



**Press Release**

**Thursday, July 10, 2008**

**Texas State Library and Archives Commission**

Contact: Derick Hackett, Communications Officer  
(512) 463-5514, dhackett@tsl.state.tx.us

## **Texas State Library and Archives Commission wins suit to reclaim two historical documents**

**AUSTIN, Texas** – The Texas State Library and Archives Commission (TSLAC) won its case against the Estate of Irma Lou Wilcox, reclaiming two historical documents that are to be returned for placement in the Texas State Archives collection.

One missing document is an original handwritten letter, dated October 29, 1835, by James Bowie and James Fannin to Stephen F. Austin. It contained a report of the Battle of Concepción, one of the first engagements in the Texas Revolution against Mexico.

Another document is a printed broadside dated February 28, 1836. It is entitled “Meeting of the Citizens of San Felipe,” which called to arms the Texas colonists against Mexico. It is one of the first printings of an historic letter from William Barret Travis.

According to the document, Travis is being besieged by troops under General Santa Ana and has suffered continual bombardment and cannonade for 24-hours without losing a man. The enemy has demanded a surrender or his garrison is to be put to the sword. Travis states in the document that “...*I shall never surrender or retreat: then I call on you, in the name of liberty or patriotism, and of every thing dear to the American Character, to come to our aid with all dispatch...*”

Peggy D. Rudd, TSLAC director and state librarian said, “We are taking seriously the recovery of documents that belong to the people of Texas. They are a part of the valuable history that is Texas. It is our story.”

TSLAC learned of the documents when Sotheby’s placed the documents for sale at auction in New York, which was to take place on June 18, 2004. After being contacted by TSLAC officials and after receiving proof by State Archivist Christopher LaPlante, Sotheby’s and the estate agreed to pull the items from auction to allow detailed examination of the documents.

On October 6, 2004, LaPlante showed that the two documents were in the Texas State Library and Archives Commission’s possession at one time and that other evidentiary information, that included a voucher mark from the 1830s printer Baker and Bordens of San Felipe de Austin, matched the TSLAC records that existed.

“We showed no record of the documents being traded, sold or lent from our archives,” said LaPlante.

Lorenzo de Zavala  
State Archives and  
Library Building

P.O. Box 12927  
Austin, Texas  
78711-2927

1201 Brazos St.  
Austin, Texas  
78701

[www.tsl.state.tx.us](http://www.tsl.state.tx.us)

*Commission Chairman*  
Sandra J. Pickett

*Members*  
Sharon T. Carr  
Martha Doty Freeman  
Cruz G. Hernandez  
Scott McAfee  
Sally Reynolds  
Michael C. Waters

*Director and Librarian*  
Peggy D. Rudd

*Assistant State Librarian*  
Edward Seidenberg

*Making  
information  
work  
for all  
Texans*

more

LaPlante also said that the documents were not legally released and must have been improperly removed from the Texas State Archives. He said that they remain as property of the State of Texas, even if obtained by an innocent purchaser or seller.

In 1909 the Texas Legislature created the Texas State Library and Historical Commission (now the Texas State Library and Archives Commission) for the purpose of acquiring, preserving and providing access to historical documents and other materials. The Department of Agriculture, Insurance, Statistics, and History then transferred custody of all historical, library and archival holdings over to the Commission that included the two documents that were in the possession of the Wilcox estate.

Some of the heirs of the Wilcox estate agreed to return the documents while others did not. Negotiations were not successful so TSLAC with the Attorney General of Texas, Greg Abbott, filed suit against the estate to reclaim the documents in the 58<sup>th</sup> District Court in Beaumont. Assistant Attorney General Joe Thrash handled the legal argument that won the day in court.

The court ordered the documents to be returned to the Texas State Archives for benefit of all Texas citizens and for scholars and historians to study.

-30-

**ABOUT THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION**

***TSLAC helps Texans find the information they seek. The people of Texas utilize TSLAC services and programs to effectively use information and materials that improve their lives, the lives of their families, and their communities. Since 1909, TSLAC has carried out a commitment of making information work for all Texans by providing history and genealogical services, federal and state government documents, electronic research, and library services to Texans of all ages who are unable to read standard print material due to visual, physical, or reading disabilities. For more information, go to <http://www.tsl.state.tx.us> or email [pio@tsl.state.tx.us](mailto:pio@tsl.state.tx.us).***