

CHAPTER XV

AMERICAN SYMPATHY WITH TEXAS

UNTIL the latter part of the year 1835 the development of Texas excited very little general interest among the people of the United States. Texas and Mexico were far away, and communications were irregular and extremely slow. There were many other matters at home to claim popular attention. During the greater part of Jackson's administration Congress and the people were discussing the removal of the Indians from Alabama and Georgia, the President's disputes with the federal judiciary, the tariff, nullification, and the removal of the deposits from the Bank of the United States. If they turned to foreign affairs, the controversies with Great Britain over the West India trade, and with France over the spoliation claims, were all that seemed important.

In the press, the allusions to Texas were few and widely scattered, except, of course, for the passing interest excited in the summer of 1829, when it was reported that the purchase of Texas was imminent. In Congress, the word Texas seems not to have been pronounced for sixteen years—that is, from the period of the debates over the Florida treaty (about 1820) until the spring of 1836.¹

Before 1836 there certainly was no such thing as a definite public opinion on the subject of Texas. The few men in the United States who knew anything at all about it believed that Mexico would not be able to govern Texas much longer; and most of them believed that the acquisition of

¹ There is only one allusion to Texas in the diary of John Quincy Adams between 1827, when he was negotiating for its purchase, and the spring of 1836. This was in January, 1832, when he had a friendly conversation with Senator Johnston, of Louisiana, as to the merits of the Florida treaty, and the possibility of buying Texas.—(*Memoirs*, VIII, 464.)

Texas would be of benefit to the United States, and to the Southern states more particularly. But after the autumn of 1835 conditions were totally changed. The subject of Texas then became one of great and general interest, and in considering the attitude of the government and the people of the United States it is necessary to draw a very sharp and clear distinction between public opinion before that time and public opinion after that time.

It can hardly be too strongly asserted that the people of the United States in general, before the middle of the year 1835, knew little and cared nothing about Texas. And there is no evidence whatever to show that there was then any combination, or conspiracy, or organized movement of any kind, or in any part of the country, which was intended to affect the relations that existed between Mexico and the inhabitants of her Texan possessions.

The very earliest organized attempt to create favorable public sentiment in the United States seems to have been the meeting held on July 14, 1835, at New Orleans—the port through which nine-tenths of the foreign commerce of Texas passed. News had just been received of events in Texas down to June 20, 1835, when the destruction of the state government and the imprisonment of Governor Viesca were causing heated discussion in every Texan village. "A numerous and respectable assemblage of citizens," as the newspapers described it, was organized by the selection of General Felix H. Huston, as chairman.

"The chair," said the reporter, "addressed the meeting in a spirited and elegant harangue, describing in a manner exceedingly touching the wrongs and sufferings of the people of Texas, and exhibiting the necessity of immediate action on the part of friends of civil and religious freedom in their behalf; after which General H. S. Foote . . . submitted the following resolutions, and accompanied them with elegant and appropriate remarks."

And then follow long and high-flown resolutions of sympathy.¹

¹ *Tex. Hist. Quar.*, IV, 145.

Another similar meeting was held at the same place on October 13, 1835, when resolutions were adopted not only expressing the warmest sympathy for the Texans, but promising them every assistance which the neutrality laws of the United States would permit, and appointing a committee to receive donations and expend them in such a manner as might be deemed most expedient for the cause. Within a week the committee had raised seven thousand dollars, and forwarded to Texas the two companies of New Orleans Grays to whom reference has been already made. Other Southern states nearest the scene of action followed rapidly with arms and men. A company from Mississippi was despatched. A Kentucky company was organized in November, 1835, and of its adventures, up to the time of its surrender with Fannin a detailed account has been preserved.¹ Two Georgia companies were raised at about the same time, who also surrendered with Fannin, and their movements have been related by a survivor.²

As the news from Texas became more and more warlike, meeting after meeting was held throughout the Union—at Boston, New York, Philadelphia, Cincinnati, Baltimore, and Washington. Men and money and supplies were liberally contributed. The American people from Maine to Louisiana, with hardly a dissenting voice, loudly expressed their sympathy with their Texan neighbors, who were not only of the same blood and the same speech with themselves, but who also appeared to be struggling for a larger autonomy and for religious liberty, and to be upholding the essential principles of ordered freedom against cruel and treacherous enemies.³ In Webster's words, it was "no more than natural that the sympathies of all classes of our citizens should be excited in favor of a war, founded in the desire and sanctified by the name, of liberty,"⁴ and this natural

¹ William Corner, "John Crittenden Duval," in *Tex. Hist. Quar.*, I, 47-67.

² Baker, 244-250.

³ "Our cause is that of Liberty, Religious toleration and Freedom of Conscience against Usurpation, Despotism and the Unnatural and Unholy Monopolies of the Church of Rome."—(Texan Commissioners to Owings; *Tex. Dip. Corr.*, I, 60.)

⁴ Debate on recognition of Texas, May 9, 1836.

sympathy, as a matter of course, was greatly increased by the blood-thirsty conduct of the Mexican government and its officers in the field.

Austin and his associates reached New Orleans the first week in January, 1836, and were surprised at the depth and extent of the public interest. But their coming still further stimulated the enthusiasm of the American people. At New Orleans they were able to borrow substantial sums for their government.¹ From New Orleans they went to Nashville, Louisville, and Cincinnati, where they addressed large meetings and noted "the universal and enthusiastic interest which pervades all ranks and classes of society in every part of this country in favor of the emancipation of Texas."² In Washington, which they reached about the first of April, they "received the most marked attention"—of course unofficially. And from there Austin and Wharton went to New York, and Archer to Richmond. Wherever they went, these missionaries found large and friendly audiences, and reaped abundant harvests of men and money.

Before the end of February, 1836, hundreds of men from Louisiana, Georgia, Kentucky, Tennessee, Mississippi, and Alabama had reached Texas. Provisions, arms, and money were for months quite openly sent from New Orleans; and as Mexico had no naval force to control the Gulf, the trade in contraband of war went on without the least hinderance. "The Texan colonists," said the Mexican Foreign Minister, "have obtained and do daily obtain from New Orleans, supplies of every kind, in provisions, in arms and munitions of war, in money, in men who are openly enlisted in that city, and who leave there under arms to make war against a friendly nation, and by their mere presence to render more difficult the peaceable solution of a purely domestic question."³ The movements of these volunteers were, of course,

¹ Details as to these loans will be found in E. C. Barker's "Finances of the Texas Revolution," *Pol. Sci. Quar.*, XIX, 612-635. The instructions to the commissioners authorizing them to contract loans, purchase naval vessels, procure arms, etc., are printed in *Tex. Dip. Corr.*, I, 52.

² *Tex. Dip. Corr.*, I, 66, 93.

³ Monasterio to Forsyth, Nov. 19, 1835; H. R. Doc. 256, 24 Cong., 1 sess., 8.

facilitated by the total inability of Mexico to patrol its coast or to guard its land frontier.

The great majority of those who volunteered for the war in Texas came from the Southern states, but adventurous spirits from the North were not wanting.¹ Thus Doctor J. H. Bernard, of Chicago, with two friends, started for Texas in the early part of December, 1835. At Peoria they were joined by several others, and the whole party went on to St. Louis to take a steamboat for New Orleans. At St. Louis they "found several passengers aboard for Texas." Early in January they reached New Orleans, where the taking of Béxar and the death of Milam had already been dramatized, and was being acted with great applause.²

Another case of a Northern man, who, however, was a resident of the South, was that of John A. Quitman. He was born at Rhinebeck, on the Hudson River, the son of a German immigrant who was pastor of the Lutheran Church.³ When he was twenty-one years old Quitman started for the great West to make his fortune. The great West in 1819 meant the state of Ohio. There he was admitted to the bar, but soon after went down the Mississippi and took up his residence at the frontier town of Natchez, becoming ultimately a very great personage in his state.

In October, 1835, the question of Texas first began to interest him, as it interested thousands of others in the Mississippi valley. "There is war in Texas," he wrote to his brother. "Were I without family I would repair there immediately. Freemen who are struggling for their violated rights should not be left to struggle unaided."⁴ Five months later, the news of the fall of the Alamo stirred the hearts of the people of the United States. The dramatic completeness of the event—Travis's appeals for help "to the People of Texas and all Americans in the world," his

¹ As to the Southern volunteers, see James E. Winston, "Kentucky and the Independence of Texas," and "Virginia and the Independence of Texas," *S. W. Hist. Quar.*, XVI, 27-62, 277-283.

² Reminiscences of Dr. Bernard, *Comp. Hist.*, I, 608.

³ Smith's *Hist. of Rhinebeck*, 104. The Rev. Frederick Henry Quitman's pastorate lasted thirty-two years, from 1798 to 1830.

⁴ Claiborne's *Life of Quitman*, I, 139.

simple but perfectly sincere declaration: "I shall never surrender or retreat," and the death of every man of his command in a contest against overwhelming odds—were well calculated to arouse the enthusiasm of his American kinsfolk. Quitman, a successful and well-to-do lawyer of thirty-eight, could no longer resist the appeal; and he was but one of hundreds throughout the country.

The interesting details of his adventures are preserved in his letters, written from day to day. He raised a company and set out from Natchez on the fifth of April, acclaimed by the whole city. Steaming down the Mississippi and up the Red River, he and his fellow "emigrants" were at Natchitoches two days after they started. They made a slight detour to avoid the United States troops at Fort Jesup, though Quitman believed the officers sympathized with him. As soon as they were across the Sabine, a military organization was formally adopted, and the company marched rapidly for the front, and met the panic-stricken colonists flying before the Mexican advance. Pushing forward as fast as possible, Quitman and his men at last joined Houston on the field of San Jacinto—two days after the battle.¹

The Mexican legation in Washington of course protested against all such proceedings, but their communications were rather remarkable for vehemence and emphasis than for a clear apprehension of the facts or for a knowledge of the requirements of American law. The Mexican representatives in Washington had not usually been men of first-rate abilities. From June, 1831, when General Tornel (afterward Santa Anna's Secretary of War) ceased to be minister to the United States, a period of nearly five years elapsed during which Mexico was represented by a succession of *chargés d'affaires*, and it was not until the beginning of the year 1836 that Santa Anna's administration awoke to the importance of being represented by one of their foremost citizens. The condition of affairs at that time was evidently critical. The summary execution of a number of

¹ Claiborne's *Quitman*, I, 140-153.

American citizens at Tampico had occasioned a strong protest from the American legation; the supply of men and arms to the insurgents in Texas was beginning to raise important questions; and the physical marking of the boundary line between the United States and Mexico was still to be provided for. It was therefore decided to send what was described as a "mission extraordinary" to the United States "to treat on points of the highest interest" pending between the two countries.

Manuel Eduardo de Gorostiza, appointed envoy extraordinary and minister plenipotentiary, was of Spanish descent, and at the time of his appointment was forty-six years old. He had been educated in Spain, had fought as a boy against the French in the Peninsula, and had been banished in 1823 by Ferdinand VII. He lived three or four years as an exile in London, and then became the Mexican representative at Brussels, London, and Paris successively. Returning to Mexico in 1833, he held several important public offices. He was a successful playwright, a man of literary talents—"witty and agreeable," says Madame Calderon. Butler, the American chargé in Mexico, writing to the State Department of his appointment, called him the "Magnus Apollo of Mexican diplomacy and of literature."¹

But Gorostiza as well as his predecessors, in their complaints to the State Department, utterly failed to distinguish between assertion and proof, or to master the well-established principles of the federal statute. A newspaper clipping was generally the basis of their communications. They never seem to have furnished the names of witnesses, or to have considered that American courts could not act without evidence. Many of the acts they complained of were not within the statute. It was not an offence against the law to furnish money to insurgents, or to express sympathy for

¹ H. R. Doc. 351, 25 Cong., 2 sess., 577, 725. An excellent life of Gorostiza was published in 1876 by J. M. Roa Bárcena under the modest title of *Datos y Apuntamientos para la Biografía de Don M. E. de Gorostiza*. It was rumored (in Texas at least) that Gorostiza's special purpose was to effect a sale of Texas; against which the Texan representatives were instructed to protest.—(*Tex. Dip. Corr.*, I, 76.) Of course the rumor was unfounded.

them, or to sell or export arms and munitions of war or other contraband articles,¹ or even to form organizations which were intended to aid and abet rebellion in other countries.² It was never an offence against the laws of the United States for men to leave the country with intent to enlist in foreign countries, provided they went as individuals and did not combine or organize a military expedition while in the country.³

The acts which the statute of 1818 did prohibit, were the equipping of armed vessels and the setting on foot of hostile expeditions; and as to these, the attitude of the administration was at least formally correct. As early as November 4, 1835, and before any complaints were received from the Mexican representatives, a warning circular was sent by the Secretary of State to the United States' attorneys in the districts of Louisiana, New York, Massachusetts, Pennsylvania, Maryland, and Alabama, declaring it to be the "fixed determination of the Executive" to see that citizens should abstain, under every temptation, from intermeddling in the domestic disputes of Mexico. The district attorneys were further directed to be "attentive to all movements of a hostile character which may be contemplated or attempted," and to prosecute all violations of the neutrality laws.⁴

These orders proved quite fruitless, partly because evidence was really hard to get, partly because the district attorneys were far from zealous, and partly because those who were managing the business were shrewd enough to put on a cloak of legality.

In the case of one company of recruits who went down the Mississippi "with drums beating and fifes playing," and were received with enthusiasm at the river landings, the United States attorney reported innocently that, as the men

¹ Moore, *Internat. Law Digest*, VII, 976-982. The act of 1818, in force in 1836, was superseded by the act of March 10, 1838, passed in consequence of the condition of things on the Canadian frontier. See President's message of January 5, 1838.

² Opinions of Attorney-General, VIII, 216, in answer to British complaints of Irish societies in the United States.

³ *Wiborg v. The United States*, 163 U. S., 632.

⁴ H. R. Doc. 256, 24 Cong., 1 sess., 36.

assured him that their only motive in going to Texas was emigration, and as there was no apparent movement on their part "exhibiting them as an armed force," he did not consider he had any such information as would justify legal proceedings.¹ Another district attorney reported, in respect to this same party, when they stopped at Natchez, that as he had failed, after using great exertions, to procure a warrant in the case of Felix Huston (whose recruiting activities were locally notorious) he really did not see what more could be done.²

The attitude of James P. Grundy, the United States attorney at Nashville, was even more scandalous. He, as well as his predecessor, had been specially ordered by the Secretary of State to inquire into the truth of certain newspaper allegations, that men were being raised and equipped at Nashville for military service in Texas, and if he found that any persons had violated the law in this regard, he was to institute such proceedings as might be necessary to punish them.³ Nevertheless, if the report of a Texan agent may be believed, Grundy was himself the person who was raising the company.

"He says," so the story ran, "he will prosecute any man under his command who will take up arms *here* and he will accompany them to the boundary line of the U. S. to see that they shall *not violate her Neutrality* and when there, if the boys think proper to step over the line as *peaceable Emigrants* his authority in this Govt will cease and he thinks it highly probable that he will take a peepe at Texas himself."⁴

The completeness of this piece of cynical impudence seems to cast a certain doubt on the accuracy of an otherwise delightful story; but if it was not true, it was well invented, for it illustrated completely the methods adopted to evade the statute.

¹ Sanders to Dickins, Aug. 5, 1836; Sen. Doc. 1, 24 Cong., 2 sess., 53.

² Addison (acting for Gaines) to Forsyth, Aug. 20, 1836; *ibid.*, 66.

³ Forsyth to Brown, Feb. 24, 1836; Forsyth to Grundy, April 9, 1836; H. R. Doc. 256, 24 Cong., 1 sess., 37-38.

⁴ Carson to Burnet, June 1, 1836; *Tex. Dip. Corr.*, I, 92.

The committees who raised and equipped the American volunteers were thoroughly informed as to the state of the law, and took some pains to evade its provisions. Thus, as a general thing, the American volunteers were publicly described as "emigrants," and their weapons as "hollow-ware." Notices were published in the newspapers to the effect that those who went to Texas must embark on their own responsibility, at their own expense, and subject to no other rules than such as might be adopted for convenience in travelling; and that all money subscribed for the Texan cause would be applied solely to purchasing "provisions, supplies, etc."

Writing to an agent employed to purchase a steamship in New York intended to cruise in the Gulf, the Texan commissioners instructed him as follows:

"You will also advertise for passengers for Texas, and charge them such reasonable price for passage as in your judgment should be proper, and if any should take passage in said Boat, with intention of entering into the service of Texas, they shall have their passage money refunded to them, on being received into the service."¹

Subterfuges like these might not have deterred an unsympathetic or absolutely impartial grand jury from indicting offenders; but an impartial grand jury could hardly have been found anywhere in the country. Like their fellow-citizens, the members of grand juries in 1835 and 1836 were all for the cause of Texas, and the most zealous of district attorneys must have failed in an endeavor to procure indictments.

The President himself was by no means impartial. His feelings were very strong in favor of the Texan cause, but he also had a high sense of the dignity of the government of the United States and of its obligation to observe a careful attitude of neutrality. At a time when Texan affairs looked very dark, Austin wrote from New York to the President,

¹ *Tex. Dip. Corr.*, I, 61; and see *ibid.*, 56, where the commissioners explain that men cannot be enlisted in the United States and their passage paid to Texas without violating the statute.

the Vice-President, and other officials, begging the administration to help the Texans openly with men and money. Jackson filed away the letter with his private papers, and indorsed it in his own handwriting:

"The writer does not reflect that we have a treaty with Mexico, and our national faith is pledged to support it. The Texians before they took the step to declare themselves Independent, which has aroused and united all Mexico against them ought to have pondered well—it was a rash and premature act, our neutrality must be faithfully maintained."¹

Another and more serious source of controversy than the enlistments on American soil grew out of the conduct of the United States troops stationed on the Mexican frontier. The facts in regard to the matter were very simple.

As soon as authentic news reached Washington that Santa Anna was marching upon Texas with a large army, orders were issued to General Edmund Pendleton Gaines, the officer then commanding in the South, informing him that the sixth regiment of infantry had been ordered to Fort Jesup (near Natchitoches), and that all troops west of the Mississippi and south of the Missouri were to be employed in enforcing neutrality. Gaines was ordered to proceed in person to "some proper position near the western frontier of the State of Louisiana," and to see to it first that neither of the contending parties crossed the boundary into the United States, and second that no Indians living within the United States made any hostile incursions into Texas.² These orders, the Mexican minister expressly admitted, were beyond criticism.³

General Gaines was an elderly officer, who should have been well qualified by experience for the delicate duty with which he was charged. He had entered the army in 1799, served on the northern frontier, and greatly distinguished himself at Fort Erie, August 15, 1814, for which he had re-

¹ Jackson MSS., Library of Congress. See *Tex. Hist. Quar.*, XIII, 185.

² Secretary of War to Gaines, Jan. 23, 1836; H. R. Doc. 256, 24 Cong., 1 sess., 40.

³ Gorostiza to Forsyth, April 23, 1836; *ibid.*, 16.

ceived the thanks of Congress and a gold medal. Shortly after the treaty of Ghent he was put in command of the troops on the Florida frontier, and became engaged in the Seminole war. In January, 1836, he was still in Florida.

Pursuant to the orders of the War Department, Gaines proceeded to Natchitoches, but at so leisurely a rate that he did not reach that post until the fourth of April. On his way he heard a good deal about "the sanguinary manner in which the Mexican forces seem disposed to carry on the war against our Texian neighbors," and from Baton Rouge he wrote to the Secretary of War that he should deem it his duty to anticipate the lawless movements of the Mexicans and "their red allies," if he found any disposition to menace American settlements; and in that event he intended to cross "our supposed or imaginary national boundary," and meet "the savage marauders wherever to be found in their approach to our frontiers."¹

It is not apparent where Gaines picked up the notion that the Mexican forces were aided by "red allies"; but it is perfectly clear where he had got the idea of penetrating into foreign territory to punish hostile Indians. In 1817 he had been instructed that if the Seminoles refused to make reparation for outrages and depredations on the citizens of the United States, he was "at liberty to march across the Florida line and attack them within its limits."² This was a policy deliberately approved by Monroe and his cabinet at a meeting specially called for the purpose,³ and the subsequent action of the United States troops in invading Florida and capturing Spanish posts was diplomatically defended by John Quincy Adams, as Secretary of State, upon the ground of the failure of Spain to restrain her Indians and the imperative duty of the United States to protect the persons and property of its citizens near the border.⁴

Entertaining these preconceived notions as to what he

¹ Gaines to Cass, March 29, 1836; *ibid.*, 42.

² Calhoun (Secretary of War) to Gaines, Dec. 16, 1817; *Amer. St. Papers, Mil. Aff.*, I, 689.

³ J. Q. Adams, *Memoirs*, IV, 31.

⁴ Adams to Erving, Nov. 28, 1818; *Amer. St. Papers, For. Rel.*, IV, 539.

would find to do when he reached his post, Gaines arrived at Natchitoches a fortnight before San Jacinto, and was greeted at once by a number of very excited people. He was informed that Santa Anna was rapidly approaching; that his intention was to put to death all who did not yield to his dictation; that the Cherokee and Caddo Indians were to join him as soon as he reached the Trinity River, and unite with him in a war of extermination; that a Mexican agent had been stirring up the Indians on both sides of the border, and that the people of Louisiana were not safe unless there was an ample force "to arrest the career of these savages."¹

Gaines was absurdly credulous if he really believed all these tales, but at least he did not exaggerate the violence of the current rumors. The Mississippi volunteers, who reached Natchitoches three days after him, found conditions even worse than he described them.

"Advancing into the country," the commander wrote home, "we found the roads literally lined with flying families, and instead of the men turning their faces to the enemy, we met at least 300 men, with arms in their hands, going east. Perhaps they considered the contest hopeless and did not care to throw away their lives. The reports of the enemy's overwhelming numbers and bloody intentions were indeed alarming. We must have met, at least, a thousand women and children, and everywhere along the road were wagons, furniture and provisions abandoned."

At Nacogdoches the Mississippians were told that a detachment of the Mexican army had reached the upper waters of the Trinity and would attack the town in a few days, and scouts who had been sent to reconnoitre west of the town came galloping back with a report that they had been actually fired on by a party of Mexicans. On the twelfth and thirteenth of April there were incessant alarms. Three thousand Mexicans and Indians were reported close at hand,

¹H. R. Doc. 256, 24 Cong., 1 sess., 46-48. And see agitated letters to Gaines from John T. Mason and residents of Nacogdoches in H. R. Doc. 351, 25 Cong., 2 sess., 773-782.

and it was not until a day or two later that it turned out there was no foundation for these stories and no immediate danger.¹

Surrounded at Natchitoches by terror-stricken fugitives, and by officers eager for a chance to distinguish themselves in actual warfare, it is perhaps not astonishing that General Gaines should have completely lost his head. He thought that he was called upon to decide whether he should sit still and suffer the Indian movements "to be so far matured as to place the white settlements on both sides of the line wholly within the power of these savages," or whether he should take steps at once to compel the Indians to return to their reservations. Without hesitation he decided on the latter course; but as he was persuaded that Santa Anna, with his "Indian allies," had somewhere from twelve to twenty thousand men, reinforcements appeared to be urgently needed. Gaines therefore, certainly without express authority, called on the governors of Louisiana, Mississippi, Tennessee, and Alabama for volunteers.²

His call was rather coolly received by the state authorities. Governor White, of Louisiana, said that after looking at the statutes he did not think he was authorized to furnish the force called for; that he did not believe it was necessary; that Gaines had been imposed upon by Texan speculators (*i. e.*, John Thomson Mason, who had been mixed up in the New York and Galveston Bay Land Company and the Coahuila land grants of 1834 and 1835); and that these people hoped to get the United States involved in the war between Mexico and Texas. Governor Cannon, of Tennessee, on the other hand, felt it his duty to raise a brigade of volunteers, although he was much perplexed to see how it could be done. The governors of Alabama and Mississippi must have shared the views of the governor of Louisiana. At any rate, they did nothing.³

¹ Claiborne's *Quitman*, I, 148-150.

² Gaines to the governors, April 8, 1836; H. R. Doc. 351, 25 Cong., 2 sess., 770. One at least of Gaines's staff believed the rumors of Indian depredations unfounded and told him so.—(Hitchcock, *Fifty Years in Camp and Field*, 98.)

³ See correspondence in H. R. Doc. 256, 24 Cong., 1 sess., 49-56.