CHAPTER III

ARRIVAL OF ANGLO-SAXON DOCTORS

Anglo-Saxon civilization in its march from eastern shores toward the golden west heard much of the wonders of the Land of the Tejas—it stopped to investigate—the peal of mission bells, the twang of a Spanish guitar, "the manyana" of Mexican life all had their charm, but the vastness and great variety of resources appealed to Yankee thrift. They not only stopped to investigate; they lingered to conquer.

The building of a great empire state like Texas must have been a wonderfully interesting and inspiring experience. Many doctors and their wives had a part in this great adventure, for such a task was not accomplished by one man or one group of men; but many courageous and visionary spirits, both men and women, heard the call of mountain and valley, great plain and winding river and came to build their homes in the country of many climes and resources.

These adventurers were of many talents and qualities. The doctors were in most instances graduates of the best schools and often were lawyers, surveyors, ministers, and farmers as a side line. The pay of the doctor has always been an unknown quantity, which probably accounts in part for the varied activities of these early doctors in Texas. They had to have the necessities of life while building a new state, and many times their problems must have been very grave.

On the other hand, they must have had lots of fun—none of the luxuries and comforts that we feel are absolute necessities today, but also none of the mad hurry and bustle or dull routine of our present life. Every day was a fresh adventure and always were they close to nature, begging from Mother Earth her bounty with which to build their new life.

Of course, one man had to take the first step toward creating the new empire; and Moses Austin took practically
only one step as he died from the terrible experiences of rain and cold in an overland trip, just as his plans for colonization were being completed.

In 1821 Moses Austin, a native of Connecticut, but then living in Missouri, obtained from the Spanish authorities in Mexico a grant of land lying in the then Province of Texas. This grant was extensive, including a district of country nearly one hundred and fifty miles square, bounded on the east by the Brassos (Brazos) River and on the south by the Gulf of Mexico. The conditions of this grant were supposed to be sufficiently easy of performance, the principal one being that he should procure the settlement of a limited number of Catholic families upon the land in a specified time. Moses Austin died before he could accomplish this colonization.

Mrs. Austin, in a letter to her son, Stephen Fuller Austin, tells of her husband’s illness and death and says that he was treated by Dr. John M. Benhisel, a well-recommended but very young doctor who had been a student under the famous Dr. Physick, of the University of Pennsylvania, in Philadelphia. She stated that, “Dr. Benhisel spent a day and night working with the patient, that he blistered and bled most copiously for a violent attack of inflammation of the breast and lungs, but the patient died.”

The next interesting medical character to engage our attention is Dr. Robert Andrews. While a member of the territorial legislature of Arkansas, Dr. Andrews became very much interested in the new empire. While assembling his party of adventurers, he wrote Stephen F. Austin, who had taken over his father’s colonization scheme: “The Spanish Country is all the rage in the southern end of the Territory, and if I could wait two months I have no doubt that my company would consist of fifty persons, most of whom would intend making corn before their return. If no interruptions of government take place, a great many of the most respectable families in this country will move immediately on to your grant.” In a later letter to Austin, who was then in New Orleans, he said that he was bringing a large supply of medicine with him and asked Austin to procure for him in New Orleans and
bring with him to Texas a copy of Thomas’s “Practice,” a medical book that he valued very highly.

Upon the arrival of Dr. Andrews in San Antonio he found affairs in a very unsettled state. It was necessary for Stephen F. Austin to go to the City of Mexico to procure a confirmation of the permission granted his father, Moses Austin, by old Spain for the colonization of Texas. The Independent Country of Mexico by Constituent Cortes was then in session and had special instructions to give as to the distribution of lands and other details connected with the grant. Dr. Andrews went with Stephen F. Austin on this mission. They had a most exciting experience with Indians just south of San Antonio, but got safely through to Mexico City. There the rise and fall of Iturbide was taking place. Austin was delayed for almost a year, and Dr. Andrews went up to Saltillo to practice medicine. His letters to Austin while there are very interesting. He was trying to make enough money to get back to Texas.

“My trip back to the United States with mules is altogether uncertain and what I do or whether I go is also uncertain,” he wrote. “I love chastity too well to marry in this country, yet I know not what effect a pretty girl with two or three hundred thousand dollars in my power might have, but there are none of this class in Saltillo.”

March 4, 1823—“Anxiously and impatiently have I waited your return, but at last shall have to go without you. My business proved so bad here that I leave this place in worse circumstances than I came. I now go to Haciendo de los Homes to cure a family and shall practice some in Parras. I am not permitted to go farther on account of an order of the ‘all wise government’ but perhaps I may break the order. They may talk of ‘falto buen gobierno’ but that is not the complaint, all the government in the world would not make them worth the powder that it would take to blow them to hell—that which God made for a Jack Ass cannot be educated so as to make a fine horse. (Which would indicate that the doctor did not believe in evolution.) There is nothing to be hoped for from this government for a stranger, be he ever so fine. I shall set out in the morning for Parras, in which place I shall remain one or two months. I shall keep up a cor-
response with Dr. Grigorio Martanez in Saltillo with whom I leave all the letters from your brother and from whom you may learn something concerning me. A French gentleman, Francois Michaud, offered to take me home at his own expense, but I would not impose on his goodness. I remain your ever sincere friend, Andrews.”

There are many other letters; in one he says he can marry the niece of one of the Mexican doctors, that she has $10,000 and is pure Mexican, having no Indian blood, but that she is only fifteen years old and that he is not sure that he wants her. He also stated that he had saved almost a hundred dollars and that he hoped to work his way on a boat from a Mexican port to New Orleans, where he wanted to buy a supply of medicine to take back to Texas.

Dr. Andrews was also a surveyor, and tried to get Austin to use his influence to get him the position of chief surveyor of the new country. This position was then held by Baron de Bastrop.

After Austin’s colony was established, the following records of the town council or Ayuntamiento demonstrate the fact that the Mexican Government made a very creditable effort to regulate the sanitary conditions, to register births, marriages, and deaths, and to regulate the practice of medicine. Note the fact that several doctors practiced a year on trial, but later became members of the examining board. Also note the names of individuals who were taking an active part as leaders of progress; they are decidedly Anglo-Saxon.

Minutes of the Ayuntamiento of San Felipe de Austin, 1828-1832. Decree No. 37:

“Art. 109. The ayuntamiento shall promote the establishment of hospitals, poor houses, or houses of charity and benevolence; they shall take care that the streets, markets, public places and prisons are kept clean, and also that the apothecary shops and other establishments that have any influence on the public health shall be kept in proper order to prevent deleterious effects.

“Art. 110. They shall not permit physicians or apothecaries to exercise their professions without a previous presentation of their diplomas or certificates from the
respective scientific authorities or corporations, accrediting fully their qualifications.

"Art. 111. The ayuntamiento shall have an inspection over the provisions and liquors of all classes that are offered for sale, and see that they are of good quality; they shall also take such timely measures as may be practical for procuring supplies of the common necessaries of life in seasons of scarcity, so that the inhabitants may not suffer by famine.

"Art. 112. They shall provide proper burying grounds beyond the limits of the towns.

"Art. 113. They shall take care that the lakes and ponds be drained, so that water shall not stagnate in the towns.

"Art. 114. They shall remove whatever may jeopardize the health of the inhabitants or stock within the jurisdiction, when practicable to do so.

"Art. 115. They shall take special care to establish a board of health, even in settlements or towns where there is but one physician.

"Art. 120. The ayuntamiento shall take charge of the administration and regulation of hospitals, poor houses, institutions of learning and other establishments of a literary, scientific or benevolent nature that are supported by the public funds, and in those that are established by individuals they shall see that nothing contrary to the laws is permitted.

"Art. 121. Every six months they shall form a statistical account of the municipality, and every three months they shall call on the curate of the parish for a note of those born, married and dead, specifying the sexes, ages and both documents shall be transmitted to the chief of partido.

Extracts from the Minutes of the Ayuntamiento of San Felipe de Austin. Feb. 11, 1829.

"Everything passed in today's session being approved, the ayuntamiento passed to a consideration of the best method of getting a circumstantial notice of the births and deaths in the jurisdiction in order that this ayuntamiento
may comply with the requirements of law (p. 18) No. 37 as to marriages, births, and deaths in this municipality—as also the list of births and deaths of children born to slave parents in Coahuila-Texas.

“The first regidor proposed that the inhabitants be required by public notices to furnish monthly the necessary information on this subject, which was approved unanimously; and the ayuntamiento decreed that the secretary should, as soon as possible, circulate the proper notices through all parts of the jurisdiction, urging the inhabitants as good citizens to carry into effect as far as possible this necessary requirement.”

This session closed. J. White.

Samuel M. Williams, Secretary.

March 2, 1829.

“For the fulfillment of articles 109 and 110 of the law No. 37 concerning hospitals, apothecaries and physicians, the ayuntamiento ordered that the said articles be translated and posted in public places with a notice to those concerned in the municipality to present themselves to the ayuntamiento with their diplomas, etc. in order that said diplomas may follow the course that the law prescribes, that the physicians may practice their profession with the necessary license, and that those who do not possess diplomas may not deceive the public nor be permitted to practice a profession which they have neither knowledge nor other necessary requisites for practicing. . . .”

Apr. 6, 1829.

“The ayuntamiento also ordered that the secretary make a statement of the births, marriages, and deaths during the first quarter of this year, for transmission to the political chief, as law No. 37 requires. . . .”

Nov. 14, 1829.

“Then Dr. Robert Peebles presented his diplomas as a physician and was granted a provisional license by the ayuntamiento to practice his profession in this jurisdiction. The diploma of Francis F. Wells was also considered, and he was granted a similar license to practice as a physician in this jurisdiction.
“The Sindico Procurador presented the certificate offered by Doctor James Miller for license to practice his profession as a physician in this jurisdiction, and the ayuntamiento, having granted the necessary license, ordered that Miller and the other gentlemen who have asked for license to practice medicine in this municipality shall present themselves to the ayuntamiento and secure a written license, as prescribed by article No. 110 of law No. 37, which document shall serve them as full authority to practice their profession and collect according to the laws the fees for their work.”

Taken from the Minutes of the Ayuntamiento of San Felipe de Austin, 1828-1832.

“The ayuntamiento of Austin met in special session, the president and the two regidores present and the sindico procurador absent. Citizen Thomas J. Gazely presented two certificates from scientific bodies (corporaciones científicos) in the States of the North, accrediting his knowledge and skill in the practice of medicine. The ayuntamiento agreed to grant him a provisional license to practice his profession as a physician, pending the resolution of the supreme government, and for that purpose ordered that the said documents be sent to the government for its discussion.

“Thereupon the session closed.”

J. White
Samuel M. Williams.
Secretary
April 13, 1830.

“On application—Ordered that Thos. J. Gazely be admitted to the practice of Medicine, Surgery and Midwifery within this jurisdiction.”

July 5, 1830.

“Ordered by the ayuntamiento that whereas the 11th article of law No. 37 obliges this Body not to permit physicians or apothecaries to exercise their profession without a previous presentation of their diplomas and certificates from scientific authorities; and whereas it is a duty of the ayuntamiento to watch over the good order and
tranquility of the Municipality, as also to remove everything calculated to injure or prejudice the health of the inhabitants of the Municipality, and considering the formation of a board of Physicians as very important to produce regularity as well as security and confidence towards the exercising the profession of medicine and its branches in its various branches, the ayuntamiento have thought proper to nominate and appoint Robert Peebles, James B. Miller and F. F. Wells in conjunction with the Alcalde, and one of the regidores and the Sindico Procurador, as a Board of Physicians to examine the qualifications of those persons who may wish to practice, and issue to them the corresponding certificate of examination, to be presented to the ayuntamiento provided the candidate be considered competent to practice, which certificate will serve as authority to the ayuntamiento to issue the necessary license. Every person who shall practice or attempt to practice medicine or surgery in any of its various branches without having first undergone an examination as provided for in this order, and received permission so to do, shall be liable to a fine of fifty dollars for every offense."

Nov. 2, 1830.

"On motion of the president, the subject of establishing boards of health in this town and in such other sections of the Colony as may be deemed expedient was discussed, and it was ordered by the ayuntamiento that inasmuch as the Chief of this Department has communicated to this body the fact of the existence of the contagion called the smallpox in Bexar and Goliad (formerly La Bahia) and recommended to this body the establishment of boards of health for the purpose of protecting as far as may be practicable the inhabitants of this jurisdiction from the ravages of this serious disease, that the persons hereinafter mentioned shall within their respective precincts or neighborhoods compose a board of health.

"Second, for the town of Brasoria, Asa Brigham, Comisario, Doctors Francis F. Wells, J. B. Walls, Messrs. A. B. Stewart and John Austin.

"Third, for the town of Harrisburg, Samuel C. Hirams, Comisario, S. Bundick, Sindico, Messrs. David Harris, Wm. P. Harris and Ephraim Fuqua.

"Fourth, for the upper settlement on this River and Mill Creek, Doctor Wright, Thomas S. Saul, J. P. Coles, Nestor Clay, Abner Kuykendall and Levi A. Bostie.

"Fifth, for the Bay Prairie and lower part of the Colorado, Lawrence Ramsey, Comisario, Dr. C. G. Cox, Thomas M. Duke, Robt. H. Williams, Aylett C. Buckner and James Cummins.

"Sixth, for the town of Gonzales, J. B. Patrick, Comisario, Thos. R. Miller, Sindico, Messrs. Green DeWitt, Ezekiel Williams and Joseph Clements."

Apr. 4, 1831.

"It was then ordered by the body that the plan submitted by the committee, to whom was referred the subject to raise funds by taxation to defray the expenses of building a jail and other buildings necessary for the local municipal authorities to hold their sessions in and to preserve the records of the Colony, be adopted and passed to the Chief of this Department for his approval and to be transmitted to the Legislature of the State.

"Each and every drug shop, tippling shop or retailer of spirituous liquors in any quantity less than one quart shall pay a license of twenty-five dollars.

"Each and every keeper of a tavern or public house residing in a town shall pay per annum for a license thirty dollars. Each billiard table, fifty dollars.

"Each practicing physician, twenty-five dollars. Each practicing lawyer, in conformity with the 57th art. of the municipal ordinances, with the difference that a foreigner shall pay $200 instead of $150."

Apr. 4, 1831.

"On motion of the president ordered, that a committee be appointed to regulate the fees and charges of licensed physicians, and Doctors Miller, Moseley and the president
and Wm. Robinson 4th Regidor were appointed the Committee to report a tariff or fee bill at the next regular session.”

June 6, 1831.

“It having come to the knowledge of the ayuntamiento, that C. G. Cox and J. B. Walls are exercising the profession and practice of medicine without having previously complied with the ordinance regulating the practice of medicine within this jurisdiction, ordered, that they be notified to attend at the next regular meeting of the ayuntamiento on the first Monday in July next, and show cause why they should not be fined agreeably to the provisions of said ordinance.

“The report of the Committee to whom was referred the formation of a fee bill to regulate the charges of licensed physicians was read and approved, and the fee bill ordered to be engrossed in the book of Ordinances.”

July 4, 1831.

“On motion of the president ordered, that the Comisarios of the different precincts in the Municipality be required from their own observations and knowledge, and also on a report made to them by the Sindicosis of said precincts to make and transmit monthly to the Alcalde of the jurisdiction a report of all doctors, merchants, venders of merchandise and retailers of liquor within their respective precincts, and all those who in any way exercise such professions or sell goods without having obtained a license in conformity with the laws.

“Ordered that Doctors J. B. Walls and C. G. Cox be fined each $25 for a breach of the Municipal Ordinances by practicing medicine without having previously obtained a license agreeable to said ordinances and also for a non-compliance with the order of the ayuntamiento to present themselves for the body of this session.”

Oct. 3, 1831.

“A petition was presented from Dr. C. G. Cox praying the body to remit a fine imposed on him for a breach of the Municipal regulation, which was rejected on the ground that the body has not the power of remitting fines.”