

FALL OF BEJAR

AND

Surrender of General Cos!!

HEAD QUARTERS, VOLUNTEER ARMY,
BEJAR, DECEMBER 14, 1835.

TO HIS EXCELLENCY THE PROVISIONAL
GOVERNOR OF TEXAS.

SIR,

I have the satisfaction to enclose a copy of colonel Johnson's account of the storming and surrender of San Antonio de Bejar, to which I have little to add that can in any way increase the lustre of this brilliant achievement, to the federal arms of the volunteer army under my command; and which will, I trust, prove the downfall of the last position of military despotism in our soil of freedom.

At three o'clock in the morning of the 5th instant, colonel Neil, with a piece of artillery, protected by captain Roberts and his company, was sent across the river, to attack at five o'clock, the Alamo, on the north side, to draw the attention of the enemy from the advance of the divisions which had to attack the suburbs of the town, under colonels Milam and Johnson. This service was effected to my entire satisfaction; and the party returned to camp at nine o'clock, A. M.

On the advance of the attacking divisions, I formed all the reserve, with the exception of the guard necessary to protect the camp, at the old mill position; and held myself in readiness to advance, in case of necessity, to assist when required; and shortly afterwards passed into the suburbs to reconnoitre, where I found all going on prosperously, and retired with the reserve to the camp. Several parties were sent out mounted, under captains Cheshire, Coleman, and Roberts, to scour the country, and endeavor to intercept Ugartechea, who was expected, and ultimately forced an entry, with reinforcements for general Cos. Captains Cheshire, Sutherland, and Lewis, with their companies, were sent in as reinforcements to colonel Johnson, during the period of attack; and captains Splane, Ruth, and lieutenant Borden, with their companies, together with lieutenant-colonels Somerville and Sublett, were kept in readiness as further assistance if required. On the evening of the 8th, a party from the Alamo, of about fifty men, passed up in front of our camp and opened a brisk fire, but without effect; they were soon obliged to retire precipitately, by opening a six pounder on them, commanded by captain Hunnings, by sending a party across the river, and by the advance of captain Bradley's company, who were stationed above.

On the morning of the 9th, in consequence of advice from colonel Johnson, of a flag of truce having been sent in, to intimate a desire to capitulate; I proceeded to town, and by two o'clock, A. M. of the 10th, a treaty was finally concluded by the commissioners appointed, to which I acceded immediately, deeming the terms highly favorable, considering the strong position and large force of the enemy, which could not be less than thirteen hundred effective men; one thousand one hundred and five having left this morning with general Cos, besides three companies and several small parties which separated from him in consequence of the fourth article of the treaty.

In addition to a copy of the treaty, marked No. 1, I enclose a list, No. 2, of all the valuable property ceded to us by virtue of the capitulation.

General Cos left this morning for the mis-

sion of San José, and to-morrow commences his march to the Rio Grande, after complying with all that had been stipulated.

I cannot conclude this despatch without expressing in the warmest terms, my entire approbation of every officer and soldier in the army, and particularly those who so gallantly volunteered to storm the town, which I have the honor to command, and to say that their bravery and zeal on the present occasion, merit the warmest eulogies which I can confer, and the gratitude of their country. The gallant leader of the storming party, colonel Benjamin R. Milam, fell gloriously on the third day, and his memory will be dear to Texas as long as there exists a grateful heart to feel, or a friend of liberty to lament his worth. His place was most ably filled by colonel F. W. Johnson, adjutant-general of the army, whose coolness and prudence, united to daring bravery, could alone have brought matters to so successful an end, with so very small a loss, against so superior a force, and such strong fortifications. To his shining merits on this occasion, I bore ocular testimony during the five days action.

I have also to contribute my praise to major Bennet, quarter-master general, for the diligence and success with which he supplied both armies during the siege and storm.

These despatches, with a list of killed and wounded, will be handed to your Excellency by my first aid-de-camp, colonel William T. Austin, who was present as a volunteer during the five days' storm, and whose conduct on this and every other occasion, merits my warmest praise.

To-morrow, I leave the garrison and town under command of colonel Johnson, with a sufficient number of men and officers to sustain the same in case of attack, until assisted from the colonies: so that your Excellency may consider our conquest as sufficiently secured against every attempt of the enemy. The rest of the army will retire to their homes.

I have the honor to be

Your Excellency's ob't serv't,

EDWARD BURLESON,
Commander-in-Chief of the
Volunteer Army.

GEN'L BURLESON, COMMANDER-IN-CHIEF
OF THE FEDERAL VOLUNTEER ARMY OF
TEXAS.

SIR,—I have the honor to acquaint you, that on the morning of the 5th inst., the volunteers for storming the city of Bejar, possessed by the troops of general Cos, entered the suburbs in two divisions, under the command of colonel Benjamin R. Milam. The first division, under his immediate command, aided by major R. C. Morris, and the second, under my command, aided by colonels Grant and Austin, and adjutant Brister.

The first division, consisting of the companies of captains York, Patten, Lewellyn, Crane, English, and Landrum, with two pieces, and fifteen artillerymen commanded by lieutenant-colonel Franks, took possession of the house of Don Antonio de la Garza. The second division, composed of the companies of captains Cook, Swisher, Edwards, Alley, Duncan, Peacock, Breece, and Placido Benavides, took possession of the house of Berrimendi. The last division

was exposed for a short time to a very heavy fire of grape and musketry from the whole of the enemy's line of fortification, until the guns of the first division opened their fire, when the enemy's attention was directed to both divisions. At 7 o'clock, a heavy cannonading from the town was seconded by a well directed fire from the Alamo, which for a time prevented the possibility of covering our lines, or effecting a safe communication between the two divisions. In consequence of the twelve pounder having been dismantled, and the want of proper cover for the other gun, little execution was done by our artillery, during the day. We were, therefore, reduced to a close and well directed fire from our rifles, which, notwithstanding the advantageous position of the enemy, obliged them to slacken their fire, and several times to abandon their artillery, within the range of our shot. Our loss during this day was one private killed, one colonel and one first lieutenant severely wounded; one colonel slightly, three privates dangerously, six severely, and three slightly. During the whole of the night, the two divisions were occupied in strengthening their positions, opening trenches, and effecting a safe communication, although exposed to a heavy cross-fire from the enemy, which slackened towards morning. I may remark that the want of proper tools rendered this undertaking doubly arduous. At daylight of the 6th, the enemy were observed to have occupied the tops of the houses in our front, where, under the cover of breastworks, they opened through loop holes, a very brisk fire of small arms on our whole line, followed by a steady cannonading from the town, in front, and the Alamo on the left flank; with few interruptions during the day. A detachment of captain Crane's company, under lieutenant W. McDonald, followed by others, gallantly possessed themselves, under a severe fire, of the house to the right, and in advance of the first division, which considerably extended our line; while the rest of the army was occupied in returning the enemy's fire and strengthening our trenches, which enabled our artillery to do some execution, and complete a safe communication from right to left.

Our loss this day amounted to three privates severely wounded, and two slightly. During the night the fire from the enemy was inconsiderable, and our people were occupied in making and filling sand bags, and otherwise strengthening our lines. At day light on the 7th, it was discovered that the enemy had, during the night previous, opened a trench on the Alamo side of the river, and on the left flank, as well as strengthening their battery on the cross street leading to the Alamo. From the first they opened a brisk fire of small arms; from the last a heavy cannonade, as well as small arms, which was kept up until eleven o'clock, when they were silenced by our superior fire. About twelve o'clock, Henry Carns, of captain York's company, exposed to a heavy fire from the enemy, gallantly advanced to a house in front of the first division, and with a crow bar forced an entrance, into which the whole of the company immediately followed him, and made a secure lodgment. In the evening, the enemy renewed a heavy fire from all the positions which could bear upon us; and at half-past three o'clock, as our gallant commander, colonel Milam, was passing into the yard of

my position, he received a rifle shot in the head, which caused his instant death; an irreparable loss at so critical a moment. Our casualties, otherwise, during this day, were only two privates slightly wounded.

At a meeting of officers held at seven o'clock, I was invested with the chief command; and major Morris, as my second, at ten o'clock, P. M. Captains Lewellyn, English, Crane, and Landrum, with their respective companies, forced their way into, and took possession of the house of Don J. Antonio Navarro, an advanced and important position close to the square. The fire of the enemy interrupted and slack during the whole night, and the weather exceedingly cold and wet.

The morning of the 8th continued cold and wet, and but little firing on either side. At nine o'clock the same companies who took possession of Don J. Antonio Navarro's house, aided by a detachment of the Grays, advanced, and occupied the Zambrano row, leading to the square, without any accident. The brave conduct, on this occasion, of William Graham, of Cook's company of Grays, merits mention. A heavy fire of artillery and small arms was opened on this position by the enemy, who disputed every inch of ground; and, after suffering a severe loss in officers and men, were obliged to retire from room to room, until at last they evacuated the whole house. During this time our men were reinforced by a detachment from York's company, under command of lieutenant Gill.

The cannonading from the camp was exceedingly heavy from all quarters during the day, but did no essential damage.

Our loss consisted of one captain seriously wounded, and two privates severely. At 7 o'clock, P. M. the party in Zambrano's Row were reinforced by captains Swisher, Alley, Edwards, and Duncan, and their respective companies.

This evening we had undoubted information of the arrival of a strong reinforcement to the enemy, under colonel Ugartechea. At half past ten o'clock, P. M. captains Cook and Patton, with the company of New Orleans Grays, and a company of Brazoria volunteers, forced their way into the priest's house in the square, although exposed to the fire of a battery of three guns, and a large body of musketeers.

Before this, however, the division was reinforced from the reserve, by captains Cheshire, Lewis, and Sutherland, with their companies.

Immediately after we got possession of the priest's house, the enemy opened a furious cannonade from all their batteries, accompanied by incessant volleys of small arms against every house in our possession, and every part of our lines, which continued unceasingly until half past six o'clock, A. M. of the 9th, when they sent a flag of truce, with an intimation that they desired to capitulate. Commissioners were immediately named by both parties; and herewith I accompany you a copy of the terms agreed upon.

Our loss in this night attack, consisted of one man only, (Belden, of the Grays,) dangerously wounded, while in the act of spiking a cannon.

To attempt to give you a faint idea of the intrepid conduct of the gallant citizens who formed the division under my command during the whole period of the attack would be a task of no common nature,

and far above the power of my pen. All behaved with the bravery peculiar to freemen, and with a decision becoming the sacred cause of liberty.

To signalize every individual act of gallantry, where no individual was found wanting to himself or to his country, would be a useless and endless effort. Every man has merited my warmest approbation, and deserves his country's gratitude.

The memory of colonel B. R. Milam, the leader of this daring and successful attack, deserves to be cherished by every patriotic bosom in Texas.

I feel indebted to the able assistance of colonel Grant, (severely wounded the first day,) colonel Austin, majors Morris and Moore, adjutant Bristow, lieutenant colonel Franks of the artillery, and every captain (names already given) who entered with either division, from the morning of the 5th, until the day of capitulation.

Doctors Levy and Pollard also deserve my warmest praise, from their unremitting attention and assiduity.

Dr. Cameron's conduct during the siege and treaty of capitulation, merits particular mention: the guides, Messrs. Erastus Smith, Norwich, Arnold, and John W. Smith, performed important service; and I cannot conclude without expressing my thanks to the reserve under your command, for such assistance as could be afforded me during our most critical movements.

The period put to our present war by the fall of San Antonio de Bejar, will, I trust, be attended with all the happy results to Texas, which her warmest friends could desire.

I have the honor to subscribe myself,
Your most obedient servant,
(Signed,) F. W. JOHNSTON,
Colonel Commanding.

A true copy of the original,
WM. T. AUSTIN,
Aid-de-camp.

CAPITULATION.

Entered into by general Martin Perfecto de Cos, of the Permanent troops, and general Edward Burleson, of the Colonial troops of Texas.

Being desirous of preventing the further effusion of blood, and the ravages of civil war, have agreed on the following stipulations:

1st. That general Cos and his officers retire with their arms and private property, into the interior of the republic, under parole of honor; that they will not in any way oppose the re-establishment of the federal Constitution of 1824.

2d. That the one hundred infantry lately arrived with the convicts, the remnant of the battalion of Morelos, and the cavalry, retire with the general: taking their arms and ten rounds of cartridges for their muskets.

3d. That the general take the convicts brought in by colonel Ugartechea, beyond the Rio Grande.

4th. That it is discretionary with the troops to follow their general, remain, or go to such point as they may deem proper: but in case they should all or any of them separate, they are to have their arms, &c.

5th. That all the public property, money, arms and munitions of war, be inventoried and delivered to general Burleson.

6th. That all private property be restored to its proper owners.

7th. That three officers of each army be appointed to make out the inventory, and see that the terms of the capitulation be carried into effect.

8th. That three officers on the part of general Cos remain for the purpose of delivering over the said property, stores, &c.

9th. That general Cos with his force, for the present, occupy the Alamo; and general Burleson, with his force, occupy the town of Bejar; and that the soldiers of neither party pass to the other, armed.

10th. General Cos shall, within six days from the date hereof, remove his force from the garrison he now occupies.

11th. In addition to the arms before mentioned, general Cos shall be permitted to take with his force, a four-pounder, and ten rounds of powder and ball.

12th. The officers appointed to make the inventory and delivery of the stores, &c. shall enter upon the duties to which they have been appointed, forthwith.

13th. The citizens shall be protected in their persons and property.

14th. General Burleson will furnish general Cos with such provisions as can be obtained, necessary for his troops to the Rio Grande, at the ordinary price of the country.

15th. The sick and wounded of general Cos's army, together with a surgeon and attendants, are permitted to remain.

16th. No person, either citizen or soldier, to be molested on account of his political opinions hitherto expressed.

17th. That duplicates of this capitulation be made out in Castilian and English, and signed by the commissioners appointed, and ratified by the commanders of both armies.

18th. The prisoners of both armies, up to this day, shall be put at liberty.

The commissioners, José Juan Sanchez, adjutant inspector; Don Ramon Musquiz, and lieutenant Francisco Rada, and interpreter, Don Miguel Arciniega; appointed by the commandant and inspector, general Martin Perfecto de Cos, in connection with colonel F. W. Johnston, major R. C. Morris, and captain J. G. Swisher, and interpreter, John Cameron; appointed on the part of general Edward Burleson: after a long and serious discussion, adopted the eighteen preceding articles, reserving their ratification by the generals of both armies.

In virtue of which, we have signed this instrument in the city of Bejar, on the 11th of December, 1835.

Signed,

JOSÉ JUAN SANCHEZ,
RAMON MUSQUIZ,
J. FRANCISCO DE RADA,
MIGUEL ARCINIEGA,
Interpreter.

F. W. JOHNSTON,
ROBERT C. MORRIS,
JAMES G. SWISHER,
JOHN CAMERON,
Interpreter.

I consent to, and will observe the above articles.

(Signed,)

MARTIN PERFECTO DE COS,
Ratified and approved.

(Signed,)

EDWARD BURLESON,
Commander-in-chief of the
Volunteer Army.

A true copy.

EDWARD BURLESON,
Commander-in-chief.

INVENTORY,

Showing the pieces of Artillery, Muskets, Cannons, Lances, and Ammunition, which, on this date, are delivered to the Commissioners appointed by the Commander-in-chief of the Volunteer Army of Texas, by those commissioned for the purpose by the Commandant, general Don Martin Perfecto de Cos.

IN BEJAR.

30 useless muskets.
7 empty ammunition chests.
17 muskets.
1 bugle
2 boxes ammunition.
1 rammer.
1 lantern.
4 large cannon.
2 swivels.
1 four-pound cannon, mounted.
5 boxes ammunition.
4 drums.
4 boxes with 66 hats and 49 blankets, of the company of lancers.
1 bale with 12 dozen blankets.
1 four-pound cannon, mounted.
1 chimesco.
2 trumpets.
2 clarions.
1 large clarion,
2 cymbals,

IN THE ALAMO.

2 four-pound cannon, mounted.
2 small brass ditto.
1 four-pound field piece.
1 ditto three-pounder, complete.
1 rammer.
1 cannon, four-pounder, with carriage and rammer.
1 iron culverine, of 9-inch calibre, mounted.
1 howitzer of 5-inch calibre.
1 cannon, six-pounder.
1 field piece, four-pounder.
1 cannon, five-pounder, mounted.
1 ditto six-pounder, mounted.
257 carabines and muskets.

IN THE ARSENAL.

11,000 musket cartridges.
2 cartouch boxes.
10 bags grape shot.
9 ditto with cartridges.
18 swivel worms.
8 howitzer ditto.
100 small cannon cartridges.
18 packages musket cartridges.
10 port fires.
16 swivel worms.
40 swivel cartridges.
1 bag containing one hundred pounds of powder.
50 packages cartridges.
16 ditto ditto
1 box cartridges, damp.
1 box musket cartridges.
1 box powder.
1200 musket cartridges.
1 ammunition box with twenty cannon balls.
10 quick matches.
1 box howitzer worms.
3 boxes musket cartridges.
2 ammunition boxes with forty cannon balls.
1 match cord.
1 box howitzer worms.
1 box cartridges.
2 ditto ditto.
1 box 26 stands of grape.

1 box musket cartridges.
1 bag of powder.
1 bag of gun flints.
1 drum.
15 carabines, out of order.
11 packages cannon ball.
1 piece small ordnance.

Delivered by Manchaca.

67 muskets.
15 coats.
9 gun locks.
49 duck jackets.
1 bunch of wire.
3 bars of steel.
1 small ditto of iron.
1 bunch flax thread.
15 skeins sewing silk.
63 duck jackets.
2 barrels containing one hundred and sixty-six bayonets.
9 aparejos.
58 lances.
1 pair scales with weights.
1 piece of linsey.
50 muskets with bayonets.
13 lances.

Bejar, December 13, 1835.

Delivered by

JUAN CORTINA,
J. FRANCISCO DE RADA,
FRANCISCO HERRERA.

Received by

JAMES CHESHIRE,
WILLIAM G. COOK,
W. H. PATTON.

Copy.

F. W. JOHNSON,
Colonel Commanding.

{ COUNCIL HALL, SAN FELIPE DE AUSTIN,
DECEMBER 18, 1835.

On motion of Mr. Barrett,
Resolved, That the General Council feel that no better or more suitable report can be made to the people of Texas, and to the world, of the brilliant storming and taking of Bejar, than that contained in the returns of the brave officers who have communicated their achievements to the Provisional Government; and that the same be given to the printer for publication, and that five hundred copies, in hand-bill form, be printed as soon as possible.

JAMES W. ROBINSON,
Lieutenant Governor, and
ex-officio President of the
General Council.

JOHN J. LINN,
DANIEL PARKER,
D. C. BARRETT,
ALEXANDER THOMPSON,
JOHN McMULLEN,
C. WEST,
J. D. CLEMENTS,
ASA MITCHELL,
WYATT HANKS,
W. P. HARRIS,
R. R. ROYALL,
JAMES KERR,
WILLIAM MENIFEE,
JAMES POWERS,
HENRY MILLARD.

E. M. PEASE,
Secretary to General Council.