

Ranching in Spanish Texas

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IT IS FAIRLY well-known among twentieth-century Americans that the open-range cattle industry originated in Spanish Texas more than a century before its romantic heyday after the Civil War. Yet little specific information has been available about this aspect of the cowboy complex. The usual impression today is that while present cattle-handling methods have vague roots in the Spanish past, their development was uniquely an Anglo-American adaptation of *vaquero* practices. Almost unknown is the fact that this industry was widespread in Spanish Texas, and that cattle and horses were the major export from the province during the late eighteenth and early nineteenth centuries.

Present-day ignorance about the magnitude of ranching in Spanish Texas is primarily a result of the paucity of records kept about the industry. Cattle raising apparently was so commonplace that the Spaniards generally overlooked it when they compiled their otherwise elaborate statistics and made their endless reports about life in the colony. Beginning in 1778, however, tax-hungry government officials turned their attention to the large herds of livestock roaming the plains of Texas, necessitating the keeping of records—records that allow a tantalizing glimpse of this ranching activity.

Alonso de León and Domingo Terán de los Ríos probably drove cattle with them to East Texas in 1690 and 1691 respectively, but it was the expedition headed by the Marquis de Aguayo in 1721 which first brought livestock to the province in significant numbers. This herd consisted of 400 sheep and 300 cattle from Nuevo León.¹ Sheep increased very slowly in the new environment because the area was thickly wooded and abounded in predatory animals, and because many of them were lost owing to a shortage of trained herders. In the brush country of South Texas, however, cattle thrived and became a primary source of food for the early Texans. Livestock also constituted the principal wealth of the missions.²

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¹ Fray Juan Agustín Morfi, *History of Texas, 1673-1779*, trans. by Carlos E. Castañeda (2 parts, Albuquerque, 1935), I, 241.

² Fray José Franco López, *The Texas Missions in 1785*, trans. by J. Aubrey Dabbs (Austin, 1940), pp. 18-19.

Horses had escaped from early Spanish ranches and found the plains conditions ideal for increasing. Soon large herds of mustangs were roaming over Texas and the Southwest. Yet horse ranches were few in Spanish Texas because the Indian raiders preferred stealing from the Spaniards to catching the fleet-footed, untamed animals on the prairies.³

By 1777-1778 the ranchers in the colony were reporting that they were unable to conduct their business properly because the Comanches and Apaches had left them without sufficient mounts, and the presidial troops were unable to prevent such thefts or give protection to the civilians because the insolent savages had likewise left them afoot.⁴ The result was that most ranch animals were unbranded when Brigadier Teodoro de Croix, newly appointed commandant-general of the Interior Provinces,⁵ made his tour of inspection through the colony in January of 1778. Croix was impressed with the large herd of unmarked stock he saw, and decided he had found a new source of revenue for the hard-pressed royal treasury. While still in San Antonio, he formulated a decree concerning the ranching industry. The order was posted on January 12, 1778.⁶

Croix declared that all animals in the province were subject to the law and that ranchers had four months to corral and brand their animals. Thereafter, all unmarked stock was the property of the king, as also were the wild offspring of branded animals. All ranchers' brands were required to be different and had to be registered with the governor of the province, who would use the information to compile a brand register which would be kept up-to-date and show the number of animals branded, killed, or sold. Croix concluded by stating that all citizens, regardless of their station in life, were subject to the penalties and provisions he had prescribed.⁷

A short time later the commandant-general issued a supplemental decree stating that for the privilege of capturing the king's animals

³ See Donald E. Worcester, "The Spread of Spanish Horses in the Southwest," *New Mexico Historical Review*, Vol. XIX, No. 3 (July, 1944), 225-232 and Vol. XX, No. 1 (Jan., 1945), 1-13, and "Spanish Horses Among the Plains Tribes," *Pacific Historical Review*, Vol. XIV, No. 4 (Dec., 1945), 409-417.

⁴ *Ibid.*, p. 19; Carlos E. Castañeda, *Our Catholic Heritage in Texas, 1519-1936* (7 vols., Austin, 1931-1958), V, 28.

⁵ For information about the founding of the Interior Provinces, see H. Bailey Carroll and J. Villasana Haggard (trans. and eds.), *Three New Mexico Chronicles* (Albuquerque, 1942), pp. 169-171; Alfred B. Thomas, *Teodoro de Croix and the Northern Frontier of New Spain, 1776-1783* (Norman, 1941), pp. 16-20.

⁶ Domingo Cabello, Decree, July 13, 1783, San Antonio, *Béxar Archives* (Archives, The University of Texas, Austin) quotes Croix's decree of January 12, 1778. The *Béxar Archives* hereafter cited as BA.

⁷ *Ibid.*

roaming the prairies and brush country, private individuals would pay four silver *reales* (one-half *peso*) per head for cattle, and six reales for wild horses. Later he lowered the fee for horses to two reales to encourage the capturing of mustangs worthy of use by the army, and because he felt that wild horses were twice as difficult to corral as wild cattle.⁸ Another fund-raising device he decided upon was a fee for exporting animals from Texas to other provinces—two pesos per head for cattle or horses.⁹

Animals stolen by the Indians occasionally were recovered, and Croix found it expedient to formulate regulations that would insure the return of such stock to its rightful owners. He ordered that a bulletin board be built at every presidio and villa in the Interior Provinces on which would be advertised everything recovered from the natives. Owners, he decreed, had four months from the date of the posting of such notices of recovery to reclaim their property. After that time no legal claim on it could be made. To avoid frauds, Croix stated that all losses to the Indians were to be reported to the nearest authority as soon after the event as possible. In such reports, the ranchers were to include the hour and date of the raid, the number of hostiles in the raiding party, and a description of everything that was lost. Anyone recovering property from the Indians likewise was to make a report. When the owner came to reclaim his possessions, he was to pay a fee, the amount depending on what was stolen, the distance it was removed, and the length of time it was in the hands of the savages. The maximum fee—eight pesos per mule, five pesos per horse, and two pesos per head of other stock—was due when the goods or animals were recovered without the help of the owner, had been held more than eight days, and had been removed more than eight leagues distant by the thieves. The minimum fee was merely the cost of recovery and was to be paid when the animals were recaptured with the aid of the owner, had been removed less than eight leagues, and had been held less than eight days.¹⁰

In addition to the Indians, there occasionally were Spaniards who believed it easier or more profitable to steal the fruit of another man's labor than to raise or catch their own animals. For such thieves the Texas legal code, based on a royal codification of the laws (the *Recopilación*), prescribed the death penalty for anyone who stole

⁸ Cabello to Croix, No. 136, October 8, 1779, San Antonio, *BA*; Cabello, Decree, October 27, 1779, San Antonio, *BA*.

⁹ Cabello to Commandant-General José Antonio de Rengel, No. 18, December 28, 1784, San Antonio, *BA*.

¹⁰ Croix, Decree, August 15, 1780, Arizpe, *BA*.

twelve sheep or goats, five horses or hogs, or beef cattle of similar value.¹¹

To critics of these laws, Croix replied that he had formulated them to insure that the natives did not have exclusive rights to this food supply, to encourage the settlers to make the best use of the large herds, and to bring additional revenue to the royal treasury.¹² But neither the ranchers nor the missionaries appreciated his efforts.

Before Croix's decrees regulating the ranching industry and the unbranded animals in the province became a permanent part of the law, they required royal approval. In an attempt to prevent such sanction being given, both private citizens and members of the clergy sent a flood of petitions to Madrid to protest what they considered to be a usurpation of private property. Fray José Franco López, who personally inspected the Texas missions in 1785, declared in his report that when the commandant-general formulated his announcement about unbranded animals he did not give the required notice of his intentions beforehand, he failed to hold a hearing afterward, he had no legal precedent for his actions, and he failed to consider the "grave and very prejudicial result that may be feared. . . ." López said that previous to Croix's decrees, the struggling missionaries in Texas had been able to feed and clothe their Indian wards out of their salaries and the income from the mission herds. In ringing words López denounced Croix's decrees, stating, "As a result of the policy adopted, these wretches are made to suffer and endure great sorrow." He asserted that the wild Indians, the soldiers, and the civilians who, according to his information, were disregarding the laws, were slaughtering the herds and eating well. He concluded with an appeal to the crown to rescind the decrees on the basis that they had not produced a large amount of wealth for the royal treasury. The sum derived from the sale of unbranded cattle, he asserted, should have amounted to 25,000 pesos between 1778 and 1785, but in reality had produced only six or seven thousand pesos.¹³

The ranchers added their petitions to those of the missionaries, and they protested by direct action as well. They rebelled against paying the fees for the licenses which the governor required to be bought before wild animals were rounded up. Failure to purchase such licenses brought a fine and confiscation of the animals when the lawbreakers were caught.¹⁴ Many citizens apparently were willing

¹¹ Gil Ybarbo, Article 31, Laws of Nacogdoches, 1783, *BA*.

¹² Castañeda, *Our Catholic Heritage*, V, 27.

¹³ López, *The Texas Missions*, pp. 19-20.

¹⁴ For a typical case, see Cabello, Año de 1783, Número 61. Diligencias instruidas sobre la multa ympuesta a Fran^{co} Guerra por haber cogido sin Licen^a

to take the risk, however, for there were many trials conducted for this offense. In just one week in July of 1781, for example, three cases were heard against individuals who failed to obey the cattle laws.¹⁵

Even the churchmen did more than protest verbally. In 1784 Bishop Rafael Verger, whose diocese included Nuevo León, Nuevo Santander, and Texas, instructed the ecclesiastical authorities at San Antonio to collect a tithe on the value of all wild animals caught and branded between 1780 and 1783. He argued to the civil authorities that the capture of such animals provided income, and that those who profited thereby were "duty bound" to give the church its share. Bishop Verger even wanted to collect a tithe on the fees for licenses to hunt, catch, and brand the king's animals. Governor Domingo Cabello y Robles (1778-1786), to whom this communication was addressed, used delay tactics. He filed a copy of the bishop's note in his archives, but withheld his permission for such collections until he consulted with the commandant-general.¹⁶ Two years passed before the issue was settled. In September of 1786 Commandant-General Jacobo Ugarte y Loyola ruled that no tithe could be collected on the governmental fees or from private individuals on the value of the animals they caught.¹⁷

The complaints of the Texas stockraisers finally reached Spain, and the wheels of the cumbersome Spanish bureaucracy slowly turned. On February 22, 1786, a letter was sent to the governor of Texas from the commandant-general's office in Chihuahua City, stating that the king had revoked Croix's decree of 1778 and all subsequent orders qualifying or modifying it.¹⁸

The ranchers' victory was shortlived, however. Soon after this notice arrived from Spain rescinding Croix's decree, the viceroy convened a council in Mexico City to settle the question of ownership of

del Gov^r de este Proa cuatro reses orejanas, cuya ymportancia de Veinte y Seis P^s se han Yntroducido en la caja de Mesteñas destinada a este fin con mas 37 p^s 4 rr^s que ha ymporta la multa . . . , June 7, 1783, San Antonio, *BA*.

¹⁵ Cabello, Año de 1781 . . . , Números 92, July 11, 1781; 93, July 13, 1781, and 94, July 18, 1781; San Antonio, *BA*.

¹⁶ Cabello, Año de 1784, Número 57. Testimonio de el despacho del Yllmo Sñr Obispo del Nuevo Reyno de Leon, y exorto de el cura Vicc^o de la Parroquial de la villa de San Fernando, pasados al Gov^{or} de la Proa de los Texas sobre la exaccion de diezmos de el ganado bacuña orexano, y caballerias mesteñas pertenecientes a S. M. . . . , April 19, 1784, San Antonio, *BA*; Castañeda, *Our Catholic Heritage*, V, 27-28.

¹⁷ Cabello to Ugarte y Loyola, No. 285, November 19, 1786, San Antonio, *BA*, notes the commandant-general's order of September 30, 1786.

¹⁸ Galindo Navarro to the Señor Comandante General, February 22, 1786, Chihuahua, *BA*, contains news of the royal revocation.

the herds roaming the prairies and hiding in the thickets of Texas. After lengthy deliberations the council in 1795 made its recommendations, which the viceroy followed closely. He issued a new and sweeping code of regulations for the cattle industry in the frontier province. Article One of the new code freed all Spaniards from debts owed the crown for cattle caught while Croix's decree was in force. Article Two declared that unbranded stock in Texas was the property of whoever could catch it. However, anyone who wanted to do so had to have a separate license for each animal—a license that cost four pesos for each head of cattle and two pesos per head for horses. The rate was exactly the same as Croix had prescribed!

The viceroy even went a step farther in his decree. To insure that cattle were not caught surreptitiously and butchered quickly before the proper fees were paid, he decreed that "anyone who would sell meat must first secure permission from the *alcalde* or city councilman (*regidor*); anyone who buys meat must see such permit or denounce the seller to the authorities." To encourage the Texans to aid in enforcing the laws, Article Twelve of the new decree stated that anyone who denounced a person selling meat without a permit would get half the fine levied against the lawbreaker.¹⁹

Illegal butchering was a problem, for cattle were wantonly killed. Father López in 1785 declared that it would be difficult to determine who had butchered, eaten, or destroyed the most cattle since 1778—Apache raiders who accounted for some twenty head a day; Spanish hunters who frequently killed more than a hundred, sometimes two hundred, in their weekly expeditions; presidial suppliers who monthly brought in about 150 head for the soldiers' food. Even the troops guarding the presidial horse herds, the priest asserted, butchered from two to four cattle daily to feed the twenty men in their detachments.²⁰

Despite the numerous laws—and lawbreakers—ranching spread in Spanish Texas until it became the largest single industry in the province. The census for San Antonio in 1795 listed sixty-nine heads of families who made their living working on the forty-five ranches in the vicinity.²¹ At Nacogdoches in 1804 the lieutenant-governor

¹⁹ Manuel Muñoz, Año de 1795. Copias de las providencias de la Junta Superior de R^l Haz^{do}; Decretos de conformidad de los Exmos Senores Virreyes, orn del S^{or} Com^{te} Gral de Prov^s Ynt^s, Acuerdos con el Ayuntam^{to} de esta Villa y Bando publicado en uno y dos de Agosto del mismo Año sre Juntas Ganados por los Criadores, August 27, 1795, San Antonio, BA.

²⁰ López, *The Texas Missions*, pp. 12-15; Castañeda, *Our Catholic Heritage*, V, 28.

²¹ Muñoz, Prov^a de los Texas, y Villa de San Fernando, relacion, Yndibiduo de los familias, que tiene esta dha villa, con expresion de su calidad, patria, edad de cada uno . . . , December 31, 1795, San Antonio, BA; for a list of ranch-

reported that "almost all the inhabitants" worked at pastoral pursuits.²² Cattle ranches in the province were most numerous from San Antonio southward to La Bahía (Goliad). This area was covered with individuals holding large grants and raising stock.²³ At Nacogdoches, there were a few horse ranches, as well as many for cattle. This locality was far enough to the east that the plains raiders were unlikely to disturb them.²⁴ And at each of the missions still extant, large herds were kept, constituting the greatest source of income for the Franciscans who labored to bring Christianity to the natives of the province.²⁵

The ranchers, both civilian and religious, prospered because they had a ready market for their beef. To the east lay Spanish Louisiana, and to the south was Coahuila. Both provinces yearly bought large numbers of the rangy longhorns to provide meat for the tables of their inhabitants. Historians refer to the period of the 1860s and 1870s as a time when rivers of beef flowed northward, providing money that saved many families from the financial rigors of Reconstruction. Spanish Texans never exported cattle in such numbers, but they did legally drive many thousands from the province—and several times that number illegally. The first drive which had official sanction occurred only shortly after Croix's original decree. In June of 1779 a messenger arrived from Governor Bernardo de Gálvez of Louisiana with letters commissioning Francisco García of San Antonio to purchase from the missions 1,500 to 2,000 Texas cattle for export eastward. Governor Cabello, following orders which forbade trade with the neighboring province, refused to allow the animals to be taken until the commandant-general gave his approval. Croix swiftly made known his thoughts on the issue. He instructed Cabello immediately to remit the cattle requested by Gálvez, and furthermore to see that sufficient bulls were included in the number to insure an increase of the herd in its new home. In addition, Cabello was ordered to furnish a detachment of soldiers to guard the animals and

ers in 1795, see Muñoz, Año de 1795. Copias de las providencias de la Junta superior de R^l Haz^{do} . . . , August 27, 1795, San Antonio, *BA*.

²² Francisco Xavier de Uranga, Resultados del lugar de Nacogdoches y su Jurisdiccion perteneciente a la Prov^a de Texas . . . , August 1, 1804, Nacogdoches, *BA*.

²³ Odie B. Faulk, "Texas During the Administration of Governor Domingo Cabello y Robles, 1778-1786" (Master's Thesis, Texas Technological College, Lubbock, Texas, 1960), pp. 12-13.

²⁴ Juan Bautista de Elguézabal Gov^{or} de la Prov^a de Texas haze al Sor Com^{te} Gral de la extension, poblacion y ocupacion de los habitantes de ella con expresion de los Ramos de agriculture en que se exercitan, June 20, 1803, San Antonio, *BA*.

²⁵ *Ibid.*; López, *The Texas Missions*, pp. 19-20.

drovers as they moved eastward. Croix concluded his instructions to the governor of Texas with an order that thereafter the governor of Louisiana was to be furnished with whatever he asked in the way of livestock.²⁶

The animals taken by García in 1779 either found conditions in Louisiana unsuitable for increase, or, more likely, they were quickly eaten, for cattle continued to be sent eastward in large numbers. On May 30, 1780, more than 1,200 head left La Bahía; on July 10, another 2,000 were sent; and on September 10 of the same year, 1,500 more moved eastward.²⁷ Thereafter Texas cattle were driven to Louisiana at the rate of fifteen to twenty thousand annually.

Trail drivers in the American post-Civil War period took their animals northward to make a profit. The same motive caused the Spanish Texans to attempt the difficult task of trailing the wild long-horns eastward through the piney woods of East Texas and Western Louisiana, across the rivers and swamps, and through an area where pilfering Indians might lurk behind every tree. A license to catch a wild cow cost half a peso; the export fee was two pesos. At the end of the eighteenth century, cattle were valued at ten pesos a head at La Bahía and twelve at Nacogdoches.²⁸ In Louisiana, where cattle were not as numerous, the price undoubtedly was much higher. Thus by catching the animals, paying all the fees, and driving the animals eastward, an enterprising Spaniard could make a handsome profit.

Less scrupulous individuals naturally sought ways to increase their earnings. The obvious method was to avoid paying the export fees. Trials were frequently held in Spanish Texas for those who illegally took cattle to Louisiana or Coahuila and sold them.²⁹ In one instance, official misconduct by the presidial commander at La Bahía, Captain Luis Cazorla, was charged by the governor. In 1784 Cabello denounced Cazorla for allowing a friend to take 876 unbranded animals from Texas without paying the export fee of two pesos per head.³⁰

²⁶ Cabello to Croix, June 20, 1779, San Antonio, *BA*; Croix to Cabello, August 16, 1779, Chihuahua, *BA*.

²⁷ Luis Cazorla to Cabello, No. 90, May 3, 1780, La Bahía, *BA*; Cabello to Croix, No. 254, July 10, 1780, San Antonio, *BA*; Croix to Cabello, September 10, 1780, Arizpe, *BA*.

²⁸ Uganga, Real Presidio de la Bahía del Esptu Sto. Resultados de dicho Presidio, que se remite al Señor Gobernador de esta Provincia, June 30, 1804, La Bahía, *BA*; Uranga, Resultados del lugar de Nacogdoches y su Jurisdiccion perteneciente a la Prova de Texas . . . , August 1, 1804, Nacogdoches, *BA*.

²⁹ For representative cases, see Cabello, Año de 1782, Número 96, June 26, 1782, San Antonio, *BA*; Cabello, Año de 1783, Número 61, June 7, 1783, San Antonio, *BA*; Cabello, Año de 1784, Número 85, July 28, 1784, San Antonio, *BA*.

³⁰ Cabello to Rengel, No. 18, December 28, 1784, San Antonio, *BA*.

In the years immediately following the turn of the nineteenth century, horses and mules supplanted cattle as the chief export—both legal and illegal—to Louisiana. The commandant at Nacogdoches noted in his annual report for 1802 that 1,187 horses and mules had passed through his area of jurisdiction bound for New Orleans, probably about one-tenth the number that actually had been taken from the province.³¹ After the United States took possession of the Louisiana Territory in 1803, such traffic once again was strictly forbidden by Spanish law. Yet because of the high profits and the relative ease with which the thieves could dispose of the animals across the border, many individuals flouted the law.³²

It is interesting to speculate about the trail-driving methods used by the Spaniards as they moved cattle from Texas to Louisiana. A few facts do emerge to shed light on the subject. The animals were driven eastward by way of the *Camino Real*, which ran from San Antonio to Nacogdoches, or they moved over the road from La Bahía to the site of the abandoned village of Bucareli on the banks of the Trinity, there joining the *Camino Real* and moving eastward. From Nacogdoches the animals were driven to Natchitoches, Louisiana, and on to the interior of that province. The *Camino Real* undoubtedly was the safest route, in addition to being one already laid out. Karankawas and other coastal tribes rarely went that far inland, and the Nations of the North normally did not prey on commerce moving along the royal highway. As a safety measure, however, military escorts usually were provided for the drovers.

Because the *Camino Real* in places was very narrow and was bounded by heavy timber, the Louisiana buyers provided an unusually high ratio of drovers to cattle to prevent the animals from straying or being stampeded. In the post-Civil War era, ten American cowboys could work 2,500 longhorns northward to Kansas. However, when Don Cristóbal de Córdoba arrived in San Antonio in 1780, he brought twenty men to trail 1,000 cattle to Louisiana.³³

³¹ Nemesio Salcedo to Juan Bautista de Elguézabal, December 21, 1802, Chihuahua, *BA*, notes this report by the lieutenant-governor at Nacogdoches.

³² For representative cases see Antonio Cordero y Bustamante, Sumaria informacion contra el reo Jose Antonio de Leon por haver hecho fuga de este Pueblo y ser acusado de rovo unas vestias Cavallos en los ranchos de este jurisdiccion y los paso a la de el Puesto de Opeluza de la dependencia de los Estados Unidos en donde hizo benta de ellos, September 27, 1807-January 31, 1808, San Antonio, *BA*; Manuel de Salcedo, Texas. Año de 1809. Causa seguida contra los Reos Julio Garcia, Noncia de la Garza, Jose Esteban de la Garza, Franc^{co} Rodrig^z y Martin Marrujo Salas por Extraccion de cavallada para la Provincia de la Louisiana, January 13, 1809-June 9, 1810, La Bahía, *BA*.

³³ Cabello to Croix, No. 254, July 10, 1780, San Antonio, *BA*.

The Spanish rancher in Texas had many problems, some in common with his Anglo-American counterpart of the last half of the nineteenth century. He was plagued with the need of a market for his cattle. He had transportation problems in getting the animals where cash buyers awaited them. Rustlers were a menace, and the Comanches showed the same propensity for stealing the beef they ate from those who did the work of raising them. Yet unlike the Americans, the Spaniards had to contend with extensive governmental interference and with a more primitive environment.

That the Spanish Texans enjoyed some measure of success is evident in two ways. First, large numbers of ranches flourished in the province until the end of the colonial era, and second, the Anglo-Americans who followed them quickly adopted the same ranching techniques. The mustang the American cowboy rode, the longhorn he drove to market, the tools of his trade, even much of his vocabulary—all came from Spain by way of Mexico. Almost a century before Anglo-Americans crossed the Sabine River, ranching was a commonplace part of Texas life.