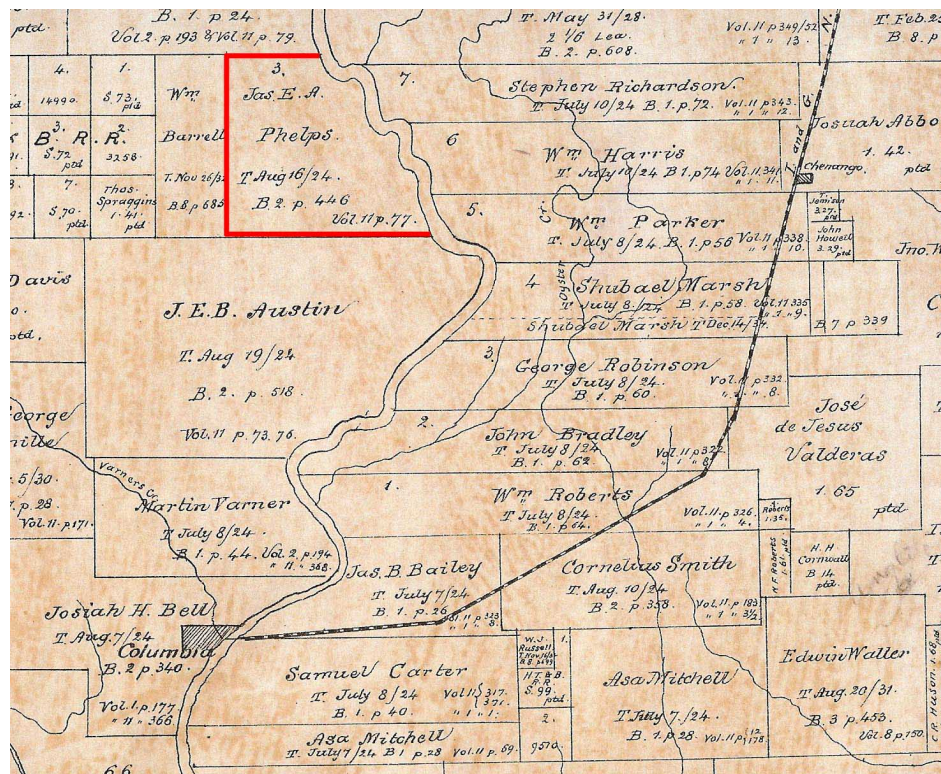


Orozimbo Plantation

Brazosport Archaeological Society

Arriving on board the *Lively* in 1822 Doctor James Aenas Enos Phelps was a member of Stephen F. Austin's original 300 colonists. He received title to a sitio or league of land on the west bank of the Brazos River above Bell's Landing (East Columbia) August 1824. In 1826 his household included his wife Rosetta Abilene Yerby, two sons, and two daughters. He continued to move his family back and forth to Mississippi where his first four children were born until~1832 establishing Orozimbo Plantation on his one league grant.



Map 1879 Texas General Land Office

Dr. Phelps with John A. Wharton, Asa Brigham, Alexander Russell, Anson Jones, and James P. Caldwell organized the Masonic lodge in Texas March 1835. Dr. James A. E. Phelps joined the Texas Army and was attached to the medical staff in April 1836. At Harrisburg he was left in charge of the sick and did not participate at the Battle of San Jacinto. From July to November 1836 General Antonio Lopez de Santa Anna was held prisoner at his plantation Orozimbo.

Orozimbo Plantation was developed as a cotton plantation with a small slave population. Upon his death in 1847 his estate passed on to his wife Rosetta A. Phelps. The Phelps family would continue to own Orozimbo through the Civil War and until after the turn of the century.

Dr. James A. E. Phelps (1793-1847) was born in Hartford, Connecticut.¹ April 18, 1821 he married Rosetta Abeline Yerby (1804-1887) born in Virginia. Arriving in Texas aboard the *Lively* as one of Stephen F. Austin's Old Three Hundred in 1822 Phelps began cultivating a farm with Stephen Holston on Buffalo Bayou near the present day Houston, Texas.²

On August 16, 1824 Dr. James A. E. Phelps received title to two labors of land on the east side of the lower Brazos River and a league on the west side of the Brazos almost twelve miles above Bell's Landing (East Columbia) in Brazoria County, Texas. The 1826 Census of Austin's Colony classified Phelps as a physician with a household including his wife, two sons, and two daughters, one servant, and fifteen slaves. The Ayuntamiento of San Felipe ruled in March 1830 that Phelps' had an improvement of about 30 acres on his league which had been left with an agent and working hands therefore the doctor had complied with the colonization law.³ Stephen F. Austin certified in January 1832 that although Phelps had delayed establishing his residence, his improvements and expenditures justified an extension of time for completion of his contract.⁴ The "improvements" evidently were his new plantation home Orozimbo, located on the west bank of the Brazos at the head of tide water and at a point where navigation was still advantageous. In a suit *Warren D.C. Hall vs James A. E. Phelps* it was stated that "he erected a dwelling, tenements and improvements, occupying it with his family, composed of himself, a wife, children, and slaves cultivating the same until August 1831...that on the 13th of that month, being himself absent with his wife on a visit to a child in the United States, having left his slaves and overseer in full possession, Hall, with violence and without any right...expelled the overseer and the slaves from the dwelling and tenements they occupied, driving them to some distant huts on the land and about the 6th of November following, he drove them wholly from the land, putting out of the enclosures the household furniture, etc., leaving the same to be wasted and destroyed, and took entire possession...continued with force to occupy until March following; that meantime Phelps returned, sought restoration of his estate, but it was withheld, until after an agreement was extorted from him to convey 1,000 acres, on the lower part of the league, in consideration of being restored to possession of the residue..." It would take several years before this suit was finally settled by the Texas Supreme Court in Phelps' favor.⁵

An advertisement dated, Orozimbo, June 2, 1832 published in *The Advocate* notified the citizens in the area that Doctor J. A. E. Phelps would be practicing medicine, surgery, & c. in Texas indicating that by this date he had permanently moved to Texas.⁶ During the cholera outbreak in 1833 Dr. Phelps treated patients as far north as San Felipe. With Orozimbo's prime location October 1834 Dr. Phelps started to offer lots in the town of Orozimbo which he hoped to

¹ Connecticut was confirmed as state of birth by Orlando Phelps (son) Brazoria County, Texas and Almira L. Phelps (daughter) Orleans, Louisiana 1880 Federal Census.

²"James Aenas E. Phelps" <http://www.tshaonline.org/handbook/online/articles/PP/fph2.html> (accessed November 12, 2008)

³ Barker, Eugene C., ed., "Minutes of the Ayuntamiento of San Felipe de Austin, 1828-1832", Southwestern Historical Quarterly Online, Volume 22, Issue I, p.81, (accessed November 13, 2008).

⁴ Ibid.

⁵ Dallam, James Wilmer, Opinions of the Supreme Court of Texas from 1840-1844, *Warren D. C. Hall vs. James A. E. Phelps*, The Gilbert Book Co., St. Louis, Missouri, 1882, pp. 435-441.

⁶ *The Advocate*, September 5, 1832, Brazoria, Texas.

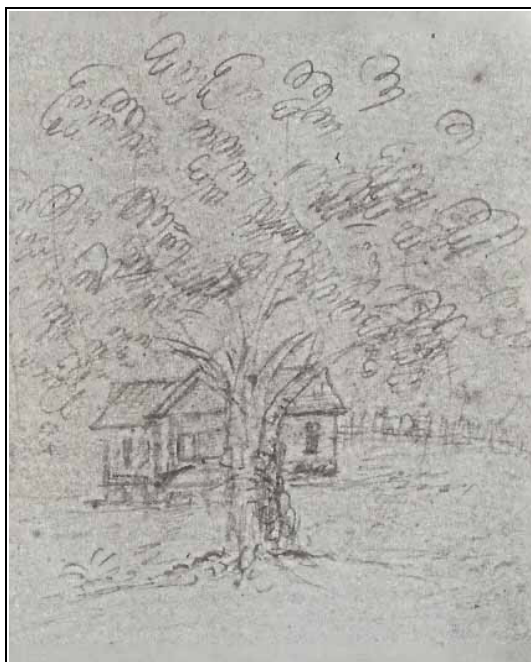
develop at the plantation site along the Brazos River⁷. Though the town did not thrive Phelps did issue a \$100 bond to John W. Cloud guaranteeing fulfillment of conditions of a sale of land in the town of Orozimbo October 26, 1834.⁸

March 1, 1835 Dr. Phelps with John A. Wharton, Asa Brigham, Alexander Russell, Anson Jones, and James P. Caldwell organized the Masonic lodge in Texas under a large oak tree in Brazoria.⁹

Across the Brazos River from Orozimbo was Bolivar, the plantation home of Henry Austin. Henry's sister Mrs. Mary Austin Holley came to visit his family in the spring of 1835. She recorded in her diary that on April 31, 1835 she boarded the schooner *San Felipe* in New Orleans and sailed to the port of Quintana at the mouth of the Brazos River. The schooner proceeded up the Brazos River to Bell's Landing:

May 11th

...My brother, Mr. Henry Austin, was in waiting for me at the landing with two horses...I mounted and we proceeded to Columbia...After a little chat...we proceeded over the prairie to the residence of Dr. Phelps, 12 miles—the longest it seemed to me I ever traveled. It was, however, charming scenery, especially as the sun was sinking...We arrived at last at 7 o'clock in the evening & so tired was I that I could scarcely stand or walk...



“Dr. Phelps’ house on the prairie—from recollection”

⁷ *The Texas Republican*, October 25, 1834, Brazoria, Texas.

⁸ Stalnaker Family Papers, MC034, San Jacinto Museum of History, Houston, Texas

⁹ “James Aenas E. Phelps” <http://www.tshaonline.org/handbook/online/articles/PP/fph2.html> (accessed November 12, 2008)

...A cup of good coffee, a refreshing bath, & a good night's rest, however, restored me to comfortable feeling. I can hardly express the sense of luxury I experienced in a bed large enough to stretch myself upon it, with a good mosquito bar which I realized this night.

May 12th

I awoke with fresh spirits & a good appetite...

I found Mrs. Phelps, my two nieces¹⁰ blooming as Hebes...

Mr. Jamison¹¹, an intelligent lawyer...resides with Dr. Phelps.

A town is laid out at this place, called Orozimbo, & lots offered for sale. It numbers but two houses, that of Dr. Phelps & one other.¹²

March 19, 1836 Dr. James A. E. Phelps, Dr. Anson Jones, and John A. Wharton along with several others from Brazoria County set out to find Sam Houston and the Texas army. The Brazorians found the army on March 24 at Beason's Ferry on the Colorado. As the army retreated Dr. Phelps was appointed civilian hospital surgeon.¹³ The retreating army left more than a hundred soldiers who were disabled with measles and diarrhea under the care of Dr. Phelps at Harrisburg along with all their wagons and baggage before the Battle of San Jacinto¹⁴. The day after the battle Dr. Phelps acting as Hospital Surgeon along with the medical staff was at the house of General Lorenzo de Zavala treating the nineteen seriously wounded from the battle. It would be three days before the staff started to treat the Mexican wounded. May 5, 1836 received leave from Brigadier General Thomas J. Rusk and departed leaving Dr. N. D. Labadie to attend the wounded.¹⁵

General Antonio Lopez de Santa Anna along with Ramon Martinez Caro his secretary and Colonels Juan Nepomuceno Almonte and Gabriel Nunez Ortega were held at Velasco for several weeks after the Battle of San Jacinto. Captain William H. Patton whose plantation laid just above the town of Columbia along Varner Creek decided it would be safer for the general to move him to his plantation away from the throngs of troops which moved about at the mouth of the Brazos especially since threats on his life had already been made.¹⁶ Ramon M. Caro also expressed his concerns over the accommodations at Brown's Tavern in Velasco: "...he (Patton)

¹⁰ Henrietta and Emily Austin, daughters of Henry Austin.

¹¹ Green B. Jameson was born in Kentucky. He lived with Dr. Phelps for a short time before joining James Bowie at the Alamo as ensign and chief engineer. He died at the fall of the Alamo on March 6, 1836.

¹² Bryan, J. P., Ed., Mary Austin Holley, The Texas Diary, 1835-1838, University of Texas Press, Austin, Texas, 1965, pp. 19-21.

¹³ "Doct Phelps was appointed by me as H. Surgeon, on the 1st of Apr 1836, as such, acted under me until the 5th of May following. Sam Houston Columbia 5th Dec 1836" Pension Records, State Archives, Austin, Texas

¹⁴ Gambrell, Herbert, Anson Jones The Last President of Texas, University of Texas Press, Austin, Texas, 1964, pp.61-67.

¹⁵ Pensions of the Republic, Texas State Archives, Austin, Texas & Day, James M., ed., Labadie, N. D., "Narrative of the Anahuac, or Opening Campaign of the Texas Revolution" & "San Jacinto Campaign" Texas Almanac 1857- 1859 A Compendium of Texas History, Texian Press, Waco, Texas, 1967, pp.155-175.

¹⁶ Creighton, James A., A Narrative History of Brazoria County, Texian Press, Waco, Texas, 1975, pp. 129-136.

took us to Velasco and lodged us in the second story of a house whose first floor was a restaurant. We were never in greater danger, nor were we ever exposed to so many vexations and insults...”¹⁷ June 15, 1865 they boarded the *Laura* and proceeded up the Brazos River to Bell’s Landing. According to the memoirs of Mrs. Hannah Adriance Munson:

When Santa Anna was a prisoner of Major William H. Patton, he took him to his plantation two miles northwest of Columbia, and Santa Anna and his suite occupied what was known as the Race House, a wooden structure, standing where the oil derricks now stand.¹⁸

Ramon M. Caro described the situation:

...Captain Patton took us to a small board house, a mile from Columbia, which had only two rooms. He placed us in one of these and he and his company occupied the other...¹⁹

Here the prisoners remained about six weeks, and except for one abortive attempt on Santa Anna’s life enjoyed their confinement although it was not without incident. Caro and Nunez both confirm the following:

June 27—About 8 o’clock in the morning a drunkard with a face uglier than Bacchus came. He asked for Santa Anna and nobody would tell him where he was. He peeped through the windows and asked Almonte who was playing checkers, if he were Santa Anna. Almonte answered he was not and the man took out a pistol and discharged it, shooting at me from about the distance of six feet. The bullet passed between us and went through the wall. Immediately the Captain came out and beat him with a truncheon (heavy beam for barring a door)...²⁰

They had many visitors and passed the time playing dominoes, checkers, and rayuela. Mrs. Hannah A. Munson recorded one of the intriguing events which followed²¹:

¹⁷Castaneda, Carlos E., *The Mexican Side of the Texas Revolution*, P. L. Turner Company, Dallas, Texas, 1958, p.134.

¹⁸ Creighton, James A., *A Narrative History of Brazoria County*, Texian Press, Waco, Texas, 1975, p. 136.

¹⁹ Castaneda, Carlos E., *The Mexican Side of the Texas Revolution*, P. L. Turner Company, Dallas, Texas, 1958, p. 135

²⁰ Diary of Colonel Gabriel Nunez Ortega Brazoria County Historical Museum.

²¹ While James Creighton preferred this version of how Santa Anna became poisoned I have several points of discontent. The first is the summoning of Virgil Phelps to read the note when he would have only been 9 years of age at the time. Why would he have not been at home with his family? Another version of the story as given by members of the Phelps family is that Santa Anna while staying at Orozimbo took laudanum of his own accord which he had surreptitiously secured; it being either an accidental overdose or suicide attempt due to his depression was not exactly known. In 1844 General Thomas Jefferson Green stated: “...failed in his attempt to poison his guards, he was ironed by Captain Patton...this threw such a gloom over his destiny, that in a fit of despondence he determined to drink the poison prepared for his guards. Dr. Phelps succeeded in pumping it from his stomach...” Santa Anna had once before stated that he had attempted suicide by taking opium while trying to get General Thomas Jefferson Green to let him remain on board the *Invincible* while at the mouth of the Brazos. “We arrived on board the *Invincible*, where we found the prisoner in a state of extreme agitation, lying in his berth upon his back, alternately raving like a madman and crying like a child; now denying that he had any agency in the massacre at Goliad; anon, threatening to take away his own life sooner than go ashore...The prisoner continued to act this strange part for about two hours; stating, meanwhile, that he had taken largely of opium, and would soon die.” This ruse did not work for as soon as soon as General Green had a set of leg irons brought into view Santa Anna stated his readiness to comply with the general. Green, Gen. Thomas J., *Journal of the Texian Expedition Against Mier*, The Steck Company, Austin, Texas, 1935, pp. 287 & 485.

On one occasion a very beautiful Spanish lady, living near Brazoria, came to visit her distinguished countryman, bringing dainty edibles and fine wine. She and the “Napoleon of the West” held a very animated conversation, which Major Patton followed as closely as possible, although he was not a very fluent Spanish scholar. As she rose to go she let her glove fall at Santa Anna’s feet. Major Patton recovered it and handed it to her.

Again the glove fell. This time Major Patton discovered a small note, written on tissue paper, in one of the fingers. The lady became indignant and demanded that the note be returned to her unread. This was not done, however, and sent for Mr. Vergil Phelps²², who easily read that the wine in one bottle marked a certain way was drugged for the guards, and that horses would be kept in the woods nearby, night and day. If this plan failed, another bottle marked a certain way contained poison.

In the confusion, Santa Anna secured the poisoned wine and succeeded in drinking some of it. Major Patton at once placed him in the family carriage and drove him speedily to Dr. Phelps’s plantation, Orozimbo. Dr. Phelps by the use of a stomach pump succeeded in saving the patient.²³

On July 30, 1836 the prisoners were moved by Captain William H. Patton to the plantation of Dr. James A. E. Phelps under a guard which varied from twenty-fifty men for the next five months. The following entry in the diary of Gabriel N  nez Ortega:

July 30—At two o’clock in the afternoon we left the Columbia house of Mr. Jack for the house of Dr. Phelps. We had gone one-half mile when a big storm caught us. The four of us went on horseback; both riders and beasts, etc. as well as we ourselves, gave the appearance of a kind of Mardi Gras.

We arrived at half past three. The Doctor’s house is beautiful. It has an orchard with various fruits, flowers, etc., besides the cotton plantation. Here one can enjoy greater comforts.²⁴

For two weeks the hopes of the prisoners for a more comfortable life were not disappointed²⁵. Then on August 14, according to Ramon Caro, Santa Anna’s secretary, these tranquil days came to an end. On that day, Mr. Bartolome Pag  s, who previously had contacted the prisoners at Velasco, suddenly reappeared, and his scheme for a possible escape attempt became known to the Texas guards. As a result, August 17 and 18, both Santa Anna and Colonel Almonte had a ball and chain attached to their legs. Santa Anna afterward wrote: “I had been taken to Orazimo, where, as a result of the denunciation of a plan to escape from prison by my clerk, Don Ramon Caro—as I was afterward informed—a heavy ball and chain was placed on

²² Son of Dr. James A. E. Phelps

²³ Creighton, James A., A Narrative History of Brazoria County, Texian Press, Waco, Texas, 1975, p. 137.

²⁴ Diary of Colonel Gabriel N  nez Ortega Brazoria County Historical Museum.

²⁵ Although not substantiated by the diaries of Ramon Caro or Gabriel N  nez Ortega according to a local historian “While there under guard, a soldier attempted to kill Santa Anna, and but for the timely action of Mrs. Phelps, would have succeeded. In an instant she threw her arms around Santa Anna, which prevented the soldier from firing” Strobel, Abner, The Old Plantations and Their Owners of Brazoria County, Texas, Lake Jackson Historical Association, Lake Jackson, Texas, 2006, p.42.

me the 17th of August, and on Colonel Almonte on the 18th.²⁶ We wore them for fifty-two days.”²⁷

Prior to the chaining of Santa Anna and Colonel Almonte, great excitement prevailed at Bell's Landing where Pagès' ship the *Passaic*, had been detained by the Texas authorities. Caro was taken to Columbia for questioning and was held there. On August 23, 1836, Bartolome Pagès filed a statement before the District Judge which seems to have been accepted as a true account of the events:

Deponent declares that when on the point of opening a grog-shop in Velasco, the place of imprisonment of General Santa Anna and Suite, he went one day accompanied by Captain Woods to visit the family of Deaf Smith and was subsequently introduced by them to Santa Anna, and that the latter, in conjunction with Don Ramon Martinez Caro his secretary, pressed him to repeat his visits frequently; made inquiries concerning his circumstances, and that Caro drawing him aside, told him that he might improve his fortune by getting up a plot for Santa Anna's liberation, bringing out a vessel and cargo with that object, and then reveal the affair to the Texians, by which means they (Caro and Pages) would obtain that property...To all this the Deponent at first objected, but finally yielded to the arguments made by Santa Anna himself and by Caro and agreed to undertake the business. That the former suggested the plot and the means of executing it, viz.: by bringing out a vessel with two guns and armed men and a bottle of drugged with Opium, to administer to the guard, and so cause a heavy sleep during which they were to escape.²⁸

Pagès further declared that he was handed two letters of credit and recommendation to the Mexican Consul in New Orleans and to merchants there and by means of these had obtained \$4500, of which he used \$2500 to buy the *Passaic*. He stated that he only pretended to aid Santa Anna but never had any intention of doing so, and that he had voluntarily surrendered the bottle of opium in the presence of Mr. and Mrs. Gray on board the *Passaic*, his intention being to make known the plot to the Texans. He said further that “immediately on his arrival at the “Landing: he went to see Caro that he might discover the plot; whereas he has declared against him (Pagès) and put his life in danger, instead of trying to save both, as he ought to have done.”

Judge Benjamin C. Franklin released Pagès on the basis of this statement, absolving the captain and crew of the *Passaic* of any blame. Caro remained separated from the other prisoners and detained in Columbia and later returned to New Orleans on board the schooner *Fannin*, September 16, 1835. Caro's account argues his own innocence, Santa Anna's complicity, and Pagès chicanery and greed.²⁹

²⁶ Local legend is told that they both were sometimes chained to the large oak in front of the Orozimbo home, which came to be called the Santa Anna Oak. This was not confirmed by the information given by Santa Anna, Ramon Caro, or Gabriel N. Ortega. The Phelps family claimed that Santa Anna was never chained to a tree. Foster, Catherine Munson, “Santa Anna best known Brazoria County POW”, *The Brazosport Facts Heritage Edition*, July 11, 1971

²⁷ Castaneda, Carlos E., *The Mexican Side of the Texas Revolution*, P. L. Turner Company, Dallas, Texas, 1958, p. 88.

²⁸ Creighton, James A., *A Narrative History of Brazoria County*, Texian Press, Waco, Texas, 1975, p. 140.

²⁹ *Ibid.*, pp. 140-141.

November 26, 1836 at four in the morning General Santa Anna and Colonel Juan N. Almonte under the charge of Major William H. Patton, Colonel George Hockley, and Colonel Bernard E. Bee started on their journey to Washington D. C. to meet with President Andrew Jackson, Colonel Gabriel N  nez Ortega being released to proceed to New Orleans. Santa Anna would not forget the care given him by the Phelps' family.³⁰

Dr. James A. E. Phelps provided the living quarters and food to Santa Anna and the guard and later he was reimbursed in full by the Republic of Texas. His expense report listed 1,700 pounds of beef at five cents per pound, one acre of sweet potatoes at about two hundred bushels per acre for one dollar a bushel, and the rent for seven rooms at Orozimbo "for the accommodation of Prisoner Santa Anna & others, and for the use of the Guard...for four months, at fifteen dollars per month each, is---\$420.00" The total bill for board and room for Phelps' guests came to \$801.00.³¹ Dr. Phelps also received the pay of a Hospital Surgeon from April 1 to June 30, 1836 and the pay of a private physician until December 1, 1836. For his services as Hospital Surgeon Sam Houston authorized a payment of \$100, plus twenty-five per cent interest on the amount. It was during the pay period as a private physician that his pay was based on his being post physician at a garrison with less than fifty men; thus Phelps was paid for medical services performed for the military guard stationed at his home. For these medical services, he received twenty dollars a month, plus twenty per cent of the sum spent for medicine supplied the guard and prisoner at Orozimbo. Additionally he was post doctor at Columbia during the period July 1 to December 1, 1836.³²

The 1839/40 Tax Record indicates that Dr. Phelps' plantation had seven slaves and 100 head of cattle with his league and two labors of land. While the plantation was still in its infancy Dr. Phelps was appointed Postmaster at Orozimbo in 1836 for the Republic and continued until August 1847 when the post office was discontinued.³³

³⁰ Letter from Santa Anna: Belton, Tex. April—Mr. P. L. Phelps of this city has received from his mother, Mrs. A. L. Phelps of New Orleans, a letter which was written by General Santa Anna to Mr. Phelps' grandmother of which the following is a copy and translation thereto: "Dated in Prison at Orazimba, Nov. 14th 1836—The President General Santa Anna presents through the medium of her husband Dr. J. A. E. Phelps a bed spread of his own use, which he hopes she will accept as a reminder of having lived in her house, regretting only that he can not offer a present of better taste. A. L. DE STA. Anna" article in Dr. James A. E. Phelps File, Brazoria County Historical Museum, Angleton, Texas.

³¹ In 1836 Dr. James A. E. Phelps was buying some of his necessary items from Walter C. White & Co. in Columbia. After the arrival of his guests his account changed from the normal yards of domestic cloth, cotton girths, and a few pair of shoes to July 17-1 Box cloret wine, 2 Gals Brandy August 16- 5 Gals Whiskey indicating alcohol consumption was not prohibited by the prisoners or guards. Civil Case 427: *Walter C. White & Co. vs James A. E. Phelps* The case continued for several years with the Phelps family contesting that most of the bill was for the prisoners and guards.

³² Ward, Forrest Elmer, "The Lower Brazos Region of Texas, 1820-1845, Doctor of Philosophy Dissertation, University of Texas, Austin, Texas, pp.405-408 & Pensions of the Republic, Texas State Archives, Austin, Texas.

³³ Creighton, James A., A Narrative History of Brazoria County, Texian Press, Waco, Texas, 1975, p. 470.

In 1842 two of Dr. Phelps' sons Orlando C. and Virgil H. Phelps joined the Somervell and Mier Expeditions. Orlando was Second Sergeant in Sterling McNeel's Company and afterwards Keller Reese's Company of Texas Volunteers. Virgil had been left on guard at the Rio Grande River while Orlando participated in the battle at Mier and was captured³⁴. After the arrival of the Texans at Santiago Prison from Salado, Orlando C. Phelps was brought to the National Palace before President Santa Anna, who had seen his name on the list of prisoners. According to Waddy Thompson, the United States Envoy to Mexico:

On arrival of the prisoners taken at Mier, Santa Anna ascertained that there was one whose name was Phelps.³⁵ He sent for him, and asked him if he was related to Doctor Phelps of Washington, Texas; when the young man replied that he was his son, Santa Anna ordered that he should be released, sent an aide-camp with him into the city, and purchased two or three suits of clothes for him, and gave him a room in his palace. I was informed of all this, and as there was an American ship of war at Vera Cruz, about to sail to the United States, I wrote a note to Santa Anna, offering young Phelps a passage. He replied, thanking me for the offer, but declined it, saying, that he felt himself fortunate in having it in his power to return, in some degree, the kindness of Doctor Phelps to him, when he was a prisoner in Texas, and that he preferred sending his son home at his own expense; which he did, giving to him also a draft on his factor in Vera Cruz, for whatever sum of money he might ask for.³⁶

Orlando Phelps left Mexico City by stage coach for Vera Cruz about May 5, 1843. He stopped at Perote Castle about lockup time on May 8 to bid his friends goodbye and receive letters to be carried to Texas.³⁷ He reached New Orleans aboard the schooner *Architect* from

³⁴ McCutchan, Joseph D., Mier Expedition Diary: A Texan Prisoner's Account, University of Texas Press, Austin, Texas, 1979, pp.200-201.

³⁵ In a family tradition related by Mrs. Minerva Phelps Vasmer (daughter of Orlando C. Phelps) to Catherine Munson Foster that on the march from Mier to the interior Orlando was in bad shape. Orlando's head had been injured and that he wore a thick, makeshift bandage, filthy and blood stained around his head, coming down almost to his eyes. After he was identified by Santa Anna and had recovered at the palace he was called into the presence of the president and offered his freedom. But there was a catch to it. He had to swear allegiance to Mexico and promise never to take up arms against her again. He refused. Santa Anna still outfitted him with clothes and gave him \$500 in gold sending him back to the United States. This wound received by Orlando was a gunshot wound to the face identified in his claim for a pension to the government of Texas. The normal pension would have been \$250/yr but an additional \$250/yr was petitioned for being wounded. Foster, Catherine Munson, "Santa Anna best known Brazoria County POW", *The Brazosport Facts Heritage Edition*, July 11, 1971 & Pensions of the Republic, January 20, 1871, Texas State Archives, Austin, Texas. For being members of the Mier Expedition September 1, 1851 Orlando received \$773 for 24 months service and his horse & equipment with Virgil H. Phelps receiving \$67.50 for his services. Pensions of the Republic, Texas State Archives, Austin, Texas.

³⁶ Thompson, Waddy, Recollections of Mexico, Wiley and Putnam, New York & London, 1846, pp, 75-76.

³⁷ "The release of Phelps shows that the President of Mexico is not wholly destitute of gratitude." Green, Gen. Thomas J., Journal of the Texian Expedition Against Mier, The Steck Company, Austin, Texas, 1935, p. 287. The reaction among some of the prisoners was not so kind. Israel Canfield wrote in his diary: "I have made mention of this fortunate animal [Phelps]... further notice is unnecessary except that he is not worth the powder that would blow him to any place". Nance, Joseph Milton, Dare-Devils All: The Texan Mier Expedition 1842-1844, Eakin Press, Austin, Texas, 1998, p.314.

Vera Cruz on Monday, May 22, and was interviewed the next day by the editor of the *Picayune*.³⁸

In 1847 Dr. James A. E. Phelps died and was buried underneath a large oak tree behind the plantation home. Rosetta A. Phelps became administratrix of her husband's estate and the probate record was filed November 9, 1847. May 18, 1848 all his property was appraised for Judge Edward Purcell:

One League Land on the Brazos, known as the Orozimbo League	\$13, 284
Two Labors situated on the East side of the Brazos and	
Adjoining Land belonging to Mrs. Jack	354
640 acres situated on the Navasota (Donation)	320
320 acres situated on the Navasota	160
Accounts to the amount of	500
50,000 lb Seed Cotton	500
100 Head Stock hogs	100
25 Head of Cattle	100
2 Sets Surgical Instruments – 1 Pocket Set	00
159 Books Miscellaneous	159
3 Mules	90
1 Horse	5
1 Saddle & Bridle	20
1 Silver Watch	30
Household & Kitchen Furniture	<u>300</u>
	\$15992.00

The Phelps family had been doing business with Ammon Underwood before the death of Dr. Phelps and continued to do so afterward from 1847 - 1850. During this time the net proceeds of 29 bales of cotton July 18, 1848 for \$621.61 and 10 bales on Sept 27, 1850 for \$509.92 were credited to Rosetta A. Phelps' account which was still behind in payment by ~

³⁸ Ibid., p. 313.

\$250 at the end of 1850. L. Martin was listed as her overseer in 1848 on the account ledger. He also submitted a bill to the estate which was paid for May 1845 for repairing the roof on shed room for two days work and ten days work done on the dairy for \$24.00.³⁹

Orlando, Virgil, and their sister Almira with her husband James H. Phelps had moved to Rio Grande City, Texas where Orlando set up a mercantile business. The 1850 Census for Brazoria County lists:

Rosetta A. Phelps	Farmer	F	45	Va.
Virgil H. Phelps		M	23	Miss.
Girard B. Phelps		M	13	Miss.
Eliza M. Phelps		F	7	Tex
William H. Phelps		M	4	Tex

Also in the 1850 Census in Cameron County:

Orlando C. Phelps	Merchant	M	27	Miss
Virgil H. Phelps	Farmer	M	24	Miss
Concepcion Quintero		F	60	Mexico

Virgil H. Phelps made both censuses while his sister Almira and her husband had not yet arrived in Rio Grande City. The 1850 tax record lists 15 slaves, 8 head of horses, and 300 head of cattle on Orozimbo. The agricultural census lists 120 acres under cultivation.

While Orlando, Virgil, and Almira Phelps brought a petition before the probate court to divide the property associated with their father's estate in 1851 this was never done.⁴⁰ February 1, 1853 Orlando C. Phelps married Mary Dudley Eubanks of Hinds County, Mississippi. All the children were back home at Orozimbo by 1860 except for Eliza H. Phelps who died April 1859⁴¹ and William H. Phelps who was not present at the time of the census. Almira and her husband had moved to New Orleans, Louisiana in the early 1850's and were visiting with several of their children at the time of the census. While the slave census lists 18 slaves and 10 slave dwellings for Rosetta Phelps the tax records indicate Orlando and his brother-in-law James H. Phelps owned 11 slaves and 200 head of horses together and Orlando owned 3 slaves himself. The Phelps estate owned 1000 head of cattle. The Orozimbo Plantation had supplemented its income from cotton production with a good herd of cattle and horses. The

³⁹ James A. E. Phelps Probate Case 452, County Clerk's Office, Brazoria County Courthouse, Angleton, Texas

⁴⁰ James A. E. Phelps Probate Case 452, County Clerk's Office, Brazoria County Courthouse, Angleton, Texas.

⁴¹ Eliza H. Phelps burial may have been near her father's grave.

cotton crop for 1860 was consigned to Mather Hughes & Saunders of Galveston for goods and supplies to run the plantation.⁴² The 1860 Federal Census: (See Appendix A for Geneology)

Rosetta A. Phelps	55	F	Va.	
Orlando C.	38	M	Miss	(Son of Rosetta)
Mary D.	28	F	Miss	(Wife of Orlando)
Virgil H.	33	M	Miss	(Son of Rosetta)
James H.	40	M	Conn.	(Husband of Almira S.)
Almira S.	36	F	Miss	(Daughter of Rosetta)
Girard B.	22	M	Miss	(Son of Rosetta)
Henry J.	18	M	Miss	(Son of Almira & James H. Phelps)
Emorett (Amoret)	5	M(F)	La.	(Daughter of Almira & James H. Phelps)
Enos	5	M	Tx	(Son of Orlando & Mary D. Phelps)
Minerva	3	F	Tx	(Daughter of Orlando & Mary D. Phelps)
H. V.	8/12	M	Miss	(Son of Orlando & Mary D. Phelps?) ⁴³

September 7, 1861 with the beginning of the Civil War Virgil H. Phelps joined Terry's Texas Rangers Company B 8th Texas Calvary along with many young men in the county and served until the conclusion of the war. Orlando C. Phelps was captain in two groups that served locally, the Brazoria County Minute Men and the Alamo Guard. Together they pledged 10 bales of cotton for the year 1861 to support the Confederate Loan.⁴⁴ Early in the Civil War James H. and Almira S. Phelps were in New Orleans where he was cotton factor and merchant. His business J. H. Phelps & Co. had loaned Rosetta Phelps \$3745.35 in January 1861 and covered another note in March for \$330.00 to operate the plantation.⁴⁵ She used 500 acres of Orozimbo and 300 head of cattle branded JAEP as security.⁴⁶ The next year another note of \$439.07 was also given.⁴⁷ Later the James H. Phelps family may have moved to Havana, Cuba to take part in blockade running enterprises as other cotton factors from Brazoria County had done during the war since one of their children is listed as having died in Havana, Cuba (See Appendix A).

⁴² Brazoria County Deed Record: J 616.

⁴³ This infant may have died young and is not listed with any of the family records and may be buried at Orozimbo.

⁴⁴ *Democrat and Planter*, Columbia, Texas, August 13, 1861.

⁴⁵ Court Case 2773 *James H. & Almira L. Phelps vs R. A. Phelps*

⁴⁶ BCDR: K 117/19.

⁴⁷ Court Case 2774 *James H. & Almira L. Phelps vs R.A. Phelps & Orlando C. Phelps*

After the Civil War as the family struggled financially at Orozimbo, the James H. Phelps' family in New Orleans seemed to prosper. Fifty bales from the cotton crop of 1866 was consigned to James H. Phelps & Co.⁴⁸ As members of the family weren't able to make a go of it in Texas, Almira L. Phelps started to buy out her brothers' interests in Orozimbo. In 1866, 1867, and 1868 she bought out the interests of Gerard B., Virgil H., and William H. Phelps in the Orozimbo Plantation and their livestock thereon.⁴⁹ In 1867 Orlando C. Phelps mortgaged all his land separate from Orozimbo and cattle holdings to Almira to secure the price of \$12,500 for eight slaves he had bought in 1859, a debt that had been covered by James H. Phelps & Co.⁵⁰ Almira and James H. Phelps brought suit against Rosetta A. Phelps (her mother) and Orlando C. Phelps (her brother) to recover the monies lent on the several notes previously mentioned and won their case.⁵¹ The property was seized by Sheriff Joseph W. Yerby and auctioned off in July 1868. At auction Almira L. Phelps bought out her mother's and brother's interests in the Orozimbo league and all the livestock on the property.⁵²



Photo Orozimbo 1871⁵³

⁴⁸ BCDR: K 741/43.

⁴⁹ BCDR L 142/43 & K 767/68 & L 145/46.

⁵⁰ BCDR: K 790/91.

⁵¹ Court Case 2773 *James H. & Almira L. Phelps vs R. A. Phelps* & Court Case 2774 *James H. & Almira L. Phelps vs R.A. Phelps & Orlando C. Phelps*

⁵² BCDR: I 663/66.

⁵³ Photo courtesy of the Brazoria County Historical Museum, Angleton, Texas, 2000.008p.0068.

The family home had evolved over the years to be a two story wood frame structure⁵⁴ with slave quarters, office, and stables all constructed of wood. A picket fence enclosed the large wooded yard and the residence was perhaps sixty feet from the front gate. The double doors at the front of the house opened onto a porch about ten foot square, with a second story porch above it. The porches were under a gable roof. Chimneys were at the ends of the house, both east and west, and the kitchen was a separate building at the rear.⁵⁵

Orlando C. Phelps and his family continued to live on Orozimbo with his mother Rosetta. They were possibly omitted from the 1870 Brazoria County Federal Census. The Brazoria County 1870 Census lists Henry Phelps aged 28 as a farm manager and Virgil H. Phelps as a stock driver. The family of James H. and Almira L. Phelps were living in New Orleans where the 1870 Federal Census listed his occupation as wholesale grocer.



Photo Orozimbo ~1871⁵⁶

Very little of the Orozimbo league had been sold off by the family over the years but in 1876 Almira L. Phelps sold several tracts. William Pitt Ballinger of Galveston bought

⁵⁴ From pictures it appears a second story was added on to the original structure if Mary Austin Holley's drawing is accurate.

⁵⁵Platter, Allen Andrew, "Educational, Social, and Economic Characteristics of the Plantation Culture of Brazoria County, Texas", Doctorial Dissertation Education, University of Houston, Houston, Texas, 1961, p. 194.

⁵⁶ Photo courtesy of the Brazoria County Historical Museum, Angleton, Texas, 2000.008p.0067. Possibly Orland C. Phelps is in the carriage with his son Orlando.

