the archives were moved from one locality to another by the *ad interim* government, to avoid capture by the Mexicans. For a time, in 1836, the archives were at the seat of government at Columbia; the following year they were moved to Houston. The archives of the young republic were meager at the time and were hauled in saddlebags and trunks. Of first importance were the land records. Then, there were the military records of the period of the Revolution, the proceedings of the provisional government, and the files accumulated during the first years of the Republic.

In 1839, during the presidential administration of Mirabeau B. Lamar, the town of Austin became the capital after a long and bitter fight. Austin at the time was on the edge of the western frontier. To the north the closest settlement was at the Falls of the Brazos; to the west and southwest the country was in the hands of hostile Indians. The proposal to establish the seat of government in such a remote area was opposed by those living in the more populated centers along the coast, and this movement of the seat of gov-

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ernment from Houston to Austin was the main cause of the Archive War.¹

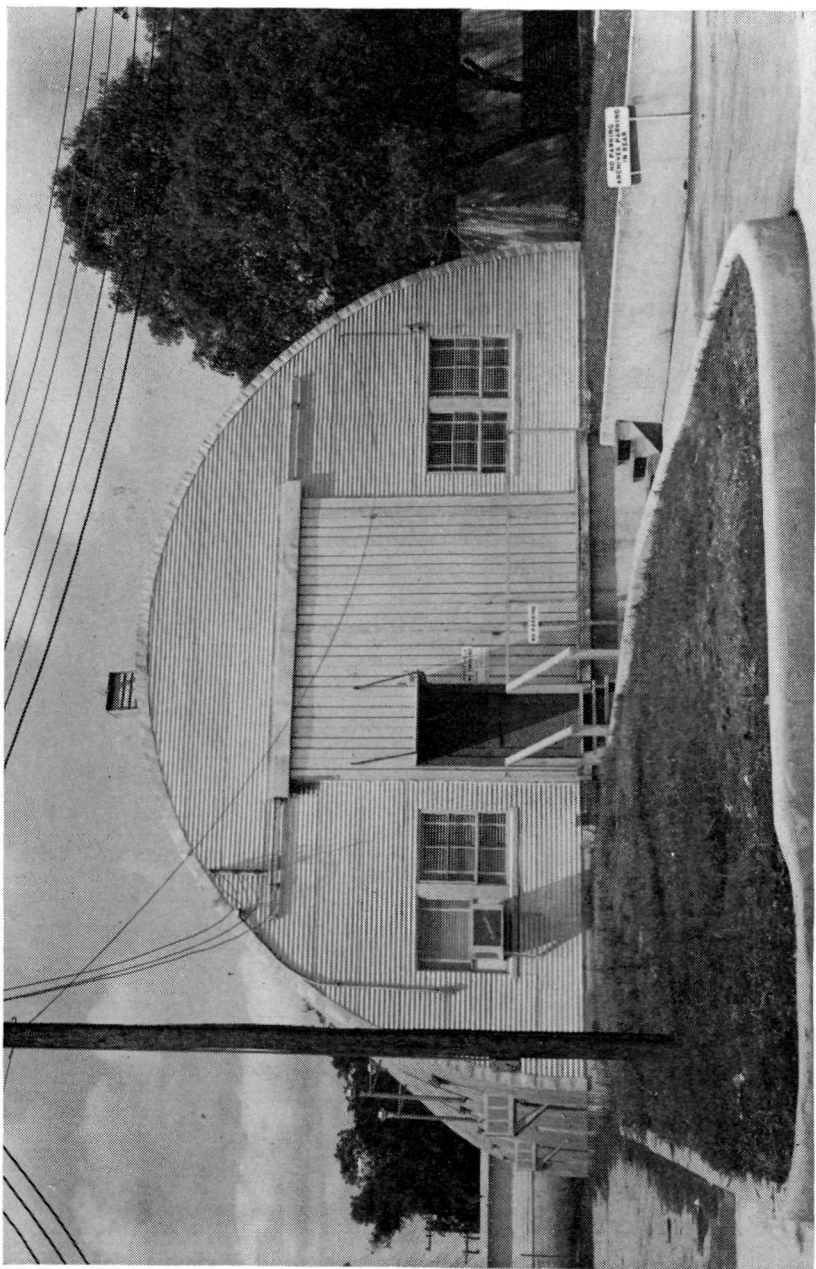
In the removal of archival property from Houston to Austin, John P. Borden, first commissioner of the General Land Office and brother of Gail Borden, Jr., the inventor of condensed milk, acted as the government's agent and made all necessary arrangements for the transfer. His official record covering the period from August 26 to October 14, 1839, shows that some 50 wagons hauled the archives and that the total cost of the removal was \$6,215. By October 14 the archives and heads of departments were in Austin, and all offices were open for the transaction of business. President Lamar and his cabinet arrived on October 17.

Sam Houston, first President of the Republic of Texas, was violently opposed to the idea of having the capital of the Republic anywhere else than in the city named for him, and his faction in the Texas Congress never gave up hope that the capital would be returned to the city named for the hero of San Jacinto. Houston never hesitated to voice his own dislike of Austin and once wrote his friend Anna Raguet that Austin was the most unfortunate site on earth for the capital. He feared Indians could burn the town, destroy the archives, and murder the people and once said that he would not risk his scalp in "that d---d hole, called Austin." His fears of Indians in the Austin vicinity were not unfounded, for in 1842 at least one Austin citizen was scalped at Barton Springs while a party of Comanches "led by a chief, wearing on his head a war dress of buffalo horns, and blowing a whistle furiously, passed near the French minister's house." During this Comanche foray a young white boy was killed and a Negro boy was captured.

In September 1841 Sam Houston was elected President of the Republic for the second time, and one of the measures that he felt had public endorsement was his desire to move the capital back to Houston. In Congress, however, such measures were always defeated; and in February 1842, when Congress adjourned, Austin

¹ The founding of Brasilia, new capital of Brazil, has much in common with that of Austin. "Both capitals were created remote from the centers of population in their republics. Both capitals were constructed on the frontier to force the development of the interior of their countries. The site for Brasilia six hundred miles inland, was chosen as a result of a survey which made use of modern professional skills of city and regional planners quite unavailable to the selectors of Austin over 120 years ago." Interesting to Texans is the fact that April 21, a Texas holiday that commemorates independence at the battle of San Jacinto, was the date chosen for the inauguration of Brasilia. "That date in 1789 marks the execution of the leader of a revolutionary party that first proposed the removal of the capital from the seaboard. The insurgents accused coastal Rio de Janeiro, capital of the then Portuguese Colony, of turning its back on its own country." *San Jacinto Museum Bulletin*, vol. 4, no. 3 (Spring 1960).

TEXAS STATE ARCHIVES, 1956-1960





TEXAS STATE ARCHIVES BUILDING NEARING COMPLETION, 1960

remained the legal capital. President Houston moved back to his Houston residence while Congress was not in session.

A Mexican invasion of Texas shortly after Congress adjourned in 1842 gave President Houston the emergency he needed to justify the removal of the archives and the seat of government from Austin. Over a thousand Mexican troops crossed the Rio Grande, and by March 5 Gen. Rafael Vásquez occupied San Antonio. Events moved rapidly in Austin during the spring of 1842. Many people left, including the French chargé d'affaires, Alphonse de Saligny.²

Although Vásquez retreated from San Antonio two days after he had captured it, President Houston did not know this and by an executive decree ordered Secretary of War George W. Hockley to remove the archives of the Republic to Houston. Thomas W. Ward,³ commissioner of the General Land Office, was directed to make the preparations necessary for their transportation. The military commander in the city, Col. Henry Jones, was opposed to the order and decided after a consultation with citizens to detain the archives.

The citizens of Austin felt that President Houston had abandoned the seat of government, and when they learned of his intentions relative to the archives they were outraged. A sharp decline in real estate in Austin may have influenced much thinking. Austinites felt that Sam Houston had failed to realize the true condition of affairs on the western frontier, and citizens insisted that the archives were as safe in Austin as they had ever been. Actually the Vásquez invasion was regarded by many as a plundering or guerilla party, and some persons felt that it was not so serious a threat as thought at first. A colorful letter written by John Welsh to President Houston provides an interesting measure of the public attitude in January of 1842 toward moving the records of the government:

Sir Old Sam We did hear that you was goin to move seat of government and the publick papers and that you swore you would do it, and then when you come to Austin and found out the boys would not let you do it you said

² Saligny had experienced numerous troubles in Austin—some unbecoming to a diplomat—where he had been found guilty of passing counterfeit promissory notes and where he had regularly refused to pay his bills. Saligny was convinced that Austin was the jumping-off place for civilization: culture did not exist, and it was difficult for him to maintain protocol in the frontier atmosphere. Although Saligny was fearful of Indians, Mexicans, and at times Texans, like a true son of France his faith never wavered in the power of the French flag. When he hurriedly left on March 19 he took time to hoist the tricolor over the French Legation.

³ Ward was known as Peg-Leg Ward, having lost his right leg in the siege of Bexar, Dec. 7, 1835. He served during the battle of San Jacinto and became the second commissioner of the General Land Office. In 1841 he suffered an additional misfortune; while firing a cannon in celebration of Texas independence, he lost his right arm.

you never was goin to move it. Now Sam you told a dam lie for you did promise the people in Houston that you would move it [seat of government and archives]. We dont thank you because we would shoot you and every dam waggoner that could start with the papers you Kaint do it and we ax you no odds . . . You shant budge with them papers. You dam blackgard indian drunk. Now old fellow if you was to try Ned Burlesons⁴ spunk just try to move them papers . . . You shall hear more from me when I am ready. John Welsh.

W. D. Miller, Houston's private secretary, wrote the President on March 16 that the citizens of Austin probably would not let the archives be moved and that they "would rather take their rifles to prevent a removal [of the archives] than to fight Mexicans." One citizen remarked that "old Sam might go to H--l but he should not have the archives without a fight." A vigilance committee was organized in Austin on March 16 to guard the archives, and a patrol was provided at Bastrop whose duty it was to inspect and keep from passing any wagon carrying government records. Houston was outraged at the defiance of his order but no less determined to carry out his intention. By executive order on April 4 he invested in Colonel Ward the necessary authority to remove the archives of the government from Austin to Houston.

With matters in this rather critical state President Houston called a special session of the Sixth Congress, which convened at Houston on June 27, 1842. In his opening message the President stressed the importance of removing the capital and the archives to Houston, but when the session adjourned Congress had failed to sustain the President in his requests.

Texas was invaded a second time in 1842 by a Mexican army, for in September about 1,200 soldiers under Gen. Adrian Woll entered San Antonio. Although Woll retreated from San Antonio before the end of the month, great excitement again prevailed in Austin and Colonel Ward closed the General Land Office by proclamation.

The regular session of Congress met at Washington-on-the-Brazos on December 5, and President Houston reviewed the trouble over the archives and the resistance offered by the citizens of Austin. His patience was exhausted, and when a resolution to remove the archives failed to pass he took drastic measures without advising Congress. He issued orders on December 10 for Capt. Thomas I. Smith and Eli Chandler to remove the public archives and government stores from Austin to Washington. Smith and Chandler

⁴ Edward Burleson, vice president of the Republic of Texas at this time, was strongly in favor of keeping both the archives and the seat of government in Austin.

set about the execution of their orders immediately. They had been instructed to act with secrecy and to make it appear that they were attempting to forestall an Indian invasion. Their object was suspected, however, and many whom they attempted to enlist refused to assist in the undertaking.

On the night of December 30, 1842, under the direction of Captain Smith, 3 wagons and about 20 men entered Austin to carry out President Houston's orders. Colonel Ward quietly opened the Land Office, then located near the corner of Congress Avenue and East Eighth Street. The wagons were almost loaded before the Austin citizens knew what was happening. Mrs. Angelina Eberly, a boarding-house keeper, was the first to discover them. She spread the alarm, and runners were hastily dispatched for every available man and boy.

Mrs. Eberly returned to Congress Avenue, where a loaded cannon was kept. The muzzle was turned toward the Land Office, Mrs. Eberly applied the torch, and the cannon was discharged. The shot hit the building, but no serious damage was done and no one was injured. Smith directed his men to leave town at once. This they did, taking the Caldwell road to the northeast, to avoid the patrol at Bastrop. Under the command of Capt. Mark B. Lewis about 20 Austin men—some poorly armed and others without horses—set out after Smith's party, taking the cannon with them. The Austin men had an advantage as the ox teams hauling the archives moved slowly. A blue norther came in, and the night was bitterly cold. The rain fell in torrents, making the roads almost impassable.

The teamsters and Smith's men made camp at Kinney's Fort, a spot on Brushy Creek some 18 miles from Austin, which had been the rendezvous site in 1841 for the Texan Santa Fe Expedition. Smith's men picketed their camp with cedar posts but posted no guards. They awoke the next morning to find themselves overtaken by their pursuers. In the road, blocking their progress, stood the cannon ready for action. There ensued a short conference, during which Smith was given the alternative of surrender or resort to arms. Seeing the uselessness of attempting resistance, he surrendered.

From this point on, the details of the story are vague. One account tells that Smith's men returned to Austin with the archives under guard of their captors and replaced the archives where they had been found. The men were served with a good supper, shared by the victors, and then left for their homes with no malice in their hearts.

The other version is that at Kinney's Fort, after the surrender had been agreed upon, Smith's men left at once for the Brazos, leaving the archives in the hands of the Austin citizens. Another colorful version pictures Smith's men taking their horses to water at the creek and then failing to return, leaving the teams and archives in the hands of the Austin citizens.

The first Archive War ended on New Year's Eve, December 31, 1842. Even though a war had been fought to keep the archives in Austin, the documents of Texas history for more than a century were stored in attics, basements, closets, warehouses, and other unsuitable places. A fire in 1845 destroyed the Treasurer's Office but fortunately there was slight loss of archival material. Another fire in 1855 in the Adjutant General's Office destroyed muster rolls of the Texas Revolution and other valuable records. When the State capitol burned in 1881 there was but a small loss of archival material, since many manuscripts were stored in vaults and a large quantity of archives had been moved to the General Land Office.

The State archives were housed in the present capitol, after its completion in 1888, in first one spot and then another. In 1951 demand for space in the capitol forced the removal of the priceless archives to the basement of the Highway Department Building. In less than five years, however, the expanding highway program in Texas "ricocheted" against the State archives. To take care of the increase in highway construction the Highway Department obtained an "electrical brain" (an I. B. M. electronic computer), and the only available place to put such a machine was that area being occupied by the archives. So in September 1956 it became necessary once again to move the manuscripts and documents of Texas history. The Highway Department continued to furnish housing for the State archives—the new home was an inconveniently located quonset hut at Camp Hubbard in northwest Austin, in the area that the Highway Department used for repair shops, testing of materials, and the like.

Many Texas citizens by this time were deeply concerned for the safety of the archives. The quonset hut assigned had already suffered one fire, and there were rumors that the manuscripts were in great danger from rats, termites, and dampness. The reaction that followed the movement resulted in what present-day historians call the second Archive War in Texas. Newspaper editors and writers; members of patriotic groups, learned societies, and historical organizations; and teachers and school children in all parts of the State raised strong and bitter protests against the treatment given to the relics of Texas' past. Using the letter-writing method that

pioneer John Welsh had employed more colorfully in writing Sam Houston during the first Archive War in 1842, irate citizens by the thousands voiced their sentiments to responsible State officials. A great number of petitions were circulated, deploring the situation of the Texas State Archives, and at least one of these contained more than 5,000 signatures.

When the legislature met in January 1957, Gov. Price Daniel called to the lawmakers' attention the deplorable housing of the State archives. Governor Daniel said:

. . . another temporary move of the archives is highly undesirable. In my opinion one of the most priceless treasures of the people of Texas will continue to suffer damage and possible destruction as long as the archives, Texas history collection, and historical records remain housed in a quonset hut in the repair yards of the Highway Department. I visited this building several days ago and could hardly believe that the Texas Declaration of Independence, the Travis letter written in the Alamo, and many other priceless documents are crowded into a vault which is only fire resistant. The gas stoves remain on all night in the corrugated iron building, and they are so close to some of the books and records that the paper is hot to the touch, and the damage is readily apparent. I believe that every member of the Legislature who visits the repair yards of the Highway Department to see these archives will be convinced that this part of our Texas heritage deserves better treatment and that we should not allow this disgraceful condition to continue.

Members of the legislature realized there was a real possibility that unless conditions improved Texas might conceivably have no State archives within a short span of time. Before the legislature adjourned in May, the necessary funds had been provided to erect a permanent and suitable home for the Texas State archives. The new building is now scheduled for completion before the end of October of this year.

Even though the Texas State archives have not been adequately housed for more than a century, there is ample evidence that the archival materials have been utilized most advantageously by researchers. Society has received tremendously rich rewards in the writings done by Texans and others during the past century when the archives were never adequately available. The opportunities for research and writing in Texas will be brighter than ever before, now that the State archives will be housed adequately and can be made available for the most extensive possible use. Who can predict what historians and other writers will produce during the decades ahead?