Steps Toward Independence

Lesson 3: The Convention of 1836

ESSENTIAL QUESTION
How do governments change?

Terms to Know
allocate to give to or assign to
sole only
ad interim a Latin term meaning “for the time between”
petition a formal, written request to a government to take some action or change a policy
community property property obtained during the course of the marriage

What do you know?
For each statement, write a T for true or an F for false.

1. _______ George Childress wrote the Texas Declaration of Independence.
2. _______ There were no Tejano delegates at the Convention of 1836.
3. _______ The U.S. Constitution was a model for the Texas Constitution.
4. _______ Sam Houston was elected as the first president of Texas.
5. _______ The first Texas Constitution did not include a Bill of Rights.

Starting a New Republic

Guiding Question How did the views of Texans toward independence change in early 1836?

By February 1836, Santa Anna and his army were in San Antonio. Meanwhile, 59 delegates arrived at Washington-on-the-Brazos for the Convention of 1836. This was the fourth convention in which Texans met to decide whether Texas should remain part of Mexico. With Santa Anna’s army in Texas, the delegates knew they had to act fast.

All settlements in Texas were represented. Battle sites were especially well represented. San Antonio de Béxar was allocated four delegates, and Gonzales and Goliad each had two.
Steps Toward Independence

Lesson 3: The Convention of 1836, continued

The first task of the convention was to elect a chairman. The delegates chose Richard Ellis. H. S. Kimble was chosen as secretary. The next step was to appoint a committee to write a declaration of independence. George Childress was named chairman of the committee. Historians generally agree that he was the declaration’s sole, or only, author. On March 2, the committee presented the Declaration of Independence and all the delegates approved it. March 2 became Texas Independence Day.

The convention then turned to writing a constitution for the new republic. A republic is a form of government in which citizens elect representatives to make laws for them. On March 16, the Texas Constitution was completed and approved. The delegates then formed an ad interim, or temporary, government. They elected Sam Houston as commander-in-chief of the Texas military.

The convention made other decisions, too. It passed a resolution requiring all males ages 17 to 50 to serve in the army. The delegates also offered land grants of 1,280 acres (518 hectares) to volunteers who stayed for the entire war. They did all this work in only two weeks. While they were creating the new government, General Santa Anna was invading San Antonio.

Marking the Text

2. Highlight the information about the writing of the Texas Declaration of Independence.

Defining

3. What does ad interim mean?

Reading Progress Check

4. Why did the members of the Convention of 1836 act so quickly?

Finding the Main Idea

5. What was the main idea of the introduction to the Texas Declaration of Independence?

Models for a New Government

Guiding Question How did Texas’s diverse background influence its Declaration of Independence and Constitution?

The Texas delegates used documents they knew as models for the Texas Declaration and Constitution. They primarily looked to the Declaration of Independence and U.S. Constitution. The delegates also included some rights they had enjoyed under Spanish and Mexican rule.

The introduction to the Declaration lists complaints against the British king to justify the American Revolution. The Texas Declaration has a similar introduction. It states that Santa Anna violated the liberties guaranteed by the Mexican Constitution of 1824.

The convention charged that Texans had lost many rights, including freedom of religion and the right to trial by jury, the right to bear arms, and the right to petition the government. A petition is a formal, written request to a government to take some action. Finally, because Mexico had sent an army, the Texas Declaration notes that the protests were met with military force.
Steps Toward Independence

Lesson 3: The Convention of 1836, continued

There are also similarities between the constitution of Texas and that of the United States:

- Three branches of government: the executive (chief governing officer), legislative (lawmaking body), and judicial (courts)
- A Bill of Rights protecting freedoms of speech, the press, and religion; right to trial by jury; and other basic civil rights

Some provisions were unique to Texas at the time. For example, the document said that both husbands and wives could own community property. This is property gained during marriage. Women did not have this right in most states. The constitution also had protections for people in debt. The constitution had clear rules about property ownership, too. Ministers and priests could not hold public office. This was based on the principle of the separation of church and state.

However, the Convention of 1836 did not view all people equally. For example, the constitution made slavery legal, and people moving into Texas could bring enslaved people. Enslaved people had no rights. Also, free African Americans were not allowed to live in the Republic of Texas without the permission of the legislature. Their rights to own land were restricted.

Native American rights were also left out of the constitution. In 1835 Sam Houston, an adopted Cherokee, began talks about a treaty with the Cherokee. The treaty was finalized in February of 1836. It granted the Cherokee the rights to their land. It never took effect, however, because the convention did not approve it.

**Listing**
6. What were four freedoms or rights protected by the Bill of Rights in the Texas Constitution?

**Defining**
7. What is community property?

**Marking the Text**
8. Underline the information about a unique right that women had in Texas.

**Reading Progress Check**
9. What was the legal status of African Americans under the Texas Constitution of 1836?
### The War’s Influence

**Guiding Question** How did Mexico’s invasion of Texas affect the formation of the new government?

Because Santa Anna was moving quickly, there was no time to hold elections to approve the constitution or elect new leaders. The convention selected officers for another ad interim government who would serve until regular elections could be held. The new leaders included the first president, David G. Burnet. Sam Houston was elected unanimously as commander of all Texas forces, including the volunteers and the regular army.

Houston left the convention on March 6 to take command of the army at Gonzales. He arrived there on March 11. The Alamo had already fallen, and its defenders were dead. Houston prepared to battle Santa Anna.

On March 15, reports reached the convention that the Alamo had fallen. Two days later, on March 17, the delegates received word that Santa Anna's army was marching toward Washington-on-the-Brazos. The convention ended, and the members scattered.

President Burnet and his cabinet headed southeast. They established a government at Harrisburg, which is today part of Houston. A few weeks later, as Santa Anna’s army approached them there, the government again was forced to flee, this time to Galveston. The war was underway, and the future looked bleak for the new Republic of Texas.

### Writing

**Check for Understanding**

1. **Expository** Who was George Childress, and what was his role in the Texas Revolution?

   ______________________________________________________
   ______________________________________________________
   ______________________________________________________

2. **Expository** What were three protections in the Texas Constitution that were unique to Texas?

   ______________________________________________________
   ______________________________________________________
   ______________________________________________________